

# **RUSSELLVILLE CITY BOARD OF EDUCATION**

## **POLICY MANUAL**

The Russellville City Board of Education does not discriminate on the basis of race, color, national origin, sex, disability, religion, or age in its programs and activities, and provides equal access to the Boy Scouts and other designated youth groups. The following person(s) have been designated to handle inquiries regarding non-discrimination policies:

Administrative Assistant - A  
1945 Waterloo Rd, Russellville, AL 35653  
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***Russellville City Board of Education  
Policy Manual***

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## Preface

The Russellville City Board of Education is established under authority of state law for the purpose of exercising general supervision and administration of the public schools serving school age children who reside within the Russellville limits of the City of Russellville, and of promoting the interests of the Russellville Schools and the children they serve. Those responsibilities are met, in part, by the adoption and implementation of formal policies by which the principles that guide decision-making are established.

Policies are generally broad statements of principle and purpose, and are intended to serve as a framework for decision-making and administrative action rather than as a manual for day-to-day decision-making and action. Policies can nevertheless establish specific substantive standards and requirements, including standards of personal and professional conduct, the violation of which may result in disciplinary sanctions or other adverse consequences. However, policies do not restrict the ability of the Board or its employees to respond reasonably and flexibly to unexpected contingencies, emergencies, and other conditions that call for a response that is tailored to unique or special circumstances.

Policies should be construed as a whole and with reference to related policies and applicable law. Although policies are adopted partly for the purpose of meeting the requirements of pertinent law, they do not establish or create a legal right, claim, entitlement, or interest to or in any title, position, assignment, duty, work location, level or rate of compensation, benefit, or term of employment.

Any provision, feature, or aspect of Board policy that does not conform to governing law should be deemed void and superseded by such law. Editorial changes that do not affect the meaning, substance, or application of a policy may be made by the Board without advance public notice and comment. In general, the Board reserves the right to adopt, revise, interpret, amend, repeal, suspend, or apply policies according to its assessment of the needs and interests of the school system, subject only to such limitations on the exercise of such prerogatives as may be imposed by law.

## Definitions

Except as otherwise expressly provided in individual policies or required by the context, the following terms have the meanings given below:

- a. “Board” or “Board of Education” means and refers to the Russellville City Board of Education.
- b. “State” means and refers to the State of Alabama.
- c. “System” or “school system” means and refers to all schools, facilities, and operations of the Russellville City Board of Education.
- d. “State Board of Education” means and refers to the Board that exercises general control and supervision over the public schools of the State of Alabama as constituted and authorized by ALA. CODE § 16-3-1, *et seq.* (1975).
- e. “Alabama (State) Department of Education” means and refers to the state agency that is charged with implementing the policies, procedures, and regulations of the State Board of Education as provided in ALA. CODE § 16-2-1, *et seq.* (1975).
- f. “He,” “his,” or “him” means and includes all genders.
- g. “Law” includes local, state, and federal statutes, regulations, ordinances, court decisions, and binding administrative orders or directives.
- h. “Certified” or “certificated,” when used to modify the words “teacher,” “personnel,” “employee,” “staff,” or similar terms, means and refers to Board employees who hold certificates or comparable forms of licensure issued by the State Superintendent of Education under authority of ALA. CODE §16-23-1 (1975).
- i. “Classified” or “support,” when used to modify the words “personnel,” “employee,” “staff,” or similar terms, means and refers to Board employees who do not hold certificates issued by the State Superintendent of Education under authority of ALA. CODE §16-23-1 (1975) and who, in general, hold employment positions of the type identified in ALA. CODE §16-24C-3(2) (1975), of the Code of Alabama (1975).

Citations to the United States Code, the Code of Alabama, and the Alabama Administrative Code are all intended to refer the reader to sources that either serve as legal authority for the policy provisions or provide additional or more detailed information regarding the subject matter of the policy. The citations are not exhaustive and are subject to repeal, amendment, or invalidation by court rulings. Such changes may not be reflected in the policy.

# I. Governing Principles

## 1.1 *Mission Statement*

“Pursuing Excellence. . . Impacting the lives of our students, our community, our world”

## 1.2 *Vision*

RCS will be recognized as a leader in our state for excellence in academic growth. We will reach all students through relationships, character building, and strong community involvement, while providing first class facilities, technologies, and engaging educational experiences.

## 1.3 *Beliefs*

### 1.3.1 Excellence

- a. We believe excellence is obtained by striving for improvement each and every day.
- b. We believe that learning occurs best when every student is engaged in differentiated instruction and authentic learning every day.
- c. We believe that all students can learn, achieve, and succeed given a supportive and challenging learning environment.
- d. We believe that a safe and nurturing environment promotes learning.

### 1.3.2 Relationship

- a. We believe in building strong relationships with students, faculty, parents, and the community.
- b. We believe quality people who are motivated and effective are our system’s most important resource.
- c. We believe that students “don’t care how much you know until they know how much you care.”
- d. We believe that fine arts, academic clubs, and athletic experiences facilitate personal growth, leadership, and positive relationships.

### 1.3.3 Character

- a. We believe that good character is the foundation of a responsible and productive citizen.
- b. We believe that respect for others and self are paramount to achievement and success.
- c. We believe that every person is a teacher and role model through his/her actions.
- d. We believe the development of character is equal in importance to academic growth and critical to developing responsible citizens.

### 1.3.4 Community

- a. We believe that education is a partnership among schools, families, and community.
- b. We believe that children are our community's most valuable asset.
- c. We believe our diverse population should be celebrated, and we should view these diversities as a chance for growth and a deeper understanding of the community and those around us.
- d. We believe that by effectively reaching and teaching students, parents, and the community, we can change the world around us.
- e. We believe that our schools' success identifies our community and is vital to its future.

## II. School Board Operations

### 2.1 *Board Composition and Organization*

2.1.1 Composition – The Russellville City Board of Education is composed of 5 (five) members who are appointed to five year staggered terms by the Russellville City Council. Board members must be residents of the City of Russellville and may not be a member of the City Council.

[Reference: ALA. CODE §§ 16-11-2, 3 (1975)]

2.1.2 Officers – The Board will elect from its members a president and vice-president at the annual meeting of the Board held in May of each year. The Superintendent will serve as both the Board’s chief executive officer and secretary. If the Superintendent’s position is vacant, the Board may appoint one of its members to act as secretary until such time as the Superintendent’s position is filled.

[Reference: ALA. CODE §§ 16-11-5, 16-12-3 (1975)]

2.1.3 Committees – The Board may divide itself into standing or special committees for the purpose of more efficiently conducting Board business, but no recommendation or action of any committee will bind the Board without the affirmative vote of a majority of the whole Board.

[Reference: ALA. CODE §§ 16-11-5, 9 (1975)]

### 2.2 *Duties and Authority of Board Members*

The Board has the authority and responsibility to administer and supervise the public schools that are located within Russellville, Alabama. Board authority will only be exercised collectively through action taken in accordance with applicable statutory and parliamentary procedures. Individual Board members have no authority to bind the Board or to act on behalf of the Board except when authorized to do so by official action of the Board.

### 2.3 *Board Member Compensation*

Board members may be compensated for their services and reimbursed for expenses incurred in the performance of their official duties as authorized by law.

### 2.4 *Board Member Training*

2.4.1 General – Board members will participate in orientation and ongoing training provided by the Alabama Association of School Boards or approved in advance through an application process administered by AASB to develop and enhance their knowledge and effectiveness as Board members and to improve Board governance and operations in accordance with the requirements of state law.

- 2.4.2 Board Self-Evaluation – The Board will conduct an annual evaluation that includes development of a list of recommended improvements in knowledge and skills of Board members.

[Reference: Ala. Code §16-1-41 (1975)]

## 2.5 *Board Meetings*

- 2.5.1 General Provisions – The Board will hold regular and specially called meetings in accordance with applicable statutory requirements and as dictated by the needs of the school system. All meetings of the Board will be open to the public except as may otherwise be required or permitted by law.

[Reference: ALA. CODE §36-25A-1, *et seq.* (1975)]

- 2.5.2 Time and Place – The times and places for regularly scheduled meetings will be established by the Board at the annual meeting held in May of each year, provided that the Board may modify its meeting schedule in the exercise of its sound discretion. Public notice of the dates, times, and places of meetings of the Board will be given in the manner prescribed by law. Board members will be given such advance notice of specially called meetings as is practicable under the circumstances.

[Reference: ALA. CODE §§ 16-11-5, 36-25A-1, *et seq.* (1975)]

- 2.5.3 Special (Called) Meetings – Special meetings shall be called by the President of the Board, upon the written request (which may be conveyed by electronic mail) of a majority of the members of the Board to the President, or by the Superintendent. Notice of the call or request shall be simultaneously conveyed to all board members and to the Superintendent, together with a statement of the reason for the call or request and the matters to be addressed at the meeting. The meeting shall be set as soon as is practicable, taking into account the reasonable availability of board members and the Superintendent, the urgency of the matters to be addressed, and the necessity to provide public notice of the meeting as provided by law.

- 2.5.4 Rules of Order – Board meetings will be conducted in accordance with the most recently revised edition of *Robert's Rules of Order*, provided that strict adherence to the formalities of the Rules of Order may be reasonably relaxed in order to facilitate conduct of Board businesses. A majority of the whole Board will constitute a quorum for purposes of transacting Board business except as may otherwise be provided by law. Deviations from or errors in executing parliamentary procedure do not invalidate Board actions or decisions that are otherwise consistent with the intent of the Board.

[Reference: ALA. CODE § 16-11-5 (1975)]

- 2.5.5 Public Participation – Individuals or delegations of individuals desiring to address the Board at a public meeting must submit a written notice of their request to the

Superintendent of Education at least seven (7) days prior to the meeting date provided that the notice requirement may be waived at the discretion of the Superintendent. Each delegation of individuals must select one of its members as the spokesperson. The speaker will be provided five (5) minutes, provided the time requirement may be waived at the discretion of the presiding officer of the board. The matter must have been discussed with appropriate staff and administration prior to the Board meeting. The Board authorizes the Presiding officer of the Board full authority to terminate the remarks of any person when such remarks have, as their objective, a personal attack on any person associated with the school system. No items will be discussed by the public or employees that are not on the agenda.

## **2.6 *Superintendent's Responsibilities, Qualifications, and Appointment***

2.6.1 Role, Responsibilities, Qualifications, and Term – The Superintendent serves as the chief executive officer of and secretary to the Board. The Superintendent may exercise such prerogatives and duties as are prescribed by statute, as are delegated or specified in an employment contract, or as are otherwise lawfully assigned by the Board. The Superintendent must possess the minimum qualifications for the position that are established by law and such other qualifications as may be specified by the Board. The term of the Superintendent's appointment will be established by contract and may be renewed, extended, or modified, subject to any limitations regarding the extension or renewal of the appointment as are imposed by law.

[Reference: ALA. CODE § 16-12-3 (1975)]

2.6.2 Scope of Executive and Administrative Authority – In addition to specific grants of authority set forth in particular Board policies, the Superintendent is authorized to develop and implement such lawful and reasonable rules, regulations, operating procedures, administrative directives, or like measures as are directed to compliance with legal requirements or attainment of the objects of Board policy.

## **2.7 *Recordkeeping and Retention of Board Records***

Board records will be maintained by the Superintendent in the manner and for the length of time required by law. Otherwise, records will be retained and disposed of in accordance with procedures that will include a records retention and destruction schedule to be prepared and promulgated by the Superintendent and approved by the Board.

## **2.8 *Association Membership***

The Board will maintain membership in the Alabama Association of School Boards.

## **III. Fiscal Management**

### **3.1 *Chief School Financial Officer***

The Board will appoint a Chief School Financial Officer to oversee the financial operations of the Board and to perform the duties of the position that are set forth in state law and regulations. The Chief School Financial Officer may also be referred to as the Chief School Finance Officer.

[Reference: ALA. CODE §16-13A-4 (1975); Ala. Admin. Code 290-2-5-.01, *et seq.*]

### **3.2 *Budget***

A budget will be developed and approved for each fiscal year, which extends from October 1<sup>st</sup> to September 30<sup>th</sup> of the following year. Preparation, presentation, submission, and approval of the budget will be undertaken and completed as provided for in state law and regulations, including providing an opportunity for public input regarding the budget. Budgets will be “balanced” such that the expenditures set forth in the budget for the fiscal year will not exceed revenues and any fund balances on hand.

The Superintendent or Chief School Financial Officer will inform the Board, before the Board votes on a budget or budget amendment that will prevent the establishment or maintenance of a one-month’s operating balance. A one-month’s operating balance shall be determined by dividing the General Fund expenditures and fund transfers out by 12. In determining the General Fund expenditures and fund transfers out, the proposed budget or budget amendment shall be used.

[Reference: ALA. CODE §16-13-140, *et seq.* (1975)]

### **3.3 *Accounting***

Generally accepted accounting standards and procedures will be employed in the administration of all Board and school finances. All Board and school accounts will be reconciled with corresponding bank statements each month by the Chief Financial Officer or designee. All reports required by the State Department of Education will be completed in a timely manner with copies provided to Board members. Monthly reports of revenues, expenses, and budget status will be provided to the Board for review.

### **3.4 *Finance Manual Authorized***

Financial transactions will be administered in accordance with a general finance manual and any local school finance manual that may be developed by the Superintendent or the Chief School Financial Officer and approved by the Board. The finance manual(s) will establish and describe specific practices and procedures that are to be followed in connection with all phases of financial administration, including, but not limited to such matters as accounting, bookkeeping, inventory maintenance, payroll, reconciliation, fund security, receipting, disbursement, purchasing, disposal of property, banking, and investments. The practices, procedures, and requirements set forth in the manual(s) will

be disseminated or made available to all employees with administrative responsibilities involving the receipt, handling, or expenditure of school or school system funds, and training will be provided by the Superintendent and the Chief School Financial Officer regarding the contents of the manual(s).

[Reference: ALA. CODE §16-13A-1 (1975)]

### **3.5 *Fund Balance Policy in Accordance with GASB Statement No. 54***

3.5.1 Governmental Funds Definitions – The following definitions will be used in reporting activity in governmental funds. The Board may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

- a. The General Fund is used to account for and report all financial resources not accounted for and reported in another fund.
- b. Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.
- c. Debt Service Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest, even if it is being accumulated for future years' payments. Debt Service Funds should be used to report resources if legally mandated.
- d. Capital Projects Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets.

3.5.2 Fund Balances – Fund balances will be reported in governmental funds under the following five categories using the definitions provided by GASB Statement No. 54:

- a. Nonspendable fund balances include amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained in-tact. Examples of nonspendable fund balance reserves for which fund balance shall not be available for financing general operating expenditures include: inventories, prepaid items, and long-term receivables.
- b. Restricted fund balances consist of amounts that are subject to externally enforceable legal restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. Examples of restricted fund balances include: restricted grants.

- c. Committed fund balances consist of amounts that are subject to a purpose constraint imposed by formal action of the Board before the end of the fiscal year and that require the same level of formal action to remove the constraint.
- d. Assigned fund balances consist of amounts that are intended to be used by the school system for specific purposes. The Board authorizes the Superintendent or Chief School Finance Officer to make a determination of the assigned amounts of fund balance. Such assignments may not exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. Assigned fund balances require the same level of authority to remove the constraint.
- e. Unassigned fund balances include all spendable amounts not contained in the other classifications. This portion of the total fund balance in the general fund is available to finance operating expenditures.

3.5.3 Priority – When expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the Board to consider restricted amounts to have been reduced first. When an expenditure is incurred for the purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the Board that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

3.5.4 Review and Reporting – The Board of Education along with the Superintendent and Chief School Finance Officer will periodically review all restricted, committed, and assigned fund balances. The Chief School Finance Officer will prepare and submit an annual report of all restricted, committed and assigned funds for the Board of Education.

### **3.6 Audits**

Business and financial transactions of the Board and the records of Board financial accounts will be audited in accordance with state law and appropriate auditing and accounting standards.

[Reference: ALA. CODE §16-13A-7 (1975)]

### **3.7 Inventories**

The Superintendent is required to establish effective procedures to account for all materials, equipment, and other Board property. These procedures will include an annual inventory and evaluation of tangible Board property (including fixed assets and supplemental property), to be completed no later than the end of each fiscal year, with appropriate reports submitted to the Superintendent and Chief School Financial Officer.

Inventories will be kept on forms prescribed or approved by the Chief School Financial Officer. Inventory forms will show items on hand at the beginning of the fiscal year, items lost, items disposed of, items purchased or otherwise added during the year, and items on hand at the end of the fiscal year.

[Reference: ALA. CODE §§16-13A-1, 6 (1975)]

### **3.8 *Purchasing***

Purchases will be made in accordance with an approved purchase order system that will include such requirements and procedures as may be established in the Board Finance Manual.

### **3.9 *Deposit and Expenditure of Funds***

3.9.1 Deposits – All funds of the Board will be deposited with qualified depositories, as defined by law, in the manner prescribed by the Chief School Financial Officer or the Finance Manual.

3.9.2 Investments – The Board authorizes the investment of surplus funds in the manner prescribed by law and approved administrative guidelines.

3.9.3 Expenditures – The Superintendent or his designee may expend funds that have been budgeted for Board operations without prior Board approval unless the expenditure involves a capital outlay or is subject to the bid law, or unless the expenditure is expected to exceed fifteen thousand and 0/100 dollars (\$15,000.00) Such authority shall include, but not be limited to, the prerogative to engage professional consultants, specialists, and experts. All such expenditures shall be reported monthly to the Board of Education in the manner prescribed by §16-13A-8 of the Code of Alabama (1975).

[Reference: ALA. CODE §16-13A-8 (1975)]

3.9.4 Competitive Bid Law – All purchases will be made in compliance with the competitive bid law, when applicable, and with such corresponding rules, regulations, and procedures as may be set forth in the Board's Finance Manual. The Superintendent is authorized to enter into cooperative purchasing agreements with other school systems or local governments as may be permitted by law.

[Reference: ALA. CODE §16-13B-1, *et seq.* (1975)]

3.9.5 Authorized Signatures – Checks drawn on the general fund or any special fund, with the exception of school accounts, require the signature of the Superintendent and the Chief School Financial Officer or their alternates as designated by the Board. All checks used will either be prenumbered stock or numbered in sequence as issued when printing on blank stock. Checks drawn on Board funds may be signed and processed by electronic means, under the direction of the Chief School Financial Officer or Superintendent.

- 3.9.6 Bonded Personnel – The Superintendent and Chief School Financial Officer will be bonded at an amount established by state law. Surety bonds may also be secured for other personnel who handle funds.

### **3.10 OMB Part 200**

- 3.10.1 Cash Management for Federal Funds –The Board will minimize the time between the receipt of federal funds from the United States Treasury, the Alabama Department of Education, or other pass-through entity, and the disbursement of those federal funds. Federal funds will only be requested to meet immediate cash needs for reimbursement not covered by prior receipts and anticipated disbursements that are generally fixed, such as monthly program salaries and benefits.

The Chief School Financial Officer will maintain financial records that account for the receipt, obligation, and expenditure of each federal program fund. Cash balances for each federal program fund and for the aggregate of all federal program funds will be monitored by the Chief School Financial Officer or designee.

Board procedures to minimize the cash balances in federal program funds are expected to prevent the aggregate cash balances of federal program funds from earning \$500 or more for the fiscal year if maintained in interest-bearing accounts. The federal program funds, with the exception of Child Nutrition Program funds, will not be maintained in an interest-bearing bank account if the Chief Financial Officer determines that banking requirements for minimum or average balances are so high that an interest-bearing account would not be feasible. Federal program funds will be maintained in insured checking accounts that are subject to the state requirements for public deposits under the SAFE program.

- 3.10.2 Determination of Allowable Costs –

- a. Before instituting a financial transaction that will require the expenditure of federal funds the federal program director and the Chief School Financial Officer or designee will determine that the proposed transaction meets the requirements for allowable costs for the federal program. Actions to determine allowable costs will assure that:
  1. The proposed expenditure is included in the federal program budget;
  2. The proposed expenditure is reasonable and necessary for the federal program;
  3. The proposed expenditure is consistent with procedures for financial transactions of the board including:

- A. Purchase order approval procedures;
  - B. Contract review and approval procedures;
  - C. Applicable competitive purchasing procedures; and
  - D. Documentation supports allowability of transaction.
- b. Before payments are made from federal funds the federal program director and the Chief School Financial Officer or designee will determine that the federal program expenditure complies with generally accepted accounting principles and complies with state, local, and federal laws, rules and regulations

3.10.3 Travel Policy – Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by board employee who are in travel status on official business of the board. The board’s travel policy provides for reimbursement and payments for travel costs of employees paid from federal funds that is consistent with the travel costs for board employees paid from state or local funds.

3.10.4 Conflict of Interest Policy – Generally, a conflict of interest exists when a board member, board employee, or agent of the board participates in a matter that is likely to have a direct effect on his or her personal and financial interests. A financial interest may include, but not limited to, stock ownership, partnership, trustee relationship, employment, potential employment, or a business relationship with an applicant, vendor, or entity. A board member, board employee, or agent of the board may not participate in his or her official capacity in a matter that is likely to have a direct and predictable effect on his or her financial interests.

A board member, board employee, or agent of the board will abide by the Federal and state laws and regulations that address conflict of interest standards. In general, the Federal rules provide that:

No employee, officer, or agent of the board shall participate in selection, or in the award or administration of a contract supported by Federal funds if he or she has a real or apparent conflict of interest. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs, or is about to employ any of the parties indicated herein, has a financial or other interest in a tangible personal benefit from the firm considered for a contract. The board’s officers, employees, or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subcontractors.

The board's conflict of interest policies include adherence to the Alabama Ethics Law, as it may be amended from time to time, which defines conflict of interest as:

A conflict on the part of a public official or public employee between his or her private interests and the official responsibilities inherent in an office of public trust. A conflict of interest involves any action, inaction, or decision by a public official or public employee in the discharge of his or her official duties which would materially affect his or her financial interest or those of his or her family members or any business with which the person is associated in a manner different from the manner it affects the other members of the class to which he or she belongs.

A board member, board employee, or agent of the board may not review applications, proposals, or participate in the evaluation or selection process where his or her participation in the review process would create the appearance that he or she is: (a) giving preferential treatment; (b) losing independence and impartiality; (c) making decisions outside official and appropriate channels; or (d) harming the public's confidence in the integrity of the board.

Situations and circumstances presenting an actual conflict of interest or the appearance of a conflict of interest should be brought to the immediate attention of the Superintendent. A board employee, board members, or agent of the board who has knowledge of a possible conflict of interest should identify the conflict and notify the Superintendent. The Superintendent will document his or her actions related to the reported conflict of interest. Resolution can consist of disqualification, recusal, waiver, or other appropriate measures. Appropriate measures may include reporting a conflict of interest to the State Ethics Commission, the Alabama State Board of Education, or the appropriate federal agency.

3.10.5 Procurement Policy – The board will follow state laws for the procurement of property and services. The primary state procurement laws for Alabama school board are: Alabama Competitive Bid Laws (Chapter 13B of Title 16, Code of Alabama 1975); Joint Information Technology Purchasing Agreement (Chapter 13B of Title 16, Code of Alabama 1975); and Public Works Law (Title 39, Code of Alabama 1975).

To the extent allowed by state laws, the board will utilize state, local, regional, and national purchasing agreements where appropriate for the procurement or use of goods and services. All procurement transactions are subject to the board's Conflict of Interest Policy and the procurement decisions of the board will:

- a. Avoid acquisition of unnecessary or duplicative goods and services;
- b. Use the most economical and efficient approach for acquisitions;

- c. Award acquisitions contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement;
- d. Consider contractor integrity, compliance with public policy, record of past performance, and financial and technical resources prior to awarding procurement contracts;
- e. Maintain records sufficient to document the history of the procurement; and,
- f. Conduct procurement transactions in a manner that provides full and open competition.

Procurement transactions for federal programs and child nutrition programs that are not subject to the state procurement laws, but exceed the aggregate amount of the federal micro-purchase threshold, will be obtained by utilizing price or rate quotes from two or more qualified sources. State procurement laws include requirements that comply with the other Uniform Administrative Requirements for procurement of property and services.

The board will request proposals for those professional service contracts (excluding architectural and engineering services) that are exempt under state procurement laws if the contracts exceed \$150,000 and will be paid from federal or child nutrition program funds. The board will utilize a team of three or more qualified individuals to conduct a technical evaluation of proposals received and for selecting recipients. As a part of the evaluation, the individuals on the evaluation team will sign an assurance that each of the individuals is in compliance with the board's conflict of interest policy.

### **3.11 *Employee Compensation***

- 3.11.1 Salaries and Pay Rates – Board employees will be compensated at rates of pay that are approved by the Board. When required, such salary or compensation rates will be included in a schedule to be developed and adopted by the Board in accordance with state law. Employees may receive supplements or other additional compensation when specifically approved by the Board. All compensation must be approved by the Board, regardless of the source of funding.

[Reference: ALA. CODE §16-13-231.1 (1975)]

- 3.11.2 Local Supplements – School-related booster or support organizations may fund local supplements for individual Board employees if the Board approves such supplemental payments. Such payments may be approved only if the following conditions are satisfied:

- a. The payment is voted on and approved by the membership of the booster or support organization that proposes to fund the supplement at a regular meeting of the organization;
- b. Funding for the payment must be sufficient to cover benefits, expenses, and other payroll costs, contributions, and liabilities, if any;
- c. Sufficient unobligated funds are on hand to provide the supplemental payment;
- d. A letter of authorization for the payment is sent to the Board no later than the payroll cutoff date for the month in which the payment is to be made;
- e. The payments are accepted by the employee with the understanding that they do not constitute a part of any employment contract, salary schedule, or legal obligation that is enforceable against the Board, and that the Board has no continuing obligation to maintain supplemental payments to any employee that are provided, funded, or underwritten by a booster club, support organization, or similar third party; and
- f. The payments are subject to any payroll deductions that are required by law.

3.11.3 Salary Administration – Employees are expected to fulfill the work requirements of the position held for the full term of their appointment. Compensation will be prorated to reflect the number of days actually worked, subject to appropriate adjustments, credits, and allowances for available leave. Salaries for full time employees will be paid over twelve months, regardless of the contract term, unless the funding source for the position or the employee’s contract specifically requires otherwise. However, employees in the first year of employment with the Board may opt to be paid over thirteen (13) months. Personnel will be paid in accordance with customary payroll procedures, which may be modified from time to time as the needs of the system require. No employee is entitled to compensation except for work performed by the employee in accordance with an approved contract or the applicable terms of appointment. Compensation may be withheld pending the employee’s timely, accurate, and complete submission of all required records, data, and reports.

3.11.4 Salary Deductions – Mandatory salary deductions will be made in accordance with applicable law. Employees are required to complete and submit all forms and provide such information as may be required or reasonably required for such purpose. The Board will make voluntary salary deductions upon written request of the individual employee as permitted by law.

Deductions for membership dues will be made for organizations with at least 25% of Board employees as active members, as established by membership lists provided to the Board by the organization, if such deductions are allowed under state law and the organization has timely provided to the Board all certifications

and expenditure reports required by law. Such membership lists will be corrected, updated, and returned to the organization no later than November 10 of each school year. Deductions will be based on the membership lists unless an employee revokes authorization for such deductions by providing written notice to the Board on or before September 15th of each school year. Deductions will remain constant during the school year, except by the authorization of the Superintendent. The Board will not be liable for any good faith error made in implementing a salary deduction that has been authorized by the employee.

Upon termination of employment, any amounts owed under the terms of an employee authorization will be deducted from the employee's final pay.

[Reference: ALA. CODE §16-22-6; 17-17-5]

3.11.5 Minimum Wage and Overtime – In compliance with the Fair Labor Standards Act (“FLSA”), the Board will pay required minimum hourly wages and overtime to all employees who are not exempt employees under the FLSA. For purposes of determining overtime, the workweek begins at 12:01 a.m. on Saturday and ends at midnight on the succeeding Friday. All non-exempt employees who work more than forty (40) hours in a work week will be paid overtime. Employees must accurately report all time worked for the Board. Non-exempt employees are not authorized to work more than forty (40) hours in a workweek without specific direction or authorization to do so by the Superintendent, the employee’s supervisor, or the supervising school principal.

3.11.6 Compensatory Time – Non-exempt employees who work more than forty (40) hours in a workweek may, upon agreement between the employee and the Board, be paid overtime in the form of compensatory time. Compensatory time will be based on time worked beyond forty (40) hours in a workweek, and will be recorded in minimum time units of one-quarter hour rounded to the nearest quarter of an hour. No more than two hundred forty (240) hours of compensatory time may be accumulated. The Board reserves the right to require an employee to use compensatory time as its needs require and may “pay down” any compensatory time balance in its discretion. The Superintendent is hereby authorized to develop procedures and forms for use in implementing this policy.

### **3.12 *Expense Reimbursement***

Board members and employees will be reimbursed for reasonable travel and subsistence expenses incurred in connection with official Board business. Reimbursement will be in accordance with Board approved rates and such procedures and standards for submitting and documenting such expenditures as may be developed by the Chief School Financial Officer or provided in the approved Finance Manual.

### **3.13 Fees, Payments, and Rentals**

3.13.1 Facility Use Fees – The Superintendent is authorized to develop a schedule of reasonable fees for use of Board facilities and property by individuals, groups, or organizations that shall be effective upon approval by the Board.

3.13.2 Copying and Other Charges – The Superintendent is authorized to establish a schedule of reasonable charges which, upon approval by the Board, will be applied uniformly in response to requests for copies of documents and records. Nothing in this policy or in any schedule of charges authorized hereunder creates or expands any entitlement to copies of records or access thereto beyond that which is established by law or specific Board policy.

### **3.14 School Accounts**

Funds held in school accounts, regardless of the funding source, will be maintained and accounted for in accordance with the Board’s Finance Manual, Local School Finance Manual, and such procedures, rules, and regulations as may be developed by the Chief School Financial Officer or the Superintendent. The principal is ultimately responsible for all school funds and for ensuring that such funds are properly accounted for and secured.

### **3.15 Authority to Execute Contracts**

3.15.1 General Authority – The president of the Board, or, in the absence of the president, the vice-president, will have authority to execute contracts on behalf of the Board upon approval of the contract by the Board. The Board may also authorize the Superintendent to execute contracts on behalf of the Board as its chief executive officer.

3.15.2 Limitation on Authority to Bind the Board – Principals and other administrators will have authority to enter into agreements with third parties only when such agreements are made in accordance with Board policy, finance manual(s) created under authority of Board policy, or with the express authorization of the Board.

3.15.3 Indebtedness - Any school employee or other person shall be personally liable for creating any bill of indebtedness against a school or the Board unless authority exists under Board policy or unless authorized by the Superintendent.

### **3.16 Finances of Affiliated Organizations**

3.16.1 Finances of School Sponsored Organizations – School-sponsored student organizations will be subject to Board policies and procedures concerning fiscal management and will maintain organization funds in school accounts. All books, records, and official documents pertaining to the management of such organizations will be maintained at the local school and will be subject to examination and audit by the Board or the principal. The use of funds collected, generated, or held by such organizations will be determined in accordance with

the constitution, charter, or by-laws of the organization, with oversight by the sponsor of the organization, and subject to approval of the principal.

3.16.2 Finances of Booster Clubs, Parent-Teacher Associations, and Other Affiliated Organizations – Other organizations that are affiliated with local schools are permitted to operate or raise funds on Board property or at Board sanctioned events only in conformity with Board and State Department of Education policies, procedures, and standards concerning the fiscal management of such organizations. All affiliated organizations must be included in the school system’s official and public financial records and its finances governed by the Board’s financial policies.

### **3.17 Fundraising**

Fundraising activities will be permitted on school or Board property only if the following criteria are satisfied:

- a. The activity will be held at a time and in a manner that will not be disruptive to the instructional program or to any other school or school system activity or function;
- b. The activity is designed and intended to support a *bona fide* school or school system program or activity, or an activity that is consistent with the mission and purposes of the school system;
- c. Adequate provision has been made for the security and proper accounting of funds collected;
- d. Other information regarding the nature, scope, and purpose of the activity is provided to school officials upon request; and
- e. Appropriate arrangements have been made for any special activities to be held in conjunction with the fundraising event.
- f. All fundraising activities that include the selling of food products must abide by the Russell City Schools’ Wellness Policy.

### **3.18 Child Nutrition Procurements**

The Superintendent may enter into a written agreement with the Child Nutrition Program at the State Department of Education in order to procure food and other food related products and services. The Board will comply with applicable state and federal laws and regulations governing participation in such child nutrition program.

Charged meals are not considered an allowable expense. Therefore, all uncollected charges will be the responsibility of the school where the charge was made. All charges must be paid to the Child Nutrition Program at the end of the school year using non-public funds.

[Reference: Ala. Admin. Code 290-080-030-.01, *et seq.*]

### **3.19** *Worthless Checks*

The Board will take action to collect the amount of a worthless check in accordance with such corresponding rules, regulations, and procedures as may be set forth in the Board's Finance Manual.

### **3.20** *Classroom Instructional Support*

The Superintendent shall develop procedures by which state allotments for classroom instructional support are made available for use by classroom instructors in the manual and for the purposes authorized by statute and corresponding state regulations.

[Reference: ALA. CODE §16-1-8.1(b)(7).]

## IV. General Administration

### 4.1 *Security / Access to Schools*

- 4.1.1 Security Measures Authorized – The Superintendent, principals, and facility administrators are authorized to take reasonable and lawful measures to protect against personal injury, trespass, vandalism, theft, and like threats to personal safety, property damage, and financial loss to or on Board property or at school functions and activities. The Superintendent should be made aware of any extraordinary or special measures that may be proposed in anticipation of or in response to any unusual security threat or risk (e.g., unusual surveillance, assignment of additional security personnel).
- 4.1.2 Access Restrictions Authorized – The Superintendent, principals, and facility administrators are authorized to regulate and restrict access to Board schools, buildings, and facilities in order to maintain appropriate security, minimize disruption and distraction within the learning environment, or to avoid a potential risk of harm to a student or employee. To that end, the Superintendent, principals, and facility administrators are authorized to implement building-level requirements and procedures governing access to Board owned or controlled buildings, grounds, property, events, and activities by school and non-school personnel, including family members and relatives, vendors, attorneys, and other visitors, and to adopt “check-in” and “check-out” requirements and procedures for students and employees.
- 4.1.3 Adult Sex Offenders – Adult sex offenders who have been convicted of a sex offense involving a minor must:
- a. notify the principal of the school or his designee before entering school property or attending the K-12 school activity;
  - b. immediately report to the principal of the school or his designee upon entering the property or arriving at the K-12 school activity; and
  - c. cooperate with any efforts undertaken by the principal of the school or his designee to discreetly monitor their presence on school property or at the K-12 school activity.

For the purposes of this subsection, a K-12 school activity is an activity sponsored by a school in which students in grades K-12 are the primary intended participants or for whom students in grades K-12 are the primary intended audience including, but not limited to, school instructional time, after school care, after school tutoring, athletic events, field trips, school plays, or assemblies.

Adult sex offenders have a duty to comply with this policy, and it shall not be construed as imposing an affirmative duty of any kind on the school principal, his designee, or any other employee, agent, or representative of the school or school system.

[Reference: Ala. Code § 15-20A-17]

## **4.2 Safe Schools Policy (Drugs, Alcohol, Tobacco, and Weapons)**

**4.2.1 Prohibition on the Possession of Firearms** – The possession of a firearm in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel and as provided by law. For purposes of this policy, the term “firearm” has the same definition as is found in 18 U.S.C §921.

a. *Penalties for violations* – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of firearms:

1. *Students* – Students will be expelled for a period of one year. The expulsion requirement may be modified in writing by the Board upon recommendation of the Superintendent on a case-by-case basis. Discipline of students with disabilities who violate the firearm possession policy will be determined on a case-by-case basis in accordance with federal and state law. Parents of students who violate this policy will also be notified by the principal of violations.
2. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
3. *Other Persons* – Other persons may be denied re-entry to school property.

b. *Notification of Law Enforcement* – The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

[Reference: ALA. CODE §16-1-24.1, 24.3 (1975); Ala. Admin. Code 290-3-1-.02; Federal Gun Free Schools Act, 20 U.S.C. 7151; Federal Gun Free School Zone Act of 1995 (18 U.S.C. §922(q))]

**4.2.2 Prohibition on the Possession of Weapons** – The possession of a deadly weapon or dangerous instrument in a school building, on school grounds, on school property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel. For purposes of this policy, the terms “deadly weapon” and “dangerous instruments” include but are not limited to explosives, incendiary devices, projectiles, knives with a blade length of more than two (2) inches, archery equipment, devices designed to expel projectiles at a

high rate of speed, any device so classified under state or federal law, and any device either used or intended to be used in such manner as to inflict bodily harm, provided that the terms “deadly weapon” and “dangerous instruments” will exclude, to the extent permitted by law, devices and equipment that are used for the purpose of and in connection with school or Board sanctioned educational, team, or competitive activities.

- a. *Penalties for Violations* – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of deadly weapons or dangerous instruments:
  1. *Students* – Students will be disciplined in accordance with the Board’s Code of Student Conduct.
  2. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
  3. *Other Persons* – Other persons may be denied re-entry to school property.
- b. *Notification of Law Enforcement* – The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

[Reference: ALA. CODE §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

4.2.3 Illegal Drugs and Alcohol – The use, possession, distribution, and sale of alcohol and the illegal use, possession, distribution, and sale of drugs in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited.

- a. *Penalties for Violations* – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of illegal drugs or alcohol:
  1. *Students* – Students will be disciplined in accordance with the Board’s Code of Student Conduct.
  2. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
  3. *Other Persons* – Other persons may be denied re-entry to school property.
- b. *Notification of Law Enforcement* – The appropriate law enforcement authority, which may include the city police, county sheriff, and the local

district attorney, will be notified by the principal of violations of this policy.

4.2.4 Tobacco – The use of tobacco products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited. These prohibitions also apply to electronic cigarettes, vape pens, hookah pens, e-hookahs, vape pipes and any similar type of device designed to deliver nicotine, flavor, and other chemicals via inhalation.

a. *Penalties for Violation*

1. Students – Students who violate the tobacco prohibition will be disciplined in accordance with the Board’s Code of Student Conduct.
2. Employees – Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.
3. Other Persons – Other persons who violate the tobacco prohibition may be denied re-entry to school property.

b. *Parental Notification* – Parents and guardians may be notified of actual or suspected violations of the tobacco prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

[Reference: ALA. CODE §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

4.2.5 Searches – Law enforcement agencies are permitted to make periodic visits to all schools to detect the presence of illegal drugs or weapons and may use any lawful means at their disposal to detect the presence of such substances. The visits will be unannounced to anyone except the Superintendent and principal.

[Reference: ALA. CODE §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

4.2.6 Drug and Alcohol Free Environment – All students, employees, volunteers, parents, visitors, and other persons are prohibited from possessing, using, consuming, manufacturing, or distributing illegal controlled substances and alcohol while on Board property or while attending any Board sponsored or sanctioned event, program, activity, or function. Persons who are intoxicated or impaired by the use, consumption, or ingestion of any illegal controlled substance or alcohol are not permitted to be on school property, or to attend or participate in any Board sponsored or sanctioned event, program, activity, or function.

[Reference: ALA. CODE §16-1-24.1, 25-5-330 (1975)]

4.2.7 Adoption of Statutory Penalties and Consequences – Persons who violate the Board’s prohibition of firearms, weapons, illegal drugs, or alcohol will be subject

to all notification, referral, suspension, placement, re-admission, and other provisions set forth in ALA. CODE §16-1-24.1 and 24.3 (1975).

#### **4.3 Accreditation**

The Board will implement and adhere to such accreditation policies, principles, standards, and procedures as may be established or required by the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (“SACS CASI”) accreditation division of AdvancED as a condition to receiving or maintaining accreditation.

#### **4.4 Affiliated Organizations**

Each school principal is encouraged to cooperate with parent and school support groups. The school principal shall be responsible for forming and assisting organizations which are desired and necessary for the school program; such organizations shall be kept active by the school principal for the duration of their need and encouraged to maintain accurate

- a. *Parent-Teacher Groups* – The Board considers parent-teacher groups as auxiliaries to the public schools and not as “outside” groups. Whenever a local parent-teacher group is formed, it shall be permitted to hold its regular meetings in the school building, and it shall be the duty of the principal and the teachers of the school to further the work of the group in every way practicable. Meetings of these groups may be held in the school building with the permission of the school principal without the necessity of the lease required of “outside” groups. The fiscal management of such organizations must comply with the Board policy.
- b. *Booster Clubs* – It shall be the policy of the Board to work with and encourage the support of band, academic, and athletic booster clubs. All booster club activities shall be authorized by and coordinated with the school principal. All decisions concerning personnel employed by the Board shall be strictly reserved as a Board matter and shall not be the prerogative of booster clubs. The fiscal management of such organizations must comply with the Board policy, and any local supplements for individual board employees must be approved by the Board in accordance with Board policy.
- c. *Other Groups* – The Superintendent is authorized to appoint a federal program advisory council, a career-technical council, and other appropriate parent advisory committees/councils, as needed

#### **4.5 Use of Board Property**

- 4.5.1 Equipment, Supplies, Materials, Vehicles – Equipment, supplies, materials, vehicles, and other movable or consumable property owned by or under lease to the Board may not be used by or made available to persons or entities for private or personal use, benefit, or consumption, or for any non-Board related use or purpose. Such property may not be removed from Board premises except as necessary to serve a school or Board-related function or purpose, and with the

knowledge and approval of the appropriate supervisor, administrator, or the Superintendent.

4.5.2 Use of Board Facilities – The Board believes the functions of school buildings and grounds should be to accommodate approved school programs for students and to assist in meeting the educational, cultural, civic, social and recreational needs of communities.

- a. *Use of School Buildings* – Use of school buildings by the community shall be considered a secondary function and shall be scheduled at times which do not interfere with regular school activities. The Board allows outside organizations to use their athletic facilities for practice purposes to be managed by the Principal, Athletic Director and the Head Coaches of facilities being used.
- b. *Use Agreement* – The Superintendent is authorized to develop administrative rules and regulations governing the use of school facilities. The use of school facilities by individuals or groups shall be governed by a signed use agreement between the individual or group and the Board. The use agreement shall contain terms that include, but are not limited to, the following:
  - A. A “hold harmless” statement having the effect of holding the Board free from any liability arising from the negligence of the party using the facilities. All participants using athletic facilities from an outside organization must provide proof of medical insurance as well as the “hold harmless” statement.
  - B. A statement requiring, with limited exception, any person or group leasing the school facilities to purchase liability insurance indemnifying the Board and its members as additional insured. A certificate verifying the purchase of such insurance should be presented to the Board at least twenty-four (24) hours prior to use of the facilities.
  - C. A statement that the individual or group lessee shall assume all responsibility for damage and/or maintenance expenses invested in the building, directly or indirectly resulting from lessee’s use.

The Board owned or controlled facility will not be used in any manner not covered under liability insurance purchased by the Board

#### **4.6 *Soliciting or Canvassing on Board Property***

The principal shall prohibit all forms of canvassing or soliciting of teachers or students on school premises during school hours except as otherwise approved by the Superintendent.

#### **4.7 *Distribution of Literature and Materials from Outside Groups***

No literature or materials from out-of-school sources shall be distributed to homes by students without the approval of the Superintendent or designee. Student or school surveys by outside groups or organizations require the approval of the Superintendent or designee.

#### **4.8 *Naming Board Facilities***

No facility, property, building, or part thereof, under the control of the Board will be named after or for any person.

#### **4.9 *Complaints and Grievances***

4.9.1 General Complaints (Grievances) – Subject to the limitations set forth below and elsewhere in this policy manual, any employee or member of the public may present to the Board a concern, complaint, grievance, or request for corrective action regarding any aspect of school system operations. Before requesting corrective action or relief from the Superintendent or the Board, persons with such complaints, grievances, or requests should present them for resolution to the employee, supervisor, or administrator at the lowest administrative level who has the authority and ability to address the problem or to implement the requested action. The Superintendent is authorized to develop specific procedures that will provide for fair consideration and orderly review of complaints and grievances. Such procedures may not unreasonably burden or delay the presentation or processing of such matters, and will be subject to Board review, modification, and approval.

4.9.2 Limitations Regarding Availability and Application of General Complaint/Grievance Policy – The general complaint/grievance policy and any procedures adopted thereunder do not apply to specific complaint or grievance policies and procedures that are established by Board policy or law for application to special factual or legal circumstances (e.g., sexual harassment grievance procedures; review of personnel matters under the Students First Act; “due process” hearings provided under the Individuals with Disabilities Education Act). In such instances, the specific statutory, regulatory, or policy-based process is the applicable procedure. The general complaint/grievance procedures that are authorized under the terms of this policy may not be invoked for the purpose of challenging or seeking review or reconsideration of adverse personnel decisions that have received final Board approval. A grievance may be based on an alleged misapplication of Board policies, regulations, or procedures, but may not be used to challenge the Board’s exercise of its discretion to adopt, approve, modify, or repeal a policy, regulation, or procedure or on its failure to exercise such discretion (e.g., adoption of a school calendar, compensation policies, etc.).

4.9.3 Student Complaints and Grievances – Complaints, grievances, and requests for corrective action may be brought to the attention of the Board by or on behalf of

students with respect to academic, athletic, extracurricular, or other non-disciplinary matters, issues, and concerns only after reasonable efforts to resolve the matter at the school and administrative levels have been exhausted. The Superintendent may develop specific procedures that will provide for fair consideration and orderly review of such complaints and grievances. Such procedures will not unreasonably burden or delay the presentation or processing of the complaint or grievance and will be subject to review and approval by the Board. Administrative judgments concerning academic or curricular matters or participation in extracurricular activities may be set aside by the Board only upon a showing that the action or decision in question is arbitrary and capricious, fundamentally unfair, or that it violates Board policy or the student's legal rights.

- 4.9.4 Student Disciplinary Matters – The Board may consider appeals of student disciplinary decisions or actions in accordance with standards and procedures specified in the Code of Student Conduct.
- 4.9.5 Public Complaints – Nothing in this policy shall be construed to deny any member of the public the right to petition the Board for consideration or action regarding any matter of public concern falling within the statutory jurisdiction of the Board, provided that the person can demonstrate that he or she is impacted by the alleged violation to a greater extent than the impact on the public at large.
- 4.9.6 Americans with Disabilities Act Complaint Procedure
- a. *Complaint Criteria* – Persons who believe that they have been discriminated against on the basis of disability in the provision of services, activities, programs, or benefits covered by Title II of the Americans with Disabilities Act may file a written complaint with the ADA Coordinator.
  - b. *Complaint Form* – The complaint should be in writing and contain information about the alleged discrimination including the name, address, phone number of complaining party and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.
  - c. *Complaint Process* – The complaint should be submitted to the ADA Coordinator as soon as possible, but no later than thirty (30) days after the alleged violation. The ADA Coordinator will meet with the complaining party to discuss the complaint and possible resolutions. Within fifteen (15) calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complaining party, such as large print, Braille, or audio tape. The response will explain the position of the Board and offer options for substantive resolution of the complaint.

- d. *Appeal Procedure* – If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complaining party may appeal the decision within fifteen (15) calendar days after receipt of the response to the Superintendent. Within fifteen (15) calendar days, the Superintendent will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- e. *Records Retention* – All written complaints received by the ADA Coordinator, appeals to the Superintendent, and records relating thereto will be retained by the Board for at least three (3) years.
- f. *Additional Procedures Authorized* – The Superintendent is authorized to develop such procedures as are necessary to implement this policy.

[Reference: 42 U.S.C.A. §12131, *et seq.*]

#### **4.10 Risk Management**

The Board may obtain such liability and other forms of insurance or enter into such risk management agreements, pools, cooperatives, and like arrangements, agreements, or undertakings as it deems necessary and appropriate to meet legal requirements or to protect the Board, its employees, or its property from risk of loss.

#### **4.11 Emergency Closing of Schools**

4.11.1 Authority of Superintendent to Close Schools – The Superintendent is authorized to close schools if such action is warranted by weather conditions or other circumstances that pose a risk to the safety and welfare of students and employees, or that render meaningful instruction impossible (e.g., loss of power or other utility services).

4.11.2 Make-Up Dates – To the extent not provided for in the school calendar, any days lost by reasons of an emergency closing will be made up and a revised school calendar approved, if necessary, to reflect any extension or adjustment of the school year required by such action, unless approval to waive the days is obtained in accordance with state law.

#### **4.12 Internet Safety and Use of Technology**

4.12.1 Access to Technology Resources – The Board permits restricted and conditional access to and use of its technology resources, including but not limited to computers, the “Internet,” network storage areas, and electronic mail. Such access and use is restricted to employees, students, and other persons who are engaged in *bona fide* educational and administrative activities that serve and are consistent with identified educational objectives or authorized support functions, and who, by signing an “Acceptable Use Agreement,” agree to abide by all Board policies, rules, and regulations regarding technology use. The Acceptable Use Agreement will be developed by the Superintendent for approval by the Board.

- 4.12.2 Restriction or Loss of Technology Privileges – Persons who violate any Board policy, rule, or regulation regarding technology use may be denied use of the Board’s technology resources and may be subject to additional disciplinary action.
- 4.12.3 Ownership of Technology Resources and Data – All technology resources, including network and Internet resources, e-mail systems, and computers or other access devices owned, leased, or maintained by the Board are the sole property of the Board. Board personnel may, at any time and without prior notice, access, search, examine, inspect, collect, or retrieve information of any kind from the Board’s technology resources, including computer or related equipment, files, and data, to determine if a user is in violation of any of the Board’s policies, rules, and regulations regarding access to and use of technology resources, for or in connection with any other matter or reason related to the safe and efficient operation or administration of the school system, or for any other reason not prohibited by law. Users of school system technology resources have no personal right of privacy or confidentiality with respect to the use or content of such resources.
- 4.12.4 Adoption of Rules and Regulations – The Superintendent is authorized to develop for Board approval additional or more specific rules and regulations regarding access to and use of its technology resources and to require adherence to such rules and regulations through such means as the “Acceptable Use Agreement” and application of appropriate disciplinary policies and procedures. Such rules and regulations will address or provide:
- a. Measures to block or filter Internet access to pictures that are obscene, that constitute child pornography, or that are harmful to minors;
  - b. Restriction of access by minors to inappropriate material on the Internet;
  - c. The safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
  - d. Prevention of “hacking” and other forms of unauthorized use of or access to computer or Internet files, sites, databases or equipment; and
  - e. Unauthorized disclosure, use, and dissemination of personal information regarding minors;
  - f. Restriction of minors’ access to harmful material; and
  - g. Educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.
- 4.12.5 Disclaimer of Liability – The Board makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the

Board's technology resources will be error-free or without defect. The Board will not be responsible for any damage users may suffer, including but not limited to loss of data or interruption of service.

[Reference: 47 U.S.C. §254(h) and (l)]

#### **4.13 *Data Governance and Use***

The Superintendent is authorized to establish procedures governing the storage, use, and sharing of data maintained electronically by the school system. Such procedures shall comply with applicable state and federal law and shall include provisions for data security (including physical security measures), access controls, quality control, and data exchange and reporting (including external data requests, and third party data use). Nothing in this policy or in any procedures authorized hereunder creates or expands any entitlement to confidentiality of records beyond that which is established by law or specific Board policy.

Any unauthorized access, use, transfer, or distribution of Board data by any employee, student, or any other individual may result in disciplinary action (up to and including termination for employees) and other legal action.

#### **4.14 *Political Activity***

Board employees may participate in political activities to the full extent permitted by the United States Constitution and federal and state laws securing the right to engage in such activities, subject to the following restrictions:

- a. Employees may not appropriate Board property or resources for use in political campaigns, and may not engage in partisan political activities (including but not limited to the distribution of campaign material or literature) during regular school or duty hours or at Board sponsored or sanctioned events, functions, or at activities at which the employee is on duty or assigned official responsibilities;
- b. Employees may not represent their political beliefs or positions on political matters to be those of the Board or other Board officials, or to falsely assert or imply that their political activities or positions are endorsed by or undertaken in the name of the Board or other Board officials;
- c. Candidates and representatives of candidates for political office may not be invited or allowed to address student groups except when such candidates are participating in a forum or like format that is designed to provide all candidates the opportunity to participate. Such forums may be conducted only for appropriate age groups, and with the advance approval of the school principal and the Superintendent; and

- d. Political signs may not be placed on schools or school board property. Campaign literature and other material may not be distributed on Board property during the regular school or work day, and may not be distributed at school or Board sponsored events or activities in a manner that impedes the normal and safe movement of pedestrian or vehicular traffic, that creates any other safety hazard or risk, or that disturbs or disrupts the function, activity, or event.

**4.15**    *Automatic External Defibrillator (AED)*

The Superintendent is authorized to develop procedures regarding the use of AEDs.

## V. Personnel

### 5.1 *Employee Qualifications and Duties*

- 5.1.1 General Requirements – Employees have a duty to perform their jobs responsibly and in a conscientious manner. In addition to any specific job requirements set forth in job descriptions or elsewhere, employees are expected to meet the following general performance and service standards:
- a. Employees are required to be punctual and to attend work regularly.
  - b. Employees are required to perform the duties and responsibilities that are assigned to them by the Board, the Superintendent, or their supervisor(s). Such duties and assignments may extend beyond or outside the instructional day and may include off-campus functions, events, and activities.
  - c. Employees are expected to treat all students, co-employees, visitors, and guests of the Board with respect. Employees are expected to demonstrate moderation, restraint, and civility in their dealings with others and, in general, to serve as appropriate role models for students in their behavior and demeanor.
  - d. Employees are required to obey all laws, ordinances, Board policies, and supervisory directives, and are expected to follow the Alabama Educator Code of Ethics and other pertinent authority while carrying out duties for the Board.
  - e. Employees whose duties include the instruction or supervision of students must provide effective supervision, discipline, organization, and instruction of the students.
  - f. Employees must complete and submit required reports accurately and in a timely fashion.
  - g. Employees must respect, protect, and exercise due care in the handling, use, and operation of Board property and equipment.
  - h. Employees shall at all times maintain appropriate, “professional” distance from students and shall not engage in conduct (including communication of any kind) that constitutes, solicits, or suggests sexual, romantic, or inappropriately familiar interaction with students.
  - i. *Employee Attire* – Employees are required to report to work or to school functions in attire that is appropriate to their position and the nature of the function and that is in keeping with generally accepted standards of

decorum and professionalism. Service and other employees who are issued uniforms shall wear uniforms when required.

- j. Employees shall promptly disclose to the Board any fact that would disqualify them from employment or that renders them unable to perform their essential job functions.

#### 5.1.2 Special Requirements

- a. *Work Schedules (Teachers)* – Supervisory and instructional duties of teachers commence a minimum of fifteen (15) minutes prior to the actual arrival and conclude fifteen (15) minutes after the departure of students. Except as may otherwise be provided or required by the Board, the minimum instructional day for teachers is seven (7) hours. Assignments and duties may extend beyond the instructional day and may include off-campus functions, events, and activities; conferences and meetings with parents; supervision of student arrival and departure; and preparation for the following instructional day. Teachers will be provided a minimum of thirty (30) minutes free of instructional and supervisory responsibilities each instructional day.
- b. *Work Schedules (Support Personnel)* – The Superintendent is authorized to establish work schedules, including minimum work times, for support personnel.
- c. *Professional Certification* – In addition to requirements established by the State Board of Education and the pertinent job description, professional employees must hold a degree from an accredited college or university and hold a current, valid, and properly endorsed Alabama Teacher’s Certificate, which will be maintained in the Superintendent’s office. A teacher who has completed the certification process but has not received the certificate may be employed on tentative or temporary compensation pending verification of certification from the State Department of Education. Upon receipt of such verification, appropriate adjustments will be made to the teacher’s salary. If a teacher earns a higher certificate that merits increased compensation under the approved salary schedule, any salary increase will become effective following receipt of documentation of the new certification from the State Department of Education.
- d. *Temporary Teachers* – Teachers holding appropriate certificates will be employed as temporary teachers to replace permanent certified teachers who are on leave. If the permanent teacher is on paid leave, the temporary teacher will be paid substitute pay. If the permanent teacher is on unpaid leave, the temporary teacher will be paid a daily rate based on highest degree and years of service on the approved salary schedule for certified teacher.

- e. *Substitute Teachers* – Substitute teachers must, at a minimum, possess a high school diploma and valid and current Alabama Substitute Teacher’s Certificate or Alabama Teacher’s Certificate.
- f. *Teacher Assistants* – Teacher assistants must, at a minimum, possess (i) a high school diploma or its equivalent; (ii) a two-year diploma from a college or university (or the equivalent hours) or pass the Work Keys Assessment; and (iii) a certificate from the State Department of Education verifying a “clear” status resulting from a background check.
- g. *Bus Drivers* – In addition to the requirements established by the State Board of Education, a bus driver must: (i) hold a valid commercial driver’s license, (ii) complete a minimum of twelve (12) hours of approved instruction in school bus driving, and (iii) satisfactorily complete a written examination driver’s performance test approved or administered by the State Department of Education or State Superintendent. A bus driver must also meet any requirements of the entity providing the Board’s automobile liability coverage.

[Reference: ALA. CODE §16-27-4 (1975)]

## 5.2 *Hiring*

- 5.2.1 Application Procedures – Job applicants for all positions must file a formal application with the Principal of the school or the Director of the department where the job is located. Applications must be completed in full. All information provided in the application must be truthful. Any misrepresentation of a material fact on an employment application may disqualify the applicant from consideration for the position and may subject an employee to adverse employment action, including termination.
- 5.2.2 Qualifications – Applicants must meet the minimum qualifications of the position as provided in Board policy, the job description for the position, the posted advertisement for the position, or as may otherwise be established by the Board, applicable law, or regulation. Applicants must hold such degrees, licenses, certificates, and like credentials as may be necessary, appropriate, or customary for the position in question.
- 5.2.3 Hiring Authority – The Board is responsible for making all final hiring decisions, and no hiring decision is official, final, or effective unless and until it is approved by a vote of the Board. No principal, administrator, supervisor, or other employee has authority to hire an applicant without Board approval or to commit the Board to specific action regarding employment.
- 5.2.4 At-Will Employment – Except as may otherwise be provided or required by law, by contract, or by the specific terms of their appointment, all personnel are deemed “at-will” employees and may be terminated, demoted, reassigned,

suspended, or disciplined with or without pay, or with reduced pay, and with or without cause.

#### 5.2.5 Nepotism

- a. *Supervisory Relationships* – Employment decisions and relationships that violate any provision of Alabama law, including state ethics and nepotism laws, are prohibited. The Superintendent is authorized to take action to identify and correct violations of the policy in a manner consistent with applicable law.
- b. *Employment of Family Members* – Board members, administrators, or supervisors may not use their positions to directly or indirectly seek or secure the employment of any family member as defined in the Alabama Ethics Law.
- c. *Selection of Impartial Person* – When law or policy mandates the recusal of a board member, official, or employee (“disqualified official”) from involvement in a decision involving the employment or possible employment of a relative or other person and permits or requires an objective, neutral, or impartial person (“the surrogate official”) to exercise some or all of the functions of the disqualified official with respect to the decision or action in question, the surrogate official shall be deemed objective, neutral or impartial if he or she:
  1. Is not related by blood or marriage to the disqualified official or the person whose employment status is at issue, or of any applicant in a multi-member field of persons under consideration for employment or advancement;
  2. Does not work under the direct or indirect supervision of the disqualified official, of any person who selects the surrogate official, of any person whose employment status could be affected by the action or decision at issue;
  3. Has no personal or financial connection to the disqualified official, to any person whose employment status could be affected by the action or decision at issue, to any other person involved or affected by the action or decision at issue in a way that would call into question the surrogate official’s objectivity, neutrality, or impartiality; and
  4. By education, training, and experience has a sufficient understanding of the employment qualifications and other factors and considerations that bear upon the action or decision at issue to make an informed report and recommendation to the Board.

After considering any report or recommendation that may be made by the surrogate official, the Board may approve such recommendation or remand the matter in question for a different recommendation.

[Reference: ALA. CODE §41-1-5]

### **5.3 *Probationary Employment***

Employees are required to serve the maximum period of any probationary service provided or permitted by law before tenure, non-probationary status, or any other statutorily sanctioned form of employment security will be recognized by the Board.

### **5.4 *Non-Teaching Supplemental Duties***

Compensation in the form of supplements may be paid for noninstructional supplemental duties in accordance with rates specified or established for such duties in the Board's official salary schedule. Such duties include coaching and sponsorship of athletic support organizations (e.g., cheerleaders, flag teams, drill teams) as well as scholastic support activities (e.g., yearbook, service clubs, academic honoraries). Such supplemental duties are considered additional nonteaching assignments to be made and approved on an annual basis or otherwise as the needs of the school require. Such supplemental duties are not considered to be a part of a teaching contract or appointment, and no tenure, continuing service status, non-probationary status, or contractual right to continued employment or compensation for such supplemental assignment will be recognized or implied in the absence of a separate written contract of employment providing for such rights.

### **5.5 *Professional Development***

The Superintendent will develop and implement an ongoing program of professional training and development that is designed to enhance the competencies of professional and support staff. Employee attendance and participation in such training institutes, workshops, seminars, and programs may be made mandatory by the Superintendent. The unexcused failure of an employee to attend or participate in such professional development activities may constitute grounds for termination of employment or other disciplinary action.

### **5.6 *Employee Conflicts of Interest***

Employees may not use their offices or positions for personal gain and must adhere to applicable provisions of the Alabama Ethics Law. Employees may only engage in outside employment under the following terms and conditions:

- a. Employees will not engage in outside business activities or render any service for another employer during such time as duties and responsibilities have been assigned by the Board;

- b. Employees will not accept outside employment that would interfere with or impair the ability of the employee to perform duties as a Board employee effectively;
- c. Employees may not accept work that could compromise the employee's independent judgment in the exercise of duties for the Board;
- d. Employees may not use or disclose confidential information acquired through Board employment for their personal gain or for the benefit of a third party.

## **5.7 *Employee Gifts***

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

The Board allows employees to accept gifts or gift cards purchased from pooled donations within a class, team, or other school group or organization for the employee's personal use provided that the individual donations that make up the pooled donation do not violate the Alabama Ethics law. Absent additional facts indicating otherwise, gifts with a value of twenty-five dollars (\$25.00) or less are presumed not to be a violation of the law by the Ethics Commission as such gifts do not qualify as personal gain and are presumed not to be given for the purpose of influencing official action. The Board encourages persons that coordinate pooled donations to request donations in an amount of twenty-five dollars (\$25.00) or less in order to safeguard against such donations violating the Ethics law or being financially burdensome.

Nothing in this policy should be construed to create restrictions on gifts beyond those that are specifically provided for by law or to allow conduct specifically prohibited by law. Any person with a question about the application of the Ethics law to a particular gift should contact the Ethics Commission for clarification.

[Reference: ALA. CODE §36-25-1, *et seq.*; Alabama Ethics Opinion 2011-12 & 2016-34]

## **5.8 *Employee Evaluations***

- 5.8.1 Certified Personnel – Certified employees (other than contract principals) will be evaluated in accordance with an evaluation program approved for use by the Alabama State Board of Education. Contract principals will be evaluated in accordance with rules, regulations, and requirements promulgated by the State Department of Education or as may otherwise be permitted by law.
- 5.8.2 Non-Certified Personnel – Non-certified personnel may be evaluated in accordance with criteria and procedures to be developed by the Superintendent.
- 5.8.3 Use of Evaluations in Connection with Employment Decisions – Unless prohibited by law (including applicable regulations) or the terms of the evaluation instrument, employment evaluations may be considered in making

employment decisions, together with such other information and considerations as may reasonably bear upon the wisdom, necessity, or advisability of the employment decision. However, employment evaluations are intended to enhance the overall quality of the school system's instructional program and are not intended to confer, constitute, or give rise to any individual right, entitlement, or enforceable expectation of continued employment or advancement. Accordingly, except as may be specifically provided otherwise in state law applicable to "contract principals," employees do not acquire any employment right or right of legal action based on any actual or alleged failure on the part of the Board or the evaluator to follow specific evaluation policies, regulations, or procedures.

- 5.8.4 Special Evaluation Situations – The Superintendent, the Chief School Financial Officer, and other employees who serve in positions of special trust or sensitivity may be evaluated by such means as may be permitted by law or applicable regulation or as agreed to in an employment contract
- 5.8.5 Exempt Personnel – Except when required by law or contract, temporary, substitute, and occasional employees, or employees appointed to supplemental positions (e.g., coaches, extracurricular activity sponsors) will not be formally evaluated in those roles.

## **5.9 Personnel Records**

- 5.9.1 Content of Personnel Files – A central personnel file will be maintained for all regular employees. The personnel file may contain information regarding the employee's current assignment, payroll status, and work history, including but not limited to job qualifications, certification, licenses, employment contract(s), evaluation data, disciplinary information, and such other documents, written materials, and data as may be reasonably deemed necessary and appropriate by the Board for sound and efficient personnel administration. Anonymous material and other matters that are prohibited by law, regulation, or Board policy from being maintained in personnel files may not be included therein. Employees may reasonably supplement or respond in writing to any material contained in the personnel file with which they disagree and such responses will also be included in the personnel file.
- 5.9.2 Alternate Data Storage – Personnel file data may be stored or maintained electronically or digitally.
- 5.9.3 Confidentiality – In general, the contents of an employee's personnel file will be deemed confidential except for documents, information, and materials that are matters of public information or public record under applicable state or federal law.
- 5.9.4 Access to Personnel Files – Board members, the Superintendent, Board administrators (including principals), and other persons whose duties reasonably

require access to personnel files are authorized to view, copy, and use the contents of personnel files for purposes that are required by or in keeping with their official duties on behalf of the Board.

## **5.10 Employee Leave**

5.10.1 Work Attendance an Essential Job Function – Punctual, regular attendance is an essential job function of every job and position, and employees are expected to report to work when scheduled to work and to remain at work each working day.

5.10.2 Absences – Except as otherwise authorized under Board policy, employees may be absent from work only in the following circumstances:

- a. Illness, injury or other qualifying reason for sick leave or on-the-job injury leave under state law or the Family Medical Leave Act;
- b. Personal leave;
- c. Vacation leave;
- d. Professional leave;
- e. Military leave;
- f. Court leave;
- g. Other unpaid leave that is specifically approved by the Board upon a showing of substantial hardship or extraordinary circumstances.

Employees who know in advance that they will be absent from work must notify the Board of the expected absence in accordance with procedures specified by the Superintendent or the Board. In the event of an emergency or incapacity that makes advance notice impractical, employees must notify the Board of their absence as early as possible. Except as otherwise provided or permitted, an employee who is absent from work without approved leave will be considered absent without leave in violation of Board policy and subject to appropriate disciplinary measures. Employees who are approved for paid leave or absences will be paid at the regular daily rate of pay; however, a day of paid leave or absence will not be counted as a day worked for the purposes of computing overtime under the Fair Labor Standards Act. Pay will be reduced on a *pro rata* basis for leaves or absences not covered by sick, vacation, personal, or other appropriate form of paid leave. The continuation of benefits during an approved absence is subject to the provisions of the particular benefit policy or plan.

5.10.3 Paid Sick Leave

- a. *Persons Eligible for Paid Sick Leave* – All regular full time employees are eligible for paid sick leave.

- b. *Earning and Accumulation of Paid Sick Leave* – All eligible employees earn sick leave days at the rate provided for in state law. Eligible employees may accumulate sick leave as provided by state law.
- c. *Use of Sick Leave* – Eligible employees may only use paid sick leave for absences caused by the following:
  - 1. Personal illness;
  - 2. Incapacitating personal injury;
  - 3. Attendance upon an ill member of the employee’s immediate family, defined as a spouse, parent, child, sibling or any person with a close personal tie;
  - 4. Death of a family member, including a spouse, parent, child, sibling, mother or father-in-law, son or daughter-in-law, brother or sister-in-law, nephew or niece, grandparent, grandchild, aunt or uncle;
  - 5. Death or care of an individual with whom unusually strong personal ties exist because of a relationship other than those listed above.
- d. *Certification* – Employees must certify that sick leave was used for one of the reasons provided in state law and specify the reason. If the employee’s principal or department head has probable cause to believe that an employee has abused or misused sick leave, a physician’s statement verifying the existence and nature of the illness or medical condition may be required by the Board. Abuse of sick leave may subject the employee to disciplinary action.

[Reference: ALA. CODE §16-1-18.1 (1975)]

5.10.4 On-The-Job Injury Leave – On-the-job injury includes an accident or injury to an employee that occurs in the course of performing job duties for the Board or when the employee is directed or requested by the employer to be on the property of employer and which prevents the employee from working or returning to the job. Employees who are accidentally injured on the job may be approved for paid “on-the-job injury” leave without using sick days, provided that:

- a. The employee submits a signed written account of the accident attested by a principal or department head within twenty-four (24) hours after the injury occurred. If the injured employee is not able to notify the Board, another person reasonably knowledgeable about the employee’s condition and circumstances leading to the injury may provide the required notification.

- b. The injured employee submits written medical certification from the attending licensed physician stating that the employee was injured and cannot return to work due to a specified injury, if there is a reasonable expectation that the employee will return to work and, if so, the expected date of that return. The Board may require a second opinion from a Board specified physician, at its expense.

Upon a determination that the employee has been injured on the job and cannot return to work, the Board may maintain the employee's salary and benefits for the period of incapacity caused by the injury, not to exceed ninety (90) days, provided, however, that the Board reserves the right to extend the ninety (90) day time period for on-the-job injuries in circumstances that would serve the best interest of the school system. An employee who is injured on the job may file a request for unreimbursed medical expenses and costs with the State Board of Adjustment. The Board will provide such reasonable assistance to the employee in filing the Board of Adjustment claim as is required by law, but assumes and will have no responsibility or liability for processing the claim or directly reimbursing the employee any unreimbursed medical expenses and costs. On-the-job injury leave will be administered in accordance with and subject to the requirements and limitations imposed by state law regarding such leave.

[Reference: ALA. CODE §16-1-18.1 (1975)]

5.10.5 Personal Leave – Personal leave must be requested in writing in accordance with such procedures as may be established by the Superintendent.

- a. *State Funded Personal Leave* – All regular full time employees are eligible for two non-cumulative personal leave days each scholastic year without loss of pay. Teachers may be compensated for unused state funded personal leave at the end of the school year at the average daily rate of pay used for substitute teachers if requested in writing before the end of the scholastic year. All other unused state funded personal leave converts to sick leave.
- b. *Additional Personal Leave* – All regular full time employees are eligible for additional non-cumulative personal leave days each scholastic year based on years of experience as follows:
  - 1. For employees with less than five (5) years' experience, the Board will grant one (1) additional day provided the employee pays the cost for a substitute.
  - 2. For employees with five (5) to nine (9) years' experience, the Board will grant one (1) additional day without loss of pay.
  - 3. For employees with ten (10) to fourteen (14) years' experience, the Board will grant two (2) additional days without loss of pay.

4. For employees with fifteen (15) or more years' experience, the Board will grant three (3) additional days without loss of pay.

Additional personal leave may not be taken during the first or last two (2) weeks of school or immediately before or after a holiday without prior approval of the immediate supervisor. Any unused additional personal leave will convert to sick leave days at the end of the scholastic year.

[Reference: ALA. CODE §16-8-26 (1975)]

#### 5.10.6 Vacation

- a. *Twelve month full-time employees* – Twelve-month full-time employees earn ten (10) days of vacation leave per year.
- b. *Accrual and Accumulation of Vacation Time* – Vacation time fully accrues each January 1<sup>st</sup> of each calendar year. New employees will immediately accrue vacation days at the beginning of their employment term, but the amount of days will be prorated for that year. Vacation must be used by December 31<sup>st</sup> of each year or be forfeited. Vacation days may not be bought, sold, or donated. Accumulated vacation time will be forfeited if not used prior to the effective date of resignation or retirement. No payment will be made for any vacation leave that is unused as of the employee's resignation, termination or death.
- c. *Scheduling* – Vacations must be scheduled with the knowledge and approval of the employee's department head.

5.10.7 Professional Leave – The Superintendent is authorized to grant professional leave with pay to Board employees to engage in educational activities which, in the judgment of the Superintendent, serve the needs and interests of the school system.

5.10.8 Military Leave – Military leave is available to all eligible employees in accordance with state and federal law.

5.10.9 Court Leave – Permanent and full-time employees are entitled to regular compensation while performing jury duty (ALA. CODE §12-16-8) or when the employee is summoned for school-related purposes under subpoena or other legal requirement to testify at trial in a court of law or in an administrative proceeding constituted under the statutory authority of the agency conducting the proceedings. Paid leave is not authorized for employees to meet with attorneys, to attend depositions, or to otherwise prepare for legal proceedings unless the presence of the employee is requested or required by the Board.

5.10.10 Unpaid Study Leave – Upon written application by the employee, the Board may provide an unpaid leave of absence for up to one year to pursue study or professional growth opportunities. Such leave is available to nonprobationary

certified personnel only. Except as provided to the contrary by applicable law, the employee shall not be entitled to return to the same position held before the commencement of leave, and may be assigned to a different work location or position upon return from leave at the discretion of the Board.

## **5.11 *Family and Medical Leave Act (FMLA)***

5.11.1 Eligible Employees – The FMLA is applicable to all persons who have been employed for at least twelve (12) months and have worked a minimum of 1,250 hours during that twelve (12) month period.

5.11.2 Medical Leave Provided by the Act – Under the FMLA, eligible employees are entitled to twelve (12) weeks of unpaid leave during any twelve (12) month period for one or more of the following reasons:

- a. The birth and first year care of a newborn child;
- b. The placement of a foster child or adoption;
- c. The care of an immediate family member, defined as a spouse, child or parent, with a serious health condition;
- d. The taking of medical leave because of the employee’s own serious health condition.

For the birth, adoption, or foster placement of a child, the entitlement to leave for child care expires at the end of the twelve (12) month period beginning on the date of birth, adoption, or placement. Leave associated with the illness of a child will only be provided if the child is under eighteen (18) years of age or is incapable of self care due to physical or mental disability.

5.11.3 Serious Health Conditions – The term “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves the following:

- a. Any period of incapacity in connection with or following inpatient care in a hospital, hospice, or residential medical care facility.
- b. Continuing treatment by a health-care provider, to include any period of incapacity due to:
  1. A health condition, including treatment and recovery, lasting more than three (3) consecutive days, and any subsequent treatment or period of incapacity relating to the same condition;
  2. Pregnancy or prenatal care;
  3. A chronic, serious health condition which continues over an extended period of time, requires periodic visits to a health care

provider, and may involve episodes of incapacity (e.g., asthma and diabetes);

4. A permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer's, severe stroke) and for which supervision of a health-care provider is required;
5. Multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three (3) days if not treated.

#### 5.11.4 Military Family Leave Provided by the Act

- a. *Qualifying Exigency Leave* – Under the FMLA, an eligible employee with a spouse, child, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may utilize the twelve (12) week medical leave entitlement to address qualifying exigencies resulting from that service.
- b. *Military Caregiver Leave* – An eligible employee, who is the spouse, child, parent, or next of kin of a covered service member, is entitled to take up to twenty-six (26) weeks (including any medical leave provided by the Act) of unpaid leave during any twelve (12) month period (beginning the first day of the leave) to care for an individual covered service member with a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating. A covered service member is a member of the Armed Forces, including the National Guard and Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty.

5.11.5 Spouse Employed by the Board – Spouses who are both employed by the Board are limited to a combined total of twelve (12) weeks of family leave for the birth and care of a newborn child, for the placement of a child for adoption or foster care, for the care of a parent who has a serious health condition, and for qualifying exigency leave. Spouses who are both employed by the Board are limited to a combined total of twenty-six (26) weeks for military caregiver leave.

5.11.6 Intermittent Leave – An employee may take leave intermittently or on a reduced leave schedule only when medically necessary to care for a spouse, parent, or child or to receive planned medical treatment. Intermittent leave should be scheduled to the extent practicable so as not to unduly disrupt the operations of the Board. Intermittent leave may be further limited for teachers in accordance with federal law.

5.11.7 Notice – Employees seeking leave under the FMLA must provide thirty (30) days advance notice of the need to take leave when the need is foreseeable. When the need for leave is unforeseeable, employees should notify their supervisors as soon as possible. Employees must also provide notice of the need for qualifying exigency leave as soon as practicable.

5.11.8 Certification for Medical or Military Caregiver Leave – Every request for FMLA leave based upon the serious health condition of the employee or employee’s spouse, children, or parents, or leave as a military caregiver must be supported by medical certification issued by the appropriate health care provider on forms provided by the Board.

For leave based on a serious health condition of the employee or employee’s spouse, child, or parent, the Board reserves the right to obtain a second opinion from an independent health-care provider designated by the Board. If the opinion received by the employee and the second opinion conflict, the Board and the employee must agree on a third provider to issue a binding opinion. Both the second and third opinions (if necessary) will be at the expense of the Board.

5.11.9 Certification for Qualifying Exigency Leave – Certification will be required by the Board for requests for qualifying exigency leave. Certification must be timely submitted on forms available from the Board. For the first such request, certification may include a copy of the military service member’s duty orders or other military documentation.

5.11.10 Return to Work – The Board may require an employee who has taken leave due to the employee’s own serious medical condition to provide the Board with a healthcare provider’s certification in order to return to work. Any employee who takes leave under these provisions will be entitled to be restored to the original position held when the leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

5.11.11 Maintenance of Benefits – Benefits accrued by the employee before leave is taken are not lost when approved FMLA leave is taken. Employees who are on approved FMLA leave will remain eligible to participate in benefit programs in which the employee was enrolled at the time of the leave, provided that the employee will continue to be responsible for payment of employee’s portion of any cost, premium, or like payment that is required to maintain eligibility for the coverage or benefit. An employee that does not return to work after FMLA leave, may be required to reimburse the Board for the cost of benefits coverage extended to the employee during the leave, unless the reason for the employee’s failure to return to work is (i) a continuing serious health condition suffered by either the employee or a family member, or (ii) other circumstances beyond the employee’s control.

5.11.12 Instructional Employees – Medical leave taken by eligible instructional employees may be subject to further limitations and provisions established by the

FMLA. The Superintendent or his designee is authorized to develop additional information and guidelines concerning Instructional Employees.

### **5.12 *Sick Leave Bank***

A “Sick Leave Bank” plan for full-time certified and classified employees is hereby established in accordance with applicable provisions of state law. A Sick Leave Bank Committee will be established to oversee the operations of the Sick Leave Bank in accordance with state law. Participation in the Sick Leave Bank is voluntary and open to all employees of the Board. However, employee participation is subject to such rules and regulations regarding enrollment procedures, deposits, withdrawals, and participation as may be developed by the Committee.

[Reference: ALA. CODE §16-22-9 (1975)]

### **5.13 *Administrative Leave***

The Superintendent is authorized to place an employee on administrative leave upon a determination that the best interests of the school system would be served by such action. Administrative leave relieves the employee of regular work responsibilities pending resolution of the matters or circumstances that gave rise to the leave. Administrative leave is not disciplinary in nature or purpose and does not affect the employee’s compensation, benefits, tenure, or nonprobationary status. Administrative leave may be accompanied by such additional restrictions or conditions as may reasonably be imposed by the Superintendent under the circumstances (e.g., limitation on access to school property). The status of employees who are on administrative leave will be reviewed and reported to the Board periodically or as otherwise may be directed by the Board.

### **5.14 *Equal Employment Opportunity***

5.14.1 Unlawful Discrimination Prohibited – The Board is an equal opportunity employer. Personnel actions and decisions will be made without regard to factors or considerations prohibited by federal or state law (as such laws may from time to time be amended), including but not limited to race, color, religion, sex, national origin, age, disability, and genetics.

5.14.2 Implementing Regulations Authorized – The Superintendent is authorized and directed to implement such rules, regulations, procedures, and directives as necessary and appropriate to implement and enforce this policy and any law prohibiting discrimination in the workplace, including the designation of one or more complaint/grievance investigators, officials, or coordinators, the development of complaint or grievance procedures for responding to allegations of unlawful discrimination, the provision of training or dissemination of instructional materials and advisories to appropriate staff members, and the administration of corrective or remedial action in response to violations of the law and of this policy.

## 5.15 *Sexual Harassment*

The Board strictly prohibits unlawful discrimination in all of its programs, offices, departments and facilities. Sexual harassment, as defined by law, is a form of unlawful discrimination and will not be tolerated from employees or other persons associated with the Board.

5.15.1 Definition of Sexual Harassment – Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when:

- a. Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of employment or other employment benefits provided by the Board;
- b. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment, or other benefits provided by the Board; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

5.15.2 Examples of Prohibited Conduct – The following are examples of conduct that may constitute sexual harassment, depending on individual circumstances:

- a. Verbal harassment or abuse of a sexual nature, including graphic or derogatory comments, the display of sexually suggestive objects or pictures, and sexual propositions;
- b. Repeated unwelcome solicitation of sexual activity or sexual contact;
- c. Unwelcome, inappropriate sexual touching;
- d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to an individual's employment status.

5.15.3 Employee Complaint Resolution Procedure

- a. *Reporting* – Any employee with reason to believe that he or she has been or is being subjected to any form of sexual harassment should report the matter immediately. Under no circumstances will an employee be required to present the complaint to the person who is the subject of the complaint.
- b. *Informal Complaint* – An employee may choose to submit a sexual harassment complaint to a supervisor for investigation and resolution at

the departmental or local level without resorting to formal complaint procedures. If the supervisor is the subject of the complaint, the complaint may be submitted to the Superintendent for resolution. If the complaint is not resolved informally to the satisfaction of the complaining employee, the employee must contact the Superintendent to initiate formal complaint procedures.

#### 5.15.4 Formal Complaint Procedure

- a. *Persons Responsible for Receiving and Investigating Formal Complaints* – The Superintendent is responsible for receiving and investigating formal complaints regarding sexual harassment. The Administrative Assistant A is an additional official to which formal complaints can be reported. If the Superintendent is unavailable or is the subject of the complaint, the alternate should be contacted regarding the formal complaint.
- b. *Complaint form, contents* – Formal complaints should be made in writing, signed by the complainant, and fully describe the circumstances surrounding the alleged harassment. Harassment complaints that cannot be made in writing should be memorialized by the Superintendent or designated alternate official.
- c. *Investigation* – The Superintendent will promptly investigate the complaint, review the results of any investigation with legal counsel or other appropriate officials, make any findings that are supported by the investigation, and recommend appropriate action based on these findings. The complainant will be informed of any action that is taken as a result of the investigation.
- d. *Review by the Superintendent and the Board* – A complaining party who is not satisfied with the investigation or resolution of the complaint may request that the Superintendent take additional or different action or present the complaint to the Board for its review and action. In such case, the Board will render a final decision as soon as practicable.

5.15.5 Confidentiality – To the extent possible, reports of sexual harassment will be kept confidential; however, complete confidentiality cannot be guaranteed.

5.15.6 Retaliation Prohibited – No retaliation or adverse action may be imposed as a result of a good faith complaint or report of sexual harassment. False accusations that are made in bad faith or for improper reasons may result in disciplinary action.

5.15.7 Penalties for Violation – Any employee who violates the terms of this policy or who impedes or unreasonably refuses to cooperate with a Board investigation regarding allegations of sexual harassment will be subject to appropriate disciplinary action, up to and including termination.

## 5.16 *Reduction-In-Force*

### 5.16.1 Definition and Scope –

- a. This policy applies to reductions-in-force that are implemented by “layoffs” as contemplated by Ala. Code §16-1-33 (1975).
- b. A reduction-in-force may be declared by the Board of Education and layoffs approved thereunder if the Board determines that decreased student enrollment or a shortage of revenues requires a reduction in the work force (beyond normal attrition) in order to maintain effective provision of educational services or to meet the Board’s financial, legal, or operational obligations.
- c. A “layoff” within the meaning of this policy is a separation from employment with the Board of Education. However, employees who are laid off under authority of this policy are eligible for recall to employment as conditionally provided in this policy. The term “layoff” does not include or apply to the expiration of temporary, occasional, or “at-will” appointments or to decisions not to renew or extend employment beyond the expiration of annual or other specified terms of appointment.

### 5.16.2 Criteria for Implementing Layoffs -

- a. The order, priority, rank, or selection of individual employees who are to be laid off under authority of this policy shall be determined on the basis of objective criteria. However, nothing herein shall be deemed or construed to limit or abridge the Board’s legislative discretion to identify areas, departments, groupings, or classifications for reductions (layoffs). (For example, the Board is not required to justify by objective criteria or otherwise a decision to implement layoffs in noninstructional categories or employees before doing so with instructional staff).
- b. The criterion or criteria on which the layoffs are to be based shall be announced or otherwise made known by the Board to employees affected by the layoff no later than the date notice of the layoff is provided to the employees.
- c. “Objective criteria” within the meaning of this policy may include any lawful selection standard (or combination of standards) that is verifiable, calculable, measurable, or otherwise determinable by means or methods other than the personal or subjective judgments or opinions of the person(s) applying the criteria, and that would be expected to produce the same result if applied to the same employees or group of employees by different persons. For purposes of this policy, objective criteria may include, but are not limited to:

- Seniority, longevity, or time in service that will be more specifically described in the notice of layoff that is provided to affected employees
- Years of experience
- Degrees, certification, or licensure
- Job classification
- Written or otherwise documented performance evaluations that can be fairly, accurately, and objectively compared to other similarly situated employees for the purpose of ordering or ranking, provided that such evaluations predate the RIF announcement or declaration by not less than thirty days

5.16.3 Recall - Employees who have been laid off under the terms of this policy will be given priority in filling positions as enrollment or financial circumstances warrant, provided that:

- a. The nature of the position and qualifications therefore have not materially changed;
- b. The laid-off employee remains properly qualified, licensed, or certified; and
- c. The laid-off employee confirms in writing his or her availability for and interest in re-employment to the Board's Director of Human Resources in accordance with any directives that may be contained in or transmitted in conjunction with the notice of layoff.

Circumstances permitting, and to the extent practicable, the selection of employees for recall will be based on the criteria that were applied to the layoffs themselves if there are more employees eligible for recall than positions available to fill. When layoffs occur over a period of time, the Board will take relative length of separation from service into consideration in assigning recall priority, other factors being equal. In no case will any right to be recalled to employment extend beyond one year from the effective date of the employee's layoff.

Recalled employees will retain credit for the tenure, years of service, and the pay and benefit status they held on the effective date of their layoff. No pay, benefits, status, or additional rights will accrue or be credited to the recalled employee for the time he or she has been laid off.

5.16.4 Notice - Notification of layoff and recall shall be by United States certified or registered mail, hand delivery, or such other means as are reasonable under the circumstances. Upon receipt of notification of recall, a laid-off employee shall respond affirmatively to the notice of recall in accordance with such specific

directions or instructions as may be contained therein. Any laid-off employee who does not so respond or who otherwise declines an offer of reemployment by the Board will be deemed to have waived any right to be recalled under the terms of this policy.

[Reference: Ala. Code §16-1-33 (1975)]

## **5.17 *Unauthorized Payments***

- 5.17.1 Notification to the Employee – Upon discovery of any unauthorized or erroneous payment or disbursement of funds to an employee, the Board will attempt in good faith to notify the employee of such unauthorized payment and to reach agreement with the employee, if possible, regarding the amount and terms of repayment. Notification to the employee will consist of a letter mailed or delivered to the employee's last known address. The notice will specify the amount owed, the method by which the amount was calculated, a proposed schedule of repayment, an opportunity for the employee to review or examine any documents or other evidence supporting the claimed overpayment, and an opportunity for the employee to object in person or in writing to the amount or manner of the proposed withholding to provide an alternative plan of repayment. Unless the Board's ability to recover funds in question could be jeopardized by doing so, the Board will arrange a reasonable schedule of repayment so as to avoid undue hardship to the employee.
- 5.17.2 Retention and Recovery Authorized – If no objection to the proposed withholding is received within a reasonable time (to be specified in the notification letter), monies may be retained in the manner and to the extent described in the notification. If the employee objects to the proposed withholding, the Superintendent or his designee may, upon consideration of the objection and information and argument (if any) submitted in connection therewith, take such action as may be warranted under the circumstances and inform the employee in writing of the decision. If the employee is dissatisfied, he may contest the decision through the Board's complaint procedure. Monies may be withheld by the Board pending completion of the grievance process, provided that, should the Board later pay over to the employee monies that have been retained under authority of this policy, such payment(s) will reflect all appropriate deductions and will include accrued interest from the date of withholding at the rate specified by the then-effective rate applicable to interest on unpaid judgments under Alabama law. If, after exhausting reasonable efforts to do so, the Board is unable to contact the employee in the first instance, the Board may retain or withhold from compensation or other payments due the employee an amount sufficient to satisfy the indebtedness; provided that any such retention or withholding will be subject to review and reconsideration at the request of the employee.
- 5.17.3 Repayment Required as a Condition of Reemployment – The Board reserves the right to require repayment of any outstanding indebtedness as a condition to reemployment of any former employee.

5.17.4 Procedures Not Exclusive – The provisions, procedures, and method of review specified herein are in addition to those that are otherwise available to the parties under law for the retention or recovery of funds, and for administrative or judicial review thereof.

## **5.18 *Drug and Alcohol Testing of Safety Sensitive Employees***

5.18.1 Scope – The Board will conduct employee drug and alcohol testing for employees in safety sensitive positions as required by and in accordance with federal law. Testing will be required for all employees holding a commercial drivers’ license (CDL) or who occupy a safety sensitive position as designated by the Board (“covered employees”).

5.18.2 Prohibited Alcohol and Controlled Substance-Related Conduct – In addition to activities identified in other policies, rules, and procedures, Board employees are prohibited from the following:

- a. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the Federal Highway Administration (FHWA);
- b. Being on duty or operating a vehicle while possessing alcohol
- c. Consuming alcohol while performing safety-sensitive functions;
- d. Consuming alcohol within eight hours following an accident for which a post-accident alcohol test is required, or prior to undergoing a post-accident alcohol test, whichever comes first;
- e. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements;
- f. Consuming alcohol or being under the influence of alcohol within eight (8) hours of going on duty, operating, or having physical control of a vehicle;
- g. Reporting for duty or remaining on duty when using any controlled substance, except when instructed by a physician who has advised the driver and the Board that the substance does not adversely impact the performance of any safety-sensitive duty;
- h. Reporting for duty, remaining on duty, or performing safety sensitive functions with controlled substances in the employee’s system.

In the event of a violation of this policy, the employee shall be removed immediately from safety-sensitive duties and shall be subject to such further

actions, including disciplinary action up to and including termination, as deemed appropriate by the Superintendent and the Board.

5.18.3 Testing Program Authorized – The Superintendent is directed to establish a testing program whereby all covered employees will be tested for the presence of alcohol and controlled substances. The following tests may be conducted:

- a. *Pre-employment Testing* – Prior to the first time a covered employee performs a safety-sensitive function for the Board, the employee must undergo testing for alcohol and controlled substances.
- b. *Post-accident Testing – Post-accident Testing* – Each surviving driver who is involved in an accident involving a school bus shall submit to testing as soon as practicable following such accident if such driver:
  - (1) Was performing a safety-sensitive function with respect to such vehicle and the accident involved the loss of human life, or
  - (2) Such driver receives a citation within eight (8) hours of the occurrence under state or local law for a moving traffic violation arising from the accident and the accident involved either:
    - (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or
    - (ii) One or more motor vehicles incurs disabling damage requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Each such driver shall remain readily available for such testing and if he does not remain so readily available, may be deemed to have refused to submit to testing. Transportation supervisors shall provide drivers with necessary post-accident information, procedures and instructions, prior to the driver operating the school bus, so that drivers will be able to comply with the requirements of this policy.

The tests required by this subsection shall be administered as soon as practicable following the accident. If the alcohol test is not administered within two hours following the accident, the supervisor will prepare and maintain a record stating the reasons. If the alcohol test is not administered within eight hours, and the controlled substances test within 32 hours, the same record shall be made and further efforts to administer such tests shall cease.

- c. *Random Testing* – The Board will conduct unannounced random alcohol and controlled substance testing of its covered employees.

- d. *Reasonable Suspicion Testing* – A covered employee must submit to alcohol or controlled substance testing whenever there is reasonable suspicion of alcohol misuse or the use of controlled substances based on specific, contemporaneous, and articulable observations concerning the appearance, behavior, speech, or bodily odors of the employee.
- e. *Return-to-Duty Testing* – A covered employee must submit to return-to-work alcohol and/or controlled substance test before being permitted to return to work following a positive alcohol or controlled substance test or other violation of this policy or federal regulations.
- f. *Follow-up Testing* – Any employee who continues performing safety-sensitive functions for the Board, following a determination that the employee requires assistance in resolving problems associated with alcohol misuse or the use of controlled substances, shall be subject to unannounced follow-up alcohol or controlled substance testing as directed by the Board’s substance abuse professional (SAP).

5.18.4 Administration of Program – The Superintendent is authorized to oversee the Board’s testing program, to contract with appropriate providers to implement the program, to develop guidelines, rules and regulations, to implement training programs, to develop and distribute educational materials and appropriate notices to covered employees, and to take such further action as may be required by federal law.

[Reference: Omnibus Transportation Employee Testing Act of 1991]

## 5.19 Searches (Personnel)

- a. *Board Property* – All school system property, facilities, and grounds may be entered, inspected, and searched for any lawful purpose by Board officials or their designees at any time, without prior notice and to the fullest extent permitted by law. The right to enter, inspect, and search includes and extends to (but is not limited to) Board owned or controlled offices, desks, file cabinets, lockers, storage areas, computers, files, documents, data, and devices however and wherever kept, stored, or maintained.
- b. *Employee Property* – The Board reserves the right to inspect employees’ vehicles, purses, files, and other personal property if the Superintendent or his/her designee forms a reasonable individualized suspicion that the property contains evidence of a violation of Board policy that could create or present a risk of harm or injury to the school, the workplace, or persons therein or that it contains any material, object, or substance that otherwise creates or presents a risk of harm or injury to the school, the workplace, or persons therein

- c. *Use of Recovered Items* – Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

## VI. Students

### 6.1 *Admissions and Attendance*

- 6.1.1 Compulsory Attendance and Entrance Age – All persons between the age of six (6) and seventeen (17) years of age are required by state law to attend school for the minimum number of scholastic days prescribed by the State Board of Education unless the person holds a certificate of exemption issued by the Superintendent or is otherwise exempt under state law.

[Reference: ALA. CODE §16-28-3 (1975)]

### 6.1.2 Admission to Schools

- a. *Resident Students* – School-age children whose legal residence is within the municipal limits of the City of Russellville, Alabama, may be admitted to Russellville City Schools. For purposes of this policy, the legal residence of the student means the fixed, permanent and primary domicile of the parent(s), parent with primary physical custody or the court appointed legal custodian/guardian. The legal residence, as used herein, is distinguished from a temporary or place of residence established for some specific purpose, but not the fixed permanent residence of the parent(s), parent with physical custody, or the court appointed legal custodian/guardian.

To be considered a resident student, a student must physically reside full-time with his or her parent(s), parent with primary physical custody, or court appointed legal custodian/guardian within the municipal limits of the City of Russellville. Custody/guardianship must be ordered through a Court of competent jurisdiction.

When there is evidence that the claimed residence of the child is not his/her actual residence, or that the claimed residence is fraudulently given as a means of avoiding or violating, admission, enrollment, attendance, and residency standards and requirements, the enrollment status will be revoked.

- b. *Non-resident Students* – The Board may permit students who do not reside within the Russellville City School District who apply to attend schools within the school system. The Board may establish criteria for admission of non-resident students, and may require payment of tuition as a prerequisite to enrollment. No non-resident students will be enrolled in the District if the student has been expelled or suspended from another school system. The Board will not provide transportation to and from school or homebound instruction outside of the municipal limits of the City of Russellville.

All out-of-district applicants who are permitted to attend Russellville City Schools shall complete a non-resident application or non-resident renewal form.

Children of full-time employees who work in Russellville City Schools but reside outside of the City of Russellville may attend Russellville City Schools without payment or tuition. However, such student(s) must meet all standards established for non-resident students. This does not include the State OSR Pre-K program.

A non-resident enrollment application may be denied because:

- A school's, grade's, or program's lack of space, staff, support services, facilities, or equipment, taking in-district enrollment projections into consideration; or
- Because the student:
  - Does not meet the established criteria for participation in a particular program including age requirements, course prerequisites, and required levels of academic performance;
  - Has previously been expelled or currently suspended from school, is in the process of being expelled, has withdrawn from a school to avoid possible expulsion;
  - Has a history of documented disciplinary infractions within the past 3 years, or has been adjudicated or convicted of a crime;
  - Has a record of excessive absence or truancy from school; or
  - Presents incorrect or incomplete information on the enrollment application

The Russellville City School System reserves the right to revoke the enrollment status of an out-of-district student at any time for any misconduct that would warrant suspension or expulsion under the Code of Student Conduct, or because of false, misleading, or incomplete information on the enrollment application. In the event of a revocation, the Superintendent or designee shall inform the parent/guardian of the circumstances which resulted in the revocation decision. There is no appeal process; the decision of the Superintendent is final.

- c. *Enrollment in Office of School Readiness Pre-K Program* – The Pre-K allocations for each OSR classroom will be designated for residents of Russellville. If, during registrations for the OSR program, the number of

Russellville students does not reach the required student enrollment, the Russellville Board of Education may authorize the option of enrolling students outside the Russellville city limits.

- d. *Admission Policy for Homeless, Migratory, Immigrant, Foster Care and English Language Learners Proficient Students* – All homeless, migrant, and immigrant students, children in foster care, and English language learners will have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth and will be provided the opportunity to meet the same challenging state content and state student performance standards to which all students are held without being stigmatized or isolated.

The enrollment of homeless, migrant, and immigrant students, children in foster care, and limited English proficient children and youth shall not be denied or delayed due to any barriers that are specifically prohibited by applicable law, which may include the following:

- Lack of birth certificate
- Lack of school records or transcripts
- Lack of immunization or health records
- Lack of proof of residency
- Lack of transportation
- Guardianship or custody requirements
- Lack of social security card

- e. *Homeless Students* –

- (i) *Enrollment.* Homeless students will be permitted to enroll without regard to residency status and will not be denied services offered to other students in the school system. Homeless students may also be entitled to other accommodations under federal law.

Homeless students will continue in the school they attended before becoming homeless for the duration of their homelessness, or for the remainder of the academic year if the student becomes permanently housed during an academic year. Otherwise, a homeless student may be enrolled in any school in the system that non-homeless students who live in the attendance area in which the student is living are eligible to attend.

- (ii) *Dispute Resolution.* When a dispute arises regarding school placement, the system will immediately enroll the homeless student in the school in which enrollment is sought by the parent, guardian, or unaccompanied youth, pending resolution of the dispute. The school will provide the parent, guardian, or unaccompanied youth with a written explanation of the decision, a

statement of the right to appeal, and the procedure for appealing the placement decision. The principal of the school will notify the Board's Homeless Liaison of the dispute.

(iii) The Homeless Liaison will expeditiously carry out the system's dispute resolution procedures as detailed in the Board's homeless student plan.

f. *Students in Foster Care* – A student in foster care will enroll or remain in the student's school of origin, unless it is determined that remaining in the school of origin is not in such student's best interest.

If it is not in a student's best interest to stay in the school of origin, a student in foster care may be enrolled in any school in the system that serves the attendance area in which the student is living, even if the student is unable to produce records normally required for enrollment.

[Reference: 20 U.S.C. §§6311(g)(1)(E)]

g. *Students Expelled or Suspended from Other School Systems* – Any student who is under suspension or expulsion from another school system or a private, parochial, or other school will not be permitted to enroll until the student has satisfied the conditions for readmission set by the expelling or suspending board or authority in addition to generally applicable admission requirements established by the Board which may include temporary attendance in an alternative placement.

h. *Required Documentation/Residency Verification* – Students entering the school system for the first time, regardless of grade level, are not required to submit a birth certificate, but may be requested to submit a birth certificate or another form of acceptable documentation to verify the student's age. A social security number may also be requested, but such request is voluntary and is not a requirement of enrollment.

In addition, students may also be required to submit other registration materials as school officials may reasonably require including, but not limited to, documentation of other proof of residency and a certificate of immunization or an exemption as prescribed by the Department of Public Health and signed by a private physician or appropriate health department official. Suspected changes in residency will be investigated and enrollment may be denied. The Superintendent may accept alternate forms of evidence or modify otherwise applicable requirements as necessary and appropriate to accommodate migrant, immigrant, limited English proficient or homeless students.

i. *Placement of Students* – The Board will determine the placement of newly enrolled students in accordance with state law.

- 6.1.3 Class Assignment – Principals will assign students to classes in keeping with school accreditation standards and any procedures or criteria that may be established at the system or school level.
- 6.1.4 Absences and Excuses – Students are not permitted to be absent from school without a valid excuse. Absences will be designated as excused or unexcused. Excused absences will be permitted for the following reasons:

Personal illness  
Hospitalization  
Emergency  
Death in immediate family  
Court subpoena  
Religious holidays  
Absences approved by the principal

Documentation supporting an excused absence must be submitted in a timely manner or the absence will be deemed to be unexcused. Excessive unexcused absences may result in a loss of academic credit or referral of the matter to juvenile or other appropriate legal authorities for investigation.

- 6.1.5 Field Trips & Extracurricular Activities - Students who are absent from school in lieu of a school-sponsored event, to include class fieldtrips, academic competitions, athletic events and any other school-related event meeting prior approval by the principal, shall not be considered absent from school for participation in said event

The school will ensure their respective attendance-tracking procedures and software reflect appropriate code showing student absent from the classroom in lieu of their presence at other school-sponsored event.

- 6.1.6 Truancy – Parents or guardians are required to ensure that students under their care, custody or control attend school regularly. Habitual or excessive absence from school may require Board officials to refer the matter to juvenile authorities or to initiate truancy proceedings.

[Reference: ALA. CODE §16-28-1, *et seq.* (1975); Ala. Admin. Code 290-3-1-.02]

## **6.2 *Withdrawals***

No student of compulsory attendance age will be permitted to withdraw from school except in accordance with state law and any withdrawal procedures that may be developed by the Superintendent.

[Reference: Ala. Admin. Code 290-3-1-.02]

## **6.3 *Student Fees, Fines, and Charges***

Reasonable fees, fines, and charges not prohibited by law may be established by the Superintendent. All such fees, fines, and charges will be collected and accounted for in accordance with the procedures, rules, and regulations to be developed by the Chief School Financial Officer or as provided in the Board finance or local school finance manual(s).

The Board will not collect fees of any kind from students in kindergarten through sixth grade. No fees shall be collected in secondary schools for courses required for graduation. The Board shall set reasonable fees in non-required courses, *i.e.* laboratory and shop materials and equipment. Such fees shall be waived for students who cannot afford to pay them.

Where school funds are not otherwise available for consumable instructional supplies and personal items to meet the instructional needs of students, donations and fees may be solicited from students and parents with such donations and fees to be known as “School Supplemental Instructional Donations and Fees,” provided that any such solicitation has prior approval of the principal. Communications to parents and students in any format must clearly indicate that the response to such solicitation on the part of any student or his/her parents/guardians shall be voluntary, and no sanctions shall be imposed against the student or embarrassment caused a student or his/her parents/guardians for failure or refusal to make a donation or pay a fee. The principal shall keep the Superintendent apprised of such requests.

#### **6.4 Concussions**

Drawing on such medical and other authoritative publications and resources as may be available, the Board will:

- a. Develop materials and information that are designed to educate students and their parents or guardians about the nature of concussion and brain injury and the risks of continuing to participate in athletics after receiving a concussion or brain injury;
- b. Suitably summarize such materials on a concussion and head injury information sheet which is to be provided annually to current and prospective student athletes and their parents or guardians. Prior to the student’s participation in practice or competition, the head coach of the team must obtain and keep on file a copy of the information worksheet signed by the team member and his or her parent or guardian.
- c. Develop a program designed to educate coaches on how to learn to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion. The training shall be provided by qualified medical personnel or persons with special expertise in recognizing and responding to concussions and brain injuries, and shall be offered to every coach prior to the beginning of practice for the athletic team that he or she coaches.

- d. Promulgate or otherwise inform coaches of the statutory requirement that a youth athlete must be removed “from participation and may not return to play the day of the injury and until the athlete is evaluated by a licensed physician and receives written clearance to return to play from a licensed physician.”

The Board may use information and forms prepared by the Alabama High School Athletic Association as they may be revised from time to time, but nothing in any such materials should be interpreted or otherwise understood to create a duty or standard of care on the part of any person charged with its implementation.

[Reference: Ala. Code §22-11E-2 as amended by Act of Alabama 2012-314]

## **6.5 *Extracurricular Activities***

6.5.1 General – Students may be offered an opportunity to participate in extracurricular activities and organizations. Extracurricular activities must meet the following criteria:

- a. The organization or activity must be approved by the school principal and must have an assigned faculty supervisor or sponsor;
- b. The organization or activity must promote or serve the intellectual, cultural, personal, or physical development of the student in a manner that is consistent with the purposes of public education, the Board’s legal mandate, mission statement, policies, and regulations, and with applicable requirements of state and federal law;
- c. The organization or activity must operate under and subject to general supervision of school officials; and
- d. The nature of the organization and its activities are not inconsistent with and do not interfere with instructional activities or requirements.

Student participation or membership in such organization activities may be governed by the specific policies of the organization and is subject to review and approval by the principal.

6.5.2 Limited Open Forum-Equal Access – Non-curriculum related student organizations shall have the same opportunity to use school facilities as any other student organization, regardless of religious, political, philosophical, or other content of the speech at such meetings, subject to the right and obligation of the Board to maintain order and discipline on school premises and to protect the well-being of students and faculty.

The principal of the school may approve use of the school facility by a noncurriculum related student organization provided that:

- a. The meeting occurs during non-instructional time and is attended by a school employee who shall provide general supervision.
- b. The meeting is voluntary and student-initiated. Only students enrolled in the school may request the meeting.
- c. The meeting is not sponsored by the school, the Board, or employees thereof.
- d. The presence of school authorities or Board employees at any religious meeting is non-participatory in nature. The presence of school employees is for observation only.
- e. The meeting does not interfere with regular instructional activities of the school.
- f. The meeting shall not be directed, conducted, controlled or regularly attended by non-school persons.
- g. The non-curriculum related student group shall not use the school name, school mascot name, or any name that might imply school sponsorship.

No school employee shall be compelled to attend a meeting of any student organization if the content of the speech at such meeting is contrary to the beliefs of the employee.

6.5.3 Athletics – Participation in Board sanctioned athletic programs will be on such terms and conditions as may be approved by the Board and any athletic association of which the Board is a member. Schools may establish terms and conditions for participation in such programs as long as school eligibility criteria are not inconsistent with system-wide eligibility or participation criteria, rules, regulations, or standards established by any athletic association or organization of which the Board is a member, or any rule, principle, or provision of applicable law.

6.5.4 Eligibility Requirements – Participation in Board sanctioned athletic programs will be on such terms and conditions as may be approved by the Board and the requirements of any athletic association of which the Board or the applicable local school is a member. Schools may establish terms and conditions for participation in such programs as long as school eligibility criteria are not inconsistent with system-wide eligibility or participation criteria, rules, regulations, or standards established by any athletic association or organization of which the Board or the school is a member, or any rule, principle, or provision of applicable law.

[Reference: Ala. Admin. Code 290-3-1-.02(18)]

## **6.6 *Off-Campus Events***

Student participation in and travel to off-campus events, concerts, functions, and activities, and the use of school buses or other transportation for such purposes may be authorized under and subject to the following terms and conditions:

- a. The destination is an activity, event, or function that services a *bona fide* educational or related extracurricular purpose, or is an athletic event or function sponsored or sanctioned by the school or the school system and the state athletic association;
- b. Adequate information regarding the trip (e.g., destination, duration, purpose, educational purpose, mode of transportation, nature and extent of student participation) has been provided to the principal, program director, and Superintendent.
- c. Adequate arrangements are made for supervision and other risk management considerations (e.g., parental permission, medical treatment authorization, special insurance requirements);
- d. If the Board is providing transportation, properly certified and qualified drivers have been selected and arrangements for the costs of the trip (e.g., salary, fuels, maintenance, lodging) have been made; and
- e. Board approval for all out-of-state and overnight field trips, including travel associated with athletic contests

The Superintendent is authorized to develop additional specific requirements for participation in and travel to and from official events and activities that are consistent with the terms of this policy.

## **6.7 *Student Publications***

The Superintendent is authorized to develop rules and regulations regarding student publications. Student publications are subject to and will be expected to meet standards associated with responsible journalism. The principal and student publication sponsor are responsible for the content of such publications.

## **6.8 *Equal Educational Opportunities***

No student will be unlawfully excluded from participation in, be denied the benefits of, or subjected to discrimination in any program or activity offered or sponsored by the Board on the basis of race, ethnicity, color, disability, creed, national origin, sex, immigrant or migrant status, non-English speaking ability, or homeless status.

## **6.9 *Title IX***

- 6.9.1 Prohibition – In accordance with Title IX (20 U.S.C. §1681, *et seq.*), the Board strictly prohibits discrimination on the basis of sex or gender in its programs or activities, including sexual harassment, as defined by law and Board policy. Sexual harassment complaints should be filed and reviewed under the Board’s student sexual harassment policy. All other complaints under Title IX will be filed and reviewed according to the Board’s general complaint and grievance procedures.
- 6.9.2 Title IX Coordinator – The Superintendent is authorized and directed to designate a Title IX Coordinator, whose duties will include but not be limited to receiving and responding to Title IX inquiries and complaints.

## **6.10 *Voluntary Religious Expression***

The Board does not discriminate against students or their parents or guardians on the basis of their religious viewpoints or their expression of such viewpoints. Such views and expressions are treated in the same manner as nonreligious viewpoints, activities, or expressions.

Students may express their religious beliefs in all phases of their schoolwork without penalty or reward based upon the religious nature or content of such expression. Schoolwork is evaluated according to the academic standards and pedagogical objectives that otherwise apply to the work or activity in question. These standards and objectives included but are not limited to acquisition and/or mastery of factual information; development of analytical, problem solving, learning, critical thinking, communication, organizational, and social skills; college preparatory and career readiness training; proficiency in and appreciation of the performing arts; and the development of personal skills that are designed to facilitate attainment of the foregoing objectives, future academic success, and employability. The scholastic work of the system’s students will be evaluated in light of the foregoing standards and objectives, academic and curricular guidelines and criteria established or approved by the State or Russellville Boards of Education, and determined by evaluation, achievement, assessment, and testing materials, instruments, methods, and measures that have been generally recognized as appropriate for such purposes within the educational community and applied successfully in public school settings.

Students may organize and participate in religious activities before, during, and after school and have access to school facilities to the same extent students are permitted to organize and participate in other noncurricular activities to the extent that such access to or use of Board facilities does not constitute a constitutionally impermissible endorsement or sponsorship of the organization or violate any right established by or imposed by either the Alabama or United States Constitutions.

## **6.11 *Student Sexual Harassment***

- 6.11.1 Sexual Harassment Prohibited – Sexual harassment in any form that is directed toward students is prohibited. Persons who violate the policy will be subject to

the full range of disciplinary consequences up to and including termination (for employees) and expulsion (for students) as dictated by the nature and severity of the violation and other relevant considerations. If appropriate, the circumstances constituting the violation may be reported to law enforcement agencies or child welfare agencies for further investigation and action.

- 6.11.2 Definition – For purposes of this policy, sexual harassment means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, school employees, or third parties, when:
- a. Submission to the conduct is made explicitly or implicitly a term or condition of the student’s education, including any aspect of the student’s participation in school-sponsored activities, or any other aspect of the student’s education;
  - b. Submission to or rejection of the conduct is used as the basis for decisions affecting the student’s academic performance, participation in school-sponsored activities, or any other aspect of the student’s education;
  - c. The conduct has the purpose and effect of unreasonably interfering with a student’s academic performance or participation in school-sponsored activities or creating an intimidating, hostile, or offensive education environment.

The following are examples of conduct that may constitute sexual harassment, depending on the circumstances:

- a. Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or pictures, and sexual propositions;
- b. Repeated unwelcome solicitations of sexual activity or sexual contact;
- c. Unwelcome, inappropriate sexual touchings;
- d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to the student’s educational status.

- 6.11.3 Sexual Harassment Complaint Procedures Authorized – The Superintendent is authorized and directed to establish, implement and revise more detailed sexual harassment complaint procedures that are designed to provide students who believe that they are victims of unlawful sexual harassment with a thorough, discreet, and prompt internal procedure for investigating and resolving sexual harassment complaints. The procedures will be drafted so as to facilitate the gathering of relevant facts and evidence, permit timely assessment of the merits of the complaint, provide an opportunity for informal resolution of complaint where

appropriate, eliminate any harassment that is established by the investigation, and prevent any retaliation based upon the filing of the complaint. The procedures will reflect due regard for the legal rights and interests of all persons involved in the complaint, and will be drafted, explained, and implemented so as to be understandable and accessible to all student population groups and ages.

- 6.11.4 Initial Confrontation of Accused Harasser Not Required – A student who invokes the harassment complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to report allegations of suspected harassment to any appropriate Board administrator, teacher, counselor, or employee, and such persons have a duty to promptly refer such allegations to the Superintendent or to take such action as may be required by the procedures established under “Sexual Harassment Complaint Procedures Authorized” (6.11.3) above. In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decisionmaking responsibility in connection with the processing of the complaint.
- 6.11.5 Notice of Policy to be Promulgated – The Superintendent will promulgate and disseminate this policy and the complaint procedures to the schools and will take such other steps and measures as may be reasonably available and expedient for informing the school community of the conduct prohibited by this policy and the recourse available to students who believe that they have been subjected to sexual harassment.

## **6.12 *Protection of Pupil Rights Amendment***

- 6.12.1 Consent – The Board will obtain parental consent before students are required to participate in a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
- a. Political affiliations or beliefs of the student or student's parent(s);
  - b. Mental or psychological problems of the student or student's family;
  - c. Sexual behavior or attitudes;
  - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - e. Critical appraisals of others with whom respondents have close family relationships;
  - f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  - g. Religious practices, affiliations, or beliefs of the student or parent(s); or
  - h. Income, other than as required by law to determine program eligibility.

- 6.12.2 Notice and Option to Opt Out – Parents will be provided notice and an opportunity to opt a student out of any of the following:
- a. Any survey that is designated to obtain protected information from a student, regardless of the source of funding;
  - b. Any non-emergency, invasive physical exam or screening that is required as a condition of attendance, that is administered by the school or its agent, and that is not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law; and
  - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or for the purpose of selling or otherwise distributing the information to others.
- 6.12.3 Inspection – Parents will be allowed to inspect, upon request and before administration or use, the following:
- a. Protected information surveys of students;
  - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  - c. Instructional material used as part of the educational curriculum.
- 6.12.4 Special Provisions for Certain Students – Students who are at least 18 years old and emancipated minors under state law will be allowed to take the above actions in lieu of their parents or guardians.
- 6.12.5 Additional Policies and Procedures Authorized – In consultation with parents, the Superintendent is authorized to develop additional policies, and arrangements to protect student privacy in the administration of protected information surveys and in the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The Board will directly notify parents of these policies and procedures at the beginning of each school year and after any substantive changes are approved.

[Reference: 20 U.S.C. §1232h; 34 CFR Part 98]

## **6.13 Student Records**

Educational records as defined by law or Board policy will be available for examination and review by authorized persons in the manner prescribed and to the extent required by law. Except where the context requires otherwise, the term “educational records” has the meaning given in 20 U.S.C. §1232g(a)(4). Copies of such records may likewise be provided to the extent required and under circumstances specified by applicable law or regulation. The Superintendent is authorized to establish administrative standards and

for the reproduction thereof. Parents will be provided required annual notification regarding educational records through the student handbook or by other appropriate means.

[Reference: 20 U.S.C. §1232g(a)(4); 34 CFR 99.3]

#### **6.14 *Student Health Services***

The Board may offer limited student health services that are designed to address minor medical issues that may arise during the school day or to assist with special or chronic health problems. In cases of acute or contagious illnesses, parents or guardians may be notified and required to pick up the student. If a parent or guardian is not available, the principal or school nurse may contact the Department of Public Health. School officials are authorized to take reasonable and appropriate steps to provide or arrange for the provision of emergency medical services to students who require immediate medical attention. In case of illness or accidental injury not requiring immediate medical attention, standard first aid procedures may be followed. The Superintendent is authorized to develop and promulgate procedures, rules, and regulations concerning the taking, administration, and handling of medication, and the treatment of anaphylaxis at school consistent with state law and appropriate health standards.

#### **6.15 *Student Conduct***

The Code of Student Conduct is developed with input from School Board members, appropriate grade level teachers, school personnel, school administrators, students and parents. Its purpose is to state the grounds for disciplinary action procedures and the rights of students. The Code of Student Conduct is approved and adopted by the Russellville City Board of Education and is revised, implemented, and disseminated as described in Policy 6.16. In order to implement the documentation requirements of relevant Alabama law (Code of Alabama §16-11-9 and Alabama Act 94-782), the signatures of the student and the parent, guardian, or other person having control or custody of the student will be secured to indicate receipt of the behavior attendance standards/policies described in this Code of Student Conduct.

6.15.1 Introduction – Instruction should occur in an environment that is conducive to learning. Good order and discipline are basic elements of such an environment and contribute to an atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals. As students progress through the Russellville City Schools, they are expected to assume greater responsibility for their actions as they increase in age and maturity.

6.15.2 Expected Behavior – Students enrolled in the Russellville City Schools are to:

- a. Arrive at their designated school area at the appropriate time.
- b. Report to all classes promptly.

- c. Prepare assigned work and participate in all learning activities as directed by teachers.
- d. Respect individuals and their property.
- e. Refrain from the use of profanity.
- f. Abide by the rules of good citizenship
- g. Obey the laws of the city, county, state, and federal governments.

6.15.3 Classification of Violations – Violations of the Code of Student Conduct are grouped into three classifications: minor (Class I), intermediate (Class II), and major (Class III) offenses. Each classification is followed by a listing of offenses and the possible disciplinary actions to be implemented by the principal and/or his/her designee.

6.15.4 Procedures for Formal Disciplinary Actions –

- a. In each class of violations, the principal and/or his/her designee shall hear the student's explanation and, if necessary, consult further with school personnel before determining the classification of the violation. No student shall be punished for any suspected violation until the person responsible for implementing the disciplinary action has heard the student's explanation. Due process involving student rights shall be followed.
- b. Each elementary school classroom operates under an assertive discipline plan designed for that classroom. Ordinarily, Class I offenses are handled by the classroom teacher according to their plan. There may be instances when the plan requires disciplinary action be taken according to the Code of Conduct. Once a student has exhausted the options of the classroom plan, the student is referred to the principal's office where the Code of Conduct will determine the classification of the offense and the disciplinary action.
- c. Under no circumstance should academic grades be used as a means of maintaining order in a classroom, nor should student behavior be included in calculating academic grades. All academic grades should reflect the teacher's most objective assessment of the student's academic achievement.

6.15.5 Classifications of Offenses and Disciplinary Actions –

- a. *Class I- Minor Offenses* –
  - 1.01 Excessive distraction of other students

Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or any other instructional setting. Examples: talking excessively, interrupting class functions, provoking other students, etc.

- 1.02 Unauthorized organizations  
Any on-campus activities of fraternities, sororities, secret societies, non-affiliated school clubs, or unruly groups
- 1.03 Minor intimidation of a student  
The intentional, unlawful threat by word or act to do harm to another student, coupled with an apparent ability to do so, and the performance of some act which creates a well-founded fear in the person that such harm is likely
- 1.04 Participation in gambling or games of chance for money and/or other things of value
- 1.05 Excessive tardiness  
Repeatedly reporting late to school or class
- 1.06 Unintentional and/or non-directed use of profane or obscene language
- 1.07 Non-conformity to dress code (see Policy 5.30)
- 1.08 Minor disruption on a school bus  
There are established consequences for each bus rule violation. Repeated bus rule violations reported and documented on the bus by the driver will be handled by each school's plan and may result in permanent loss of bus privilege.
- 1.09 Inappropriate public display of affection  
Including, but not limited to, embracing and kissing
- 1.10 Intentionally providing false information to school personnel  
Forgery of parent's name; intentionally providing false information to parents, such as changing grades
- 1.11 Continued refusal to complete class assignments
- 1.12 Failure to follow instructions  
Examples: Failure to carry correspondence home; failure to obey directions in hallways, assemblies, etc.
- 1.13 Unauthorized use of school or personal property

- 1.14 Disruptive pushing or horseplay
- 1.15 Littering of school property
- 1.16 Inciting student disorder and/or malicious mischief
- 1.17 Petty theft of value less than \$50.00
- 1.18 Any other violation which the principal may deem reasonable to fall within this category

b. *Disciplinary Actions for Class I Violations –*

1. First Offense:

- a. Informal talk: A school official will talk with the student and try to reach an agreement regarding how the student should behave.
- b. Other actions, including corporal punishment, may be deemed necessary by the principal or his/her designee.

2. Subsequent Offenses:

- a. Conference - A formal conference will be held with the student and one or more school officials. During this conference, the student must agree to change his/her behavior.
- b. Parental conference - A legal guardian is notified by telephone, personal contact, or letter. A conference may be held with the student, his/her legal guardian, appropriate school officials, and other individuals involved.
- c. Other possible actions may include probation, non-academic work assignments, in-school suspension, detention, corporal punishment, or short suspension. When a student's behavior leads to suspension by the principal, the suspension shall be reported by the principal to the Superintendent. The Superintendent or his designee shall report such suspected violations of Section 16-28-12 of the Code of Alabama to the Franklin County District Attorney within ten (10) days.

- d. Other actions may be deemed necessary by the principal or his designee.
- c. *Class II- Intermediate Offenses –*
  - 2.01 Defiance of authority  
Any verbal or non-verbal refusal to comply with reasonable directions or orders from school personnel
  - 2.02 Possession and/or use of tobacco products  
Having or using tobacco products on the school premises or in any school-sponsored activity
  - 2.03 Battery upon students  
Intentionally touching, striking, or causing bodily harm to another student
  - 2.04 Threat upon school board employee  
The intentional, unlawful threat by word or act to do violence to a school board employee
  - 2.05 Fighting  
Any physical conflict between two or more individuals
  - 2.06 Property damage (vandalism)  
Intentional and deliberate action or damage of less than \$100 to public, real, or personal property of another
  - 2.07 Stealing-Larceny-Petty Theft  
The intentional, unlawful taking or carrying away of public, real, or personal property of value more than \$50.00 but less than \$100.00
  - 2.08 Possession of stolen property
  - 2.09 Threats-Extortion  
Verbally or by a written or printed communication, the malicious threatening of an injury to the person, property, or reputation of another with the intent to extort money or any pecuniary advantage whatsoever, or with the intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against his/her will. Note: Completion of the threat, either by the victim's complying with the demands or the carrying out of the treat against the victim, constitutes a Class III offense.
  - 2.10 Trespassing

Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; or warned by an authorized person to depart and refusing to do so

- 2.11 Possession of/or igniting fireworks
- 2.12 Possession of a knife
- 2.13 Offensive touching or pinching another person
- 2.14 Written or verbal propositions to promote sexual acts
- 2.15 Use of obscene manifestations (verbal, written, gesture) toward another person
- 2.16 Directing obscene or profane language to a school board employee, student, or visitor
- 2.17 Leaving school premises without permission
- 2.18 Unjustified activation of fire alarm or fire extinguishers
- 2.19 Unauthorized absence (cutting or skipping) from class or school
- 2.20 Intentional, unlawful participation in gambling activities
- 2.21 Irresponsible use of motor vehicles
- 2.22 Any other violation which the principal may deem reasonable to fall within this category.

d. *Disciplinary Actions for Class II Violations –*

- 1. First Offense:
  - a. Parental conference and in-school disciplinary actions such as probation, detention, non-academic work assignments, in-school suspension, and/or financial restitution.
- 2. Subsequent Offenses:
  - a. In-school suspension, non-academic work assignments, corporal punishment, or
  - b. Suspension for 1-3 days. When a student's behavior leads to suspension by the principal, the suspension shall be reported by the principal to the Superintendent. The Superintendent or

his/her designee shall report such suspected violations of Section 16-28-12 of the Code of Alabama to the Franklin County District Attorney within ten (10) days.

- c. Student may be assigned to in-school suspension until a conference can determine a suitable consequence.
  - d. Special Circumstances may warrant a recommendation for placement in an alternative school or special program.
  - e. Assignment to Saturday school as appropriate.
  - f. Other actions which may be deemed necessary by the principal or his/her designee.
- e. *Disciplinary Actions for Class III Major Offenses -*
- 3.01 Drugs  
Unauthorized possession, transfer, use of, or sale of drugs, drug paraphernalia, or alcoholic beverages
  - 3.02 Arson  
The willful and malicious burning or attempting to burn any part of school board property
  - 3.03 Battery upon school board employee  
The intentional, unlawful touching or striking of a school board employee against his/her will or the intentional causing of bodily harm to a school board employee
  - 3.04 Robbery  
The taking of money or other property from the person or custody of another by force, violence, assault, or instilling the fear of same
  - 3.05 Stealing-Larceny-Grand Theft  
The intentional, unlawful taking and/or carrying away of property valued at more than \$100 belonging to or in the lawful possession or custody of another
  - 3.06 Gambling  
The intentional, unlawful participation in gambling activities involving amounts of more than \$100
  - 3.07 Burglary of school property  
Entering or remaining in a structure or conveyance with the intent

to commit an offense therein during the hours the premises are closed to the public

- 3.08 Criminal mischief  
Willful and malicious injury or damages at or in excess of \$100 to public property or to real or personal property belonging to another
- 3.09 Possession of a firearm  
Any firearm (including a starter gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device
- 3.10 Discharging of any pistol, rifle, shotgun, air gun, or any other device
- 3.11 Possession of a weapon  
Gun, knife, metallic knuckles, tear gas, chemical weapon, device, or any other weapon, instrument, or object with the intent to be armed
- 3.12 Bomb threat  
Any such communication(s) concerning school board property which has the effect of interrupting the educational environment
- 3.13 Explosives  
Preparing, possessing, or igniting explosives on school board property
- 3.14 Sexual acts  
Acts of a sexual nature including but not limited to battery, intercourse, or attempted rape  
Indecent exposure
- 3.15 Aggravated battery  
Intentionally causing great bodily harm, disability, or permanent disfigurement; use of a deadly weapon
- 3.16 Inciting or participating in a student disorder  
Leading, encouraging, or assisting in disruptions which result in destruction or damage of private or public property; personal injury to participants or others during any school-sponsored activity
- 3.17 Any other offense which the principal may deem reasonable to fall within this category

f. *Disciplinary Actions for Class III Violations -*

Commission of a Class III offense will necessitate a conference with the principal, parents, and/or legal guardian to discuss the option of placement in an alternative school or special program, if available, or voluntary withdrawal or expulsion of the student from the school system. The principal shall determine if law enforcement or other agencies should be contacted. If the matter of disciplinary action is not resolved during this conference, the principal shall suspend the student in the board's prescribed manner and recommend him/her for expulsion. When a student's behavior leads to suspension by the principal, the suspension shall be reported by the principal to the Superintendent. The Superintendent or his/her designee shall report such suspected violations of Section 16-28-12 of the Code of Alabama to the Franklin County District Attorney within ten (10) days. Expulsion proceedings will be conducted in the manner prescribed by the board's expulsion policies. Due process involving student's rights shall be followed.

**6.16** *Searches (Students)*

*Board Property* – All school system property, facilities, and grounds may be entered, inspected, and searched for any lawful purpose by Board officials or their designees at any time, without prior notice and to the fullest extent permitted by law. The right to enter, inspect, and search includes and extends to (but is not limited to) Board owned or controlled offices, desks, file cabinets, lockers, computers, files, documents, data, and devices however and wherever kept, stored, or maintained.

*Personal Property* – Personal property, including but not limited to vehicles, purses, wallets, gym bags, book bags, cell phones, computers, and “personal digital assistant” (PDA) devices may be searched by authorized school officials, including school principals or their designees, when reasonable suspicion exists that the property contains prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety or welfare of the school community.

*Personal Searches* – Students may be searched whenever reasonable suspicion exists that the student possesses prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety and welfare of the school community. Student searches must be conducted by a school administrator in the presence of another certified school employee and may include a private pat down of the student, a search of personal items and clothing, or a more thorough search upon specific approval of the Superintendent. Personal searches will be conducted with due regard for the age and gender of the student. Searches that require physical contact between the school official and the student, removal of clothing, or examination of the student in a way that would implicate privacy concerns must be conducted and witnessed by officials

of the same gender as the student and in a way that preserves the dignity of the student to the extent practicable under the circumstances. Refusal to submit to a search or to cooperate in a search as provided in this policy may be grounds for disciplinary action.

*Use of Recovered Items* – Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

## **6.17 Corporal Punishment**

The Board allows reasonable corporal punishment of students under the following terms and conditions. Corporal punishment will be administered only as a disciplinary measure, with due regard for the age and physical condition of the student, and without excessive force. Corporal punishment will be administered by the school principal or his representative in the presence of another adult professional school system employee. Before the corporal punishment is administered, the student must be informed about the reason for the punishment and be given an opportunity to present his or her account of the incident. Corporal punishment should not be administered in the presence of another student.

A parent or guardian of student may opt out of the use of corporal punishment as a disciplinary consequence for that student by submitting a written, signed statement to the school principal.

The Superintendent is authorized to develop and implement procedures for administering and documenting corporal punishment, consistent with the terms of this policy.

[Reference: ALA. CODE §16-28A-2 (1975)]

## **6.18 Physical Restraint**

6.18.1 Policy Purpose – The Russellville City School System acknowledges that maintaining a school environment conducive to school learning requires that the environment be orderly and safe. Accordingly, physical restraint of a student may sometimes be necessary in order to protect the student or other individuals.

The purpose of this policy is to ensure that physical restraint is administered only when needed to protect a student and/or member of the school community from imminent, serious physical harm, and to prevent or minimize any harm to a student as a result of the use of physical restraint.

The Russellville City School System places an emphasis under this policy on the prevention and de-escalation of inappropriate behavior, which reduces the risk of injury to both students and program staff, as well as the care, safety, and welfare of our students.

[Reference: ALA. ADMIN. CODE §§290-3-1-.01, 290-3-1-.02]

### 6.18.2 Definitions –

- a. 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 mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to a student in order to promote safety or to prevent self-injurious behavior; providing physical guidance or prompting to a student when teaching a skill; redirecting attention; providing guidance to a location; providing comfort; or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person’s property.
- b. Chemical restraint is any medication that is used to control violent physical behavior or to restrict the student’s freedom of movement that is not a prescribed treatment for a medical or psychiatric condition of the student.
- c. Mechanical restraint is the use of any device or material attached to or adjacent to a student’s body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation.
- d. Seclusion is a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. Seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student; time-out as defined herein; in-school suspension; detention; or a student-requested break in a different location in the room or in a separate room.
- e. Time-out is a behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used and is not seclusion when:
  1. The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.

2. The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however, each time-out should not exceed 45 minutes.
3. The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student and has sight of the student while in time-out.
4. The time-out space is free of objects that unreasonably expose the student or others to harm.

#### 6.18.3 Prohibitions –

- a. The use of physical restraint is prohibited in the Russellville City School System and its educational programs except 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. Physical restraint is prohibited when used as a form of discipline or punishment.
- b. All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress during the restraint. Any method of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs is prohibited in the Russellville City School System and its educational programs.
- c. The use of chemical restraint is prohibited in the Russellville City School System and its educational programs.
- d. The use of mechanical restraint is prohibited in the Russellville City School System and its educational programs.
- e. The use of seclusion is prohibited in the Russellville City School System and its educational programs.

#### 6.18.4 Requirements –

- a. Each local school's principal or his/her designee and each educational program of the School System that utilize physical restraint under this policy will provide staff with guidelines and procedural information regarding physical restraint and will arrange for the appropriate training of those designated staff members that may be called upon to physically restrain a student. This training of designated staff members shall be provided as a part of a program which addresses prevention and de-escalation techniques as well as positive behavioral intervention strategies. The training of designated staff members will be based on evidence-based techniques and strategies when possible. Each local

school's principal or his/her designee or program coordinator shall be responsible for providing periodic reviews.

- b. Each local school's principal or his/her designee and each educational program that utilize physical restraint will maintain written or electronic documentation on training provided at the local school regarding physical restraint and the list of participants in each training session. Records of such training will be made available to the Alabama Department of Education or any member of the public upon request.
- c. Each local school's principal or his/her designee and each educational program that utilize physical restraint is responsible for generating and maintaining incident and debriefing reports of the use of restraint as well as reports of any prohibited use of seclusion and chemical, mechanical, or physical restraint at the local school and for gathering/reporting data to the Russellville City Board of Education and to the Alabama Department of Education annually. The use of physical restraint will be monitored by each local school's principal or his/her designee or program's coordinator on an on-going basis to ensure fidelity of implementation. Follow-up training will be provided following any situations in which procedures are not being followed.
- d. Each local school's principal or his/her designee and each educational program that utilize physical restraint shall ensure that following an incident of restraint or seclusion of a student, all school personnel involved in the incident and appropriate administrative staff participate in a debriefing session for the purpose of planning to prevent or reduce the reoccurrence of the use of restraint. A student's parent or legal guardian will be provided notification of this debriefing session and afforded the opportunity to attend or to request that the debriefing session be rescheduled. The debriefing session shall occur no later than five school days following the imposition of physical restraint or seclusion, unless the debriefing session is delayed, at the request of a student's parent or legal guardian, so that the parent or legal guardian may attend.
- e. Each local school's principal or his/her designee and each educational program that utilize physical restraint will provide written notification to a student's parent or legal guardian when physical restraint is used on a student within a reasonable time following the restraint not to exceed one school day from the use of restraint.
- f. Each local school's principal or his/her designee and each educational program will provide written notification to a student's parent or legal guardian when their child is removed from his/her school or program setting by emergency, medical, or law enforcement personnel within a reasonable time following the removal not to exceed one school day from the removal.

- g. Each student's parent or legal guardian will be provided information regarding the school or program's policies governing the use of physical restraint. This information will be provided to parents at the beginning of each school year or upon the student's enrollment if the student enrolls after school has started. To effectuate this requirement, the School System's website and student handbook/code of conduct will contain the following statement:
1. As a part of the policies and procedures of the Russellville City School System, the use of physical restraint is prohibited in the Russellville City School System and its educational programs except 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. Physical restraint is expressly prohibited when used as a form of discipline or punishment. The use of other physical restraint, chemical restraint, mechanical restraint, or seclusion is prohibited in the Russellville City School System and its educational programs.
  2. The use of restraint may occur along with other emergency actions such as the school seeking assistance from law enforcement and/or emergency medical personnel which could result in a removal of the student by such personnel.
  3. Significant violations of the law including assaults on students and staff will be reported to the police. As soon as possible after the restraint or removal of a student (and no longer than one school day following the occurrence), the parent or legal guardian will be provided written notification.

6.18.5 Clarifications –

- a. Nothing in this policy shall be construed to interfere with the School System's or school personnel's authority to utilize time-out as defined herein or to utilize any other classroom management technique or approach, including a student's removal from the classroom that is not specifically addressed as part of this policy.
- b. Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28-12.
- c. Nothing in this policy shall be construed to prohibit the School System's or school personnel's right to take reasonable action to diffuse or break up a student fight or altercation.

- d. Nothing in this policy shall be construed to prohibit the School System or school personnel from taking reasonable action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student.
- e. Nothing in this policy shall be construed to eliminate or restrict the ability of school personnel to use his or her discretion in the use of physical restraint as provided in this policy to protect students or others from imminent harm or bodily injury.
- f. Nothing in this policy shall be construed to create a criminal offense or a private cause of action against any local board of education or program or its agents or employees.
- g. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel or to interfere with the rights the School System or school personnel from seeking assistance from law enforcement and/or emergency medical personnel.

**6.19 *Student Suspension (including Students with Disabilities)***

In order to maintain order, minimize the risk of potential personal injury, property damage or disruption, or to permit an orderly investigation and evaluation of a suspected violation of school or school system rules, standards, or policies, principals may temporarily suspend a student pending a conference with the parent or guardian of the student and a final disciplinary decision. Suspension may also be imposed as a disciplinary measure as provided in the Code of Student Conduct. Suspensions will be counted as unexcused absences. Make up work may be permitted at the principal's discretion on a case by case basis taking into account whether permitting such work under the circumstances would be impractical or impossible, would serve no purpose, would place school personnel at risk of harm, or would be unreasonable in light of the grounds for the suspension. Suspension of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act ("IDEA") and its implementing regulations.

**6.20 *Student Expulsion (including Students with Disabilities)***

Students may be expelled from school for offenses serious enough to warrant such action as provided in Code of Student Conduct or other Board disciplinary policies. Students who are recommended for expulsion may be suspended until such time as the Board meets to consider the recommendation for expulsion. Reasonable notice of the proposed action, the reasons therefore, and an opportunity to be heard will be afforded to the student and the student's parent or guardian prior to a final decision by the Board regarding expulsion. The Superintendent will notify the student or the student's parent or guardian, in writing, of any action taken by the Board. The term of an expulsion may extend to the maximum permitted by law. The Board may impose such reasonable limitations on the student's right to re-enroll in the school system following expiration of

expulsion as may be permitted by law. A student who withdraws from school prior to the Board's consideration of a proposed expulsion may not re-enroll in the school system until the Board holds a hearing or other appropriate proceedings regarding the recommended expulsion. Expulsion of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act ("IDEA") and its implementing regulations.

## **6.21 *Electronic Communication Devices***

The Russellville City Board of Education may permit any student to carry a pocket pager, cellular telephone, or other electronic communication device while on school property and may permit any student to use a pocket pager, cellular telephone, or other electronic communication device, when such use is expressly and specifically permitted by the school administrator, teacher, or employee who is acting in a supervisory capacity at the time of the use.

Any student found in violation of this policy may be subject to suspension or other disciplinary action by the school administration and/or the Russellville City Board of Education. The Board assumes no responsibility for theft, loss, or damage to any personal/wireless communication device. School officials may read, examine, or inspect the contents of any such device upon reasonable suspicion that the device contains evidence of an actual or suspected violation of the law, of Board policy, of the code of student conduct, or of other school rules, provided that the nature and extent of such examination shall be reasonably related and limited to the suspected violation.

[Reference: ALA. CODE §16-1-27 (1975)]

## **6.22 *Drivers' License***

6.22.1 Drivers' License – Unless exempted from the requirement by Board policy, a person under the age of 19 years may not under state law obtain a driver's license or a learner's permit without being enrolled in school or meeting alternative criteria established by law. Additionally, a driver's license may be suspended or revoked if a student withdraws or fails to attend school. Students may be exempted or excused from otherwise applicable statutory requirements if their withdrawal or nonattendance is caused by circumstances beyond the control of the student. Circumstances beyond the control of the student may be found with respect to:

1. Students who are mentally or physically unable to attend school;
2. Students who are regularly and legally employed in compliance with the provisions of the Child Labor Law; and
3. Students who, because of the lack of public transportation, are compelled to walk more than two miles to attend a public school.

Students who are denied a driver's license by virtue of their nonenrollment may appeal a decision affecting the student's eligibility for a driver's license to the Superintendent. The appeal should be in writing and filed with the school principal within 15 days of the decision from which the appeal is taken, and should set forth the reasons on which the appeal is based. An appeal should be promptly forwarded to the Superintendent for review and final decision.

6.22.2 Administrative Procedures Authorized – The Superintendent is authorized to develop procedures to implement the provisions of this policy and to comply fully with state law.

[Reference: ALA. CODE §16-28-40, *et seq.* (1975)]

### **6.23 *Student Parking Privileges – Substance Abuse Policy***

In order to promote the safety and welfare of students and others who work on or visit school campuses, to encourage the development of safe and responsible driving practices, and to serve the general purposes of maintaining a drug and alcohol free school environment, students will be granted the privilege of driving and parking on school property only if they are free of the effects of alcohol or other illegal or controlled substances. Accordingly, any student who desires to drive a vehicle on school property or park on school property may be required to submit to periodically or randomly administered sobriety or drug tests as a condition to issuance of a permit authorizing the operation or parking of a motor vehicle on school grounds. Principals may impose reasonable additional conditions or requirements for the privilege of driving or parking a vehicle on school property including, for example, conditions relating to maintenance of academic and attendance standards and the payment of fees. Principals may also establish priorities for issuance and assignment of parking permits. The Board reserves the right to require that sobriety or drug tests or screenings be passed as a condition to maintaining parking or vehicle permits, or privileges relating to use of a motor vehicle. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws and procedures that are developed by the Superintendent for approval by the Board.

### **6.24 *Student Competitive Extracurricular Activity Substance Abuse Policy***

6.24.1 Purpose – The Russellville City Board of Education values student participation in extracurricular activities (ECA) for the opportunities they give students to exhibit their talents and scholastic abilities as well as to develop leadership skills. Because students who participate in ECA are role models for other students, they are a key to reaching our goal of providing the best possible education program for all students. To achieve this goal and to maximize the skills and talents of our students, a drug-free learning environment is crucial. Student athletes, cheerleaders, and all extracurricular (defined as anything that is not regular classroom) participants in grades 7-12 shall be subject to drug and alcohol testing.

Failure to comply with this policy will result in the student's loss of the privilege to participate in ECA. The Board serves the right to depart from this policy where it deems appropriate. The guidelines contained within this document may be changed by the Board at any time, except where specifically prohibited by law. Students covered by this policy will be informed of changes.

6.24.2 Objectives –

- a. To create and maintain a safe, drug-free environment for all ECA students.
- b. To encourage any ECA student with a dependence on, or addiction to, alcohol or other drugs to seek help in overcoming the problem.
- c. To reduce the likelihood of incidents of accidental personal injury and/or damage to students or property.
- d. To minimize the likelihood that school property will be used for illicit drug activities.
- e. To protect the reputation of the school system and its students.

Substance abuse can be a serious threat to the school system, its students, visitors and employees. It is the belief of the Board that the benefits derived from the policy objectives outweigh the potential inconvenience to students. The Board earnestly solicits the understanding and cooperation of all school staff, students and parents, especially those participating in ECA, in implementing this policy.

The Board expects all ECA students to remain alcohol and drug free. No ECA student shall use alcohol or other mood altering substances. Outside conduct of a substance abuse-related nature which affects a student's sports or academic performance or reflects badly on the school is prohibited and will be addressed administratively.

ECA students must inform their coach, assistant coach, or director when they are legitimately taking medication which may affect their ability to practice or compete in order to avoid creating safety problems and violating this Drug and Alcohol Policy.

6.24.3 Enforcement – To ensure these expectations, the Board reserves the right to require all ECA students to submit to drug tests to maintain safety and security. The School Board has developed this student-testing program to follow, as appropriate, the process of 49 CFR Part 40 and the Omnibus Transportation Employee Testing Act of 1991.

The Board encourages and may require its employees to be trained in alcohol and drug usage recognition skills.

Pursuant to Board policy and regulations, all students, grades 7-12, who participate in ECA may be tested prior to beginning a seasonal activity. During the season of the activity, students may be tested on a random basis without advance notice. When Board officials (employees) have reasonable suspicion to believe a student has violated its Alcohol and Drug Policy, they may require the student to undergo drug testing

A student who has tested positive for alcohol and/or other drugs and who had the positive test result confirmed by the Board's Medical Review Officer (MRO) will be subject to discipline including suspension from student activities. Refusal to cooperate with the Board in any test investigation will result in discipline up to and including immediate suspension from participating in student activities for one (1) calendar year.

No ECA student testing positive, refusing to test, refusing to cooperate with testing or being in violation of this policy will be penalized academically. Information, including testing positive, will not be released to criminal or juvenile authorities unless under compulsion by valid state or federal laws.

All information, interviews, reports, statements, memoranda and test results, either written or otherwise, received by the Board through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery or disclosed in public or private proceedings except in the following:

- a. As directed by the specific, written consent of the parent/guardian and/or student authorizing release of information to an identified person.
- b. To a covered student decision-maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the student.

Any questions should be directed to the persons assigned as the Board's Drug Program Coordinator(s).

Note of Clarification: This policy in no way circumvents nor may be used in place of Board policy and school rules pertaining to the use, possession, distribution, or manufacturing of alcohol or other drugs at or away from school, on School Board property or at school sponsored events.

If a student is in violation of such policies and rules, disciplinary consequences will be through normal school channels associated with said policies and rules. The consequences under the "Drug Screening Policy" become secondary.

## **6.25 *Bullying, Intimidation, Violence, and Threats of Violence Prohibited***

- 6.25.1 Prohibition - No student shall engage in nor should any be subjected to bullying, violence, threats of violence or intimidation by any other student that is based on

any of the specific characteristics set forth in this policy. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the Student Code of Conduct, subject to the investigating school administrator's authority and decision.

6.25.2 Definitions – In this policy, these terms shall have the following meanings:

- a. “Bullying” means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal, or physical actions that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in this policy. To constitute bullying, a pattern of behavior may do any of the following:
  - Place a student in reasonable fear of harm to his or her person or damage to his or her property.
  - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
  - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
  - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
  - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- b. “Hostile environment” means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.
- c. “Violence” means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- d. “Threat” means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or

interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.

- e. “Threat of violence” means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.
- f. “Intimidation” means an unjustified threat or other action that is intended to cause fear or apprehension in a student.
- g. “Student” as used in this policy means a person who is enrolled in Russellville City Schools.

#### 6.25.3 Description of Behavior Expected of Students –

- a. Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting bullying, violence, or intimidation; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student, and (3) to refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.

In addition, students are expected to comply with the school system’s prevention strategies related to suicide prevention, intervention and postvention support.

- b. Bullying, intimidation, violence, or threats of violence are prohibited and will be subject to appropriate disciplinary consequences and/or sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the student:

- Race
- Sex
- Religion
- National origin
- Disability

6.25.4 Consequences for Violations – A series of graduated consequences for any violation of this policy will be those outlined in the Code of Student Conduct or any rule or standard adopted under authority of this policy.

6.25.5 Reporting, Investigation, and Complaint Resolution Procedures –

- a. Complaints alleging violations of this policy may be made on a Board-approved complaint form available in the handbook, on the website, or at the school's office. The complaint must be delivered to the principal or the principal's designee either by mail or personal delivery. Incidental or minor violations of the policy may be presented and resolved informally.

The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee is authorized to inform the student's parent or guardian of the report unless at the discretion of the school principal or the principal's designee the apparent cause of the threat of suicide is child abuse or other significant harm from a parent or guardian.

- b. Upon receipt of the complaint, the principal or the principal's designee will determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions may be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violations(s) may also be imposed by the principal or the school system.
- c. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation may be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy may be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

#### 6.25.6 Promulgation of Policy Related Procedures, Rules and Forms

This policy and any procedures, rules and forms developed and approved to implement the policy will be published, disseminated, and made available to

students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes.

## **6.26 *Suicide Prevention***

To the extent that the legislature appropriates funds or the Board provides funds from other sources, the Superintendent is authorized to develop a program to implement the following statutory requirements of the Jason Flatt Act in an effort to prevent student suicide:

- a. Foster individual, family, and group counseling services related to suicide prevention.
- b. Make referral, crisis intervention, and other related information available for students, parents, and school personnel.
- c. Foster training for school personnel who are responsible for counseling and supervising students.
- d. Increase student awareness of the relationship between drug and alcohol use and suicide.
- e. Educate students in recognizing signs of suicidal tendencies and other facts and warning signs of suicide.
- f. Inform students of available community suicide prevention services.
- g. Promote cooperative efforts between school personnel and community suicide prevention program personnel.
- h. Foster school-based or community-based, or both, alternative programs outside of the classroom.
- i. Develop a strategy to assist survivors of attempted suicide, students, and school personnel in coping with the issues relating to attempted suicide, suicide, the death of a student, and healing.
- j. Engage in any other program or activity which the Board determines is appropriate and prudent in the efforts of the school system to prevent student suicide.
- k. Provide training for school employees and volunteers who have significant contact with students on the Board policies to prevent harassment, intimidation, and threats of violence.
- l. Develop a process for discussing with students local board policies relating to the prevention of student suicide and to the prevention of harassment, intimidation, violence, and threats of violence.
- m. Provide annual training for all certificated school employees in suicide awareness and prevention. This training may be provided within the framework of existing in-service training programs or as a part of required professional development offered by the school system.

## VII. Instructional Program

### 7.1 *Curriculum*

The Superintendent will coordinate the design and development of a comprehensive curriculum plan in accordance with state law and any requirements of the State Department of Education for approval by the Board.

### 7.2 *Textbooks*

Textbooks will be purchased and distributed in accordance with State Department of Education regulations. Only textbooks recommended by the local textbook committee will be approved by the Board, upon the recommendation of the Superintendent. The local textbook committee will be appointed by the Board and will consist of representatives from each school, including parents, who will serve a term of one year. Students are loaned textbooks for the duration of the course that requires the textbook and are responsible for the care of the textbook. Students must reimburse the Board for the cost of any textbooks that are lost or damaged beyond reasonable wear and tear.

[Reference: ALA. CODE §16-36-62 (1975)]

### 7.3 *Academic Standards*

Teachers will assign grades and confer academic credit for work and activities performed by students in accordance with objective and generally accepted instructional and grading standards, applicable laws and regulations, and criteria hereinafter specified.

7.3.1 General Grade Scale – Grades for academic course work will be awarded according to the following scale:

<u>Letter Grade</u>	<u>Numerical Grade (100 point scale)</u>	<u>Grade Point Average Points (4 point scale)</u>
A	90 – 100	4.00
B	80-89	3.00
C	70-79	2.00
F	Below 70	0.00

7.3.2 Weighted Averages and Grading Policy – In order to recognize the increased difficulty of advanced or honors courses, grades in such courses may be weighted in accordance with guidelines contained in the applicable Board Curriculum Guide or other similar document.

7.3.3 Alternate Grading Standards – Students who are receiving special educational and English learner services may be graded according to an individualized educational plan, and nothing in Board policy or procedure prohibits the extension of appropriate academic modifications or accommodations to students who may be

eligible for such modifications or accommodations under provisions of state and federal law.

- 7.3.4 Report Cards – Report cards reflecting student progress will be provided to the parents or legal guardians of students on a regularly scheduled basis.
- 7.3.5 Promotion – Students are promoted from grade to grade on the basis of academic credit earned during the school year, in summer school programs, or in such other academic programs as may be approved or recognized by the Board. Students who are eligible for promotion from grade to grade may nevertheless be retained by agreement of the parents and appropriate school officials.
- 7.3.6 Class Rankings – Beginning with the ninth grade of high school, all students will be ranked in accordance with the applicable Board Curriculum Guide or other similar document.
- 7.3.7 Credit Recovery – The Superintendent is authorized to develop procedures for a program through which a student may recover credits in one or more failed courses, in compliance with regulations promulgated by the State Department of Education. The curriculum will align with the State Board of Education course of study and study content standards in which the student seeking credit recovery is deficient.

[Reference: Ala. Admin. Code 290-3-1-.02(10)]

#### **7.4 *Testing***

The Superintendent is authorized to develop and implement a standardized testing program that will include, at a minimum, all testing required under state and federal law. All standardized tests are to be conducted in accordance with the appropriate test administration manual guidelines and any rules or regulations that are intended to ensure their security and validity. Teachers are authorized to conduct tests for their courses in order to determine their students' abilities, knowledge and skills, and to use in calculating a student's grade.

#### **7.5 *Summer School Operations***

A "summer school" program may be implemented in compliance with regulations promulgated by the State Department of Education. Summer school is provided as a service by the Board and is separate and distinct from the regular academic year. The Superintendent is authorized to develop and maintain rules and regulations for the operation of summer school, including requirements for enrollment, attendance, transportation, and tuition, which will be subject to approval by the Board.

[Reference: Ala. Admin. Code 290-3-1-.02(6)]

## **7.6 *Dual Enrollment***

The Board authorizes establishment of dual enrollment programs that allow certain students to enroll in post-secondary institutions to dually earn credits for a high school diploma and/or a post-secondary degree at both the high school and participating post-secondary levels.

[Reference: Ala. Admin. Code 290-3-1-.02(11)]

## **7.7 *Correspondence or Online Courses***

Credit for correspondence and online courses will be recognized if the conditions and criteria established by the Alabama Department of Education for such programs are met.

[Reference: Ala. Admin. Code 290-3-1-.02(12, 13)]

## **7.8 *Virtual School Option***

7.8.1 Scope and Delivery of Services – The Board provides a virtual education option for grades 9 -12 that includes, at a minimum, all courses required to obtain a high school diploma, to recover credit from a course previously failed in part, or fully recover a course previously failed in its entirety.

Such courses will be delivered through the Alabama State Department of Education’s ACCESS program and/or a district approved Learning Management Systems.

7.8.2 Benefits of a Virtual Education Program –

- a. No tuition and minimal fees for courses taken for the first time
- b. Minimal fee for Credit Recover or Course Recovery
- c. Accredited high school diploma upon satisfying all requirements for graduation.
- d. Flexibility and personalized learning experiences.
- e. Individualized academic and career preparation plan.
- f. Self-pacing and opportunity for accelerated advancement.
- g. Early graduation option upon meeting eligibility criteria.
- h. Flexibility to pursue interests intensively.

7.8.3 Student Eligibility Criteria – Students who meet the following requirements are eligible to participate in the virtual education program:

a. *Virtual School Courses Excluding Credit/Course Recovery* –

1. Must meet all enrollment guidelines for attending Russellville City Schools including but not limited to, successful completion of any prerequisite courses.
2. Have consistent, daily access to the Internet.
3. Have and maintain a minimum overall 3.0 core GPA.
4. Demonstrate a proficiency in reading/comprehension and computer navigation skills.
5. Possess a strong work ethic as determined by administration and counselor.
6. Have no more than three (3) unexcused, full-day absences during the previous academic year.
7. Disciplinary record must contain no Class II or III violations. Individual waivers may be granted based on circumstances deemed appropriate by the principal.
8. Students who do not reside in the attendance zone of the school system may enroll in the school system for the purpose of participating in the school system's virtual program, but such enrollment is subject to the school system's nonresident enrollment policy.

b. *Virtual School Courses for Credit Recovery* – {See additional Policy clarifications of CR in student handbook}

1. Any student in jeopardy of losing credit from a traditional class due to the final exam grade will be able to retake a final exam one time before the last day of the semester.
2. Admission to Credit Recovery (CR) is available to any student meeting the following criterion:
  - A. Has failed a core or elective area class needed for graduation

- B. Has obtained a grade of 60 or above in the class for the semester
  - C. Has paid the deposit and remaining balance before credit is given
  - D. Has maintained a satisfactory discipline record for the class in question at the principal's discretion
  - E. Is applying for recovery in the course within a calendar year from the date of course failure
  - F. If the failed course is a prerequisite for a subsequent core course, application and completion of all credit recovery for the prerequisite must be made within the first two weeks of the semester immediately following the failure if the student is to be placed in the next higher subsequent course (i.e. student fails 9th EN with 60, must complete CR within 2 weeks of semester to remain in 10th EN).
3. Removal from CR will occur if the student:
- A. Has successfully completed CR for the class
  - B. Fails to complete CR within ten (10) weeks from the start of the CR process (exact date to be noted on initial contract)
  - C. Incurs any major discipline infraction during the term of CR
  - D. Transfers from the school/school system
  - E. Breaches any terms outlined in the CR Contract
- c. *Virtual School Courses for Course Recovery* – (See additional Policy clarifications regarding course recovery/summer school in student handbook)
- 1. Admission to RHS Course Recovery/Summer School shall be limited based on facility and resource availability.
  - 2. Preference shall be given to students requiring core classes for graduation with the order of merit for admission

including currently enrolled RHS students: Seniors  
>Juniors>Sophomores>Freshmen.

3. Students requesting admittance shall complete the application form (Appendix B – Summer School Policy) and return it to the RHS guidance counselor. The guidance counselor will confirm the courses requested as needed for graduation and all courses requested are in accordance with current RCS BOE policy.

7.8.4 Monitoring Performance and Testing Requirements – Individual student performance will be monitored pursuant to the school system’s traditional academic credit requirements and grade scale. Students utilizing the virtual education option will be subject to all state testing and accountability requirements and will be subject to the same rules and regulations regarding the administration of such tests applicable to traditional public school students enrolled in the traditional public school.

The Superintendent is hereby authorized to take whatever action may be necessary to facilitate the state testing and accountability requirements applicable to virtual education students. The school system reserves the right to require students utilizing the virtual education option to participate in state testing and accountability requirements on campus at a date and time selected by the school system.

The Superintendent is also authorized to take whatever action may be necessary to facilitate the integrity of classroom assessments. The school system reserves the right to require students utilizing the virtual education option to complete specified assessment activities on campus at a date and time selected by the school system.

7.8.5 Attendance – Students participating in the virtual education option will be considered as being in attendance if the students are successfully progressing in the virtual education coursework.

The school system reserves the right to set specific attendance requirements for each virtual course. The superintendent or his designee is authorized to develop alternate attendance policies for virtual courses, provided that students in such programs are given notice of the attendance requirements. A student’s failure to comply with such requirements may result in administrative action including, but not limited to, probation or removal from the class or a charge of truancy, if appropriate.

- 7.8.6 Removal – Students may be transitioned back to a traditional day program if:
- a. the student’s participation in the virtual program is impeding the student’s academic progress;
  - b. the student fails to meet virtual course attendance requirements; or
  - c. the student repeatedly violates school system policies, procedures, rules or regulations, including, but not limited to, the school system’s rules governing the use of its technology resources.
- 7.8.7 Extracurricular Activities – Students must meet the same extracurricular activity eligibility requirements as students enrolled in the traditional day program, including, but not limited to, any applicable Alabama High School Athletic Association (“AHSAA”) requirements. Student residency for purposes of participating in extracurricular activities will be determined in accordance with applicable state law and AHSAA guidelines. NCAA athletic requirements may be different than AHSAA. The school system is not responsible for courses taken via virtual education option that are not accepted by NCAA for collegiate athletic eligibility.
- 7.8.8 Additional Procedures Authorized- The Superintendent or his designee is authorized to develop such procedures as he or she deems necessary to implement this policy including, but not limited to, eligibility criteria for courses, methods for informing students and parents of the virtual program’s requirements and rules, and a process for making determinations regarding a student’s continued eligibility.

[Reference: ALA. CODE § 16-46A-1]

## **7.9 Career and Technical Education Programs**

The Career and Technical Education Program (CTE) consists of areas of study that blend academic, occupational, technical, and life skills. The CTE program will be administered in accordance with the requirements of the Alabama State Department of Education, the federal government, and the board.

- 7.9.1 Work-Based Learning Experience – A work-based learning experience provides students with educational opportunities in a work setting that typically cannot be obtained in a classroom and may include, but is not limited to, cooperative education, internships, clinical experiences, and other related opportunities. The Superintendent is authorized to develop guidelines and procedures in accordance with the regulations of the Alabama State Department of Education for work-based learning experiences to be conducted in the school system, including, but not limited to, guidelines for decision making and protocol for solving problems at the workplace and school.

[Reference: Ala. Admin. Code 290-6-1-.04]

7.9.2 Live Work – Live work consists of work conducted by students that relates to the knowledge and skills taught as part of a CTE program of study, but is presented from outside the classroom (e.g. lab or shop). The Superintendent is authorized to develop for Board approval guidelines and procedures in accordance with the regulations of the Alabama State Department of Education and any applicable Business/Industry Certification requirements for live work to be conducted in the school system, including, but not limited to, a systematic method for managing live work, work requests and orders, and procedures for approval of where and for whom work may be conducted, school liability, and restrictions on live work. Any money collected for live work will be accounted for in accordance with the Board’s Finance Manual.

7.9.3 Safety –To the extent practicable, reasonable safety procedures will be implemented in the Career and Technical Education program in accordance with Alabama State Department of Education regulations and any applicable Business/Industry Certification requirements.

[Reference: Ala. Admin. Code 290-6-1-.04]

#### **7.10 *Foreign Exchange Programs***

The Superintendent is authorized to develop guidelines and procedures, to be approved by the Board, under which foreign exchange students may attend Russellville Schools and Russellville students may participate in foreign exchange programs.

#### **7.11 *Extended Programs: Community Education***

Upon their approval by the Board, the Superintendent is authorized to implement programs and projects designed to meet the needs of the community served by the school system in accordance with any laws or regulations governing such programs.

[Reference: Ala. Admin. Code 290-080-050]

#### **7.12 *Graduation, Certificate of Completion, and Commencement***

Students who have satisfactorily completed requisite course work, met minimum attendance criteria, and passed any required examinations are eligible for graduation. Student participation in graduation ceremonies and related graduation activities will be subject to the principal’s approval and payment of outstanding financial obligations. Participation in a graduation-related ceremony may be prohibited by the principal if the student violates disciplinary standards or if, in the judgment of the principal, the student’s participation could lead or contribute to disorder or disruption of the ceremony or activity.

##### **7.12.1 Honors at Graduation**

- a. *Criteria* – To receive honors at graduation, which may include the selection of a valedictorian and salutatorian, a student must meet the

requirements contained in the applicable Board Curriculum Guide or other similar document.

- b. *Grade Conversion* – Where letter grades are present on a candidate’s transcript from a previously attended school, the candidate must have the respective school(s) submit the grades in numerical form. If school officials of the school the student previously attended cannot or will not convert the letter grades to numerical grades, the letter grades will be converted to numerical grades as follows:

A+ = 99	B+ = 89	C+ = 79	D+ = 69	F = 55
A = 95	B = 85	C = 75	D = 65	
A- = 90	B- = 80	C- = 70	D- = 60	

Issues or uncertainties regarding eligibility or grade calculation will be resolved by the school principal in consultation with the Superintendent.

- 7.12.2 Fifth Year Seniors – Upon the recommendation of the counselor and approval of the principal, a student who has completed four full academic years of high school but who has not completed the required course work for graduation will be allowed to attend the number of class periods necessary to complete the courses required for graduation.

### **7.13 School Wellness**

In furtherance of its commitment to fostering healthy nutritional and physical activities that support student achievement and that promote the development of lifelong wellness practices, the Board endorses the following programs, practices, and activities:

- 7.13.1 Nutrition Education and Promotion – Nutrition education that teaches the knowledge, skills, and values needed to develop healthy eating behaviors and nutrition promotion that promotes and reinforces student health will be integrated into the curriculum and offered throughout school campuses, including school dining areas and classrooms, by appropriately trained personnel.
- 7.13.2 Nutrition Standards and Guidelines – The Board will ensure that reimbursable school meals meet the program requirements and nutritional standards established by applicable state and federal regulations. The Board will encourage students to make nutritious food choices and will monitor all food and beverages sold or served to students, including those available outside federally regulated child nutrition programs. The Board will consider nutrient density and portion size before permitting food and beverages to be sold or served to students.
- 7.13.3 Physical Education and Physical Activity Opportunities – The Board will offer physical education opportunities that include the components of a sound physical education program. Physical education will equip students with the knowledge, skills, and values necessary to maintain healthful lifelong physical activity.

Physical education instruction will be aligned with the curriculum. All students will be provided the opportunity to participate regularly in supervised physical activities that are intended to maintain physical fitness and to impart the benefits of maintaining a physically active and healthy lifestyle.

7.13.4 Other School-Based Activities Designed to Promote Student Wellness – The Board may implement other programs that help create a school environment that conveys consistent wellness messages and that is conducive to healthy eating and physical activity.

7.13.5 Administrative Implementation – The Superintendent is authorized to develop and implement administrative rules and directives that are consistent with this policy and to oversee the implementation and periodic review and update of the wellness policy based on input from teachers (including specialists in health and physical education), school nurses, parents and guardians, students, representatives of the school food service program, school board members, school administrators, and the public .

The Superintendent will report to the Board, as requested, on programs and efforts that are designed to meet the purpose and intent of this policy and will inform and update the public regarding the content and implementation of the wellness program. The Superintendent will ensure each local school's compliance with the wellness policy and will measure periodically and make available to the public an assessment of the implementation of the wellness policy, including the extent to which schools are in compliance with the policy, the extent to which the policy compares to model policy and to describe the progress made in attaining the goals of the policy.

#### **7.14 *Selection of Instructional Materials and Materials for the School Libraries***

The Superintendent is authorized to develop criteria for approval by the Board for selection of materials (other than textbooks) that are used in conjunction with student instruction and for circulation in school libraries. The Superintendent is further authorized to develop a procedure for review of objections to instructional and library materials.

## **7.15 Educational Issues**

The Board recognizes that controversial educational issues are an inherent part of our democratic tradition and that knowledge and understanding of these issues are an indispensable part of education for citizenship. Therefore, professional employees shall have the freedom to deal with controversial educational issues in the public school curriculum provided the following guidelines are observed.

- a. Teachers shall adapt the study of controversial issues to the age, maturity and academic background of pupils.
- b. Teachers shall place major emphasis on HOW to think rather than WHAT to think.
- c. Pupils shall have access, insofar as possible, to all materials that are relevant and educationally significant to the issues at hand.
- d. Pupils shall have the opportunity to express their opinions within the limits of decency, good will and respect for the opinions of others.
- e. Teachers shall teach pupils the principles and techniques of the scientific method and shall provide opportunities for practice in applying established facts to specific problems.
- f. Teachers shall seek to develop in pupils the ideals of truth and honesty.
- g. Teachers shall seek to create an atmosphere in which differences of opinion can be voiced without fear or hostility but with mutual respect for all viewpoints.
- h. Teachers shall seek to develop in pupils a sense of responsibility for their beliefs, opinions and attitudes and shall encourage pupils to base same on research, tested experience and knowledge as recorded in our cultural heritage.
- i. Teachers shall encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined and checked for accuracy.
- j. Teachers shall take a neutral position in the classroom during the discussion of controversial issues.

## **7.16 Parent/Family Involvement**

7.16.1 Parental Involvement, Partnerships Encouraged – The School System and each school principal are encouraged to strengthen family involvement and family empowerment in the school. The System will coordinate and integrate parental involvement strategies with school improvement, Title I, Title II, Title III, Title IV, Title VI, community involvement programs, business partnerships, and other community involvement activities. Parents will be afforded substantial and meaningful opportunities to participate in the education of their children.

7.16.2 Annual Evaluation of Initiatives – The System will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy

- a. To determine the effectiveness of increasing parent participation;
- b. To identify barriers to greater parent participation; and
- c. To report the findings to the State Department of Education.

The System will use the findings of the evaluations in designing strategies for school improvement and revising, if necessary, the parent involvement policies.

7.16.3 Elementary and Secondary Education Act Compliance – The System will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs which include the following:

- a. Communication between home and school is regular, two-way and meaningful.
- b. Communication between home and school includes conferences, telephone conversations, parent involvement meetings, written resource materials, community and system-wide surveys and needs assessments.
- c. Responsible parenting is promoted and supported.
- d. Family literacy and parenting skills are emphasized.
- e. Parents play an integral role in assisting student learning.
- f. Parents help their children meet challenging state and local content and achievement standards.
- g. Parents are welcome in school and their support and assistance are sought.
- h. Opportunities to volunteer are frequently communicated.
- i. Parent participation on advisory committees strengthens program review, planning and improvement.
- j. Parents are full partners in the decisions that affect children and families.
- k. Community resources are utilized to strengthen school programs, family practices and student learning.

The school system will communicate parental choices and responsibilities to parents. The school system will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the professional development plan.