

ORANGE BEACH CITY SCHOOLS STUDENT HANDBOOK AND CODE OF CONDUCT



Approved
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Board Members

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DISCLAIMER

This Orange Beach City Schools Handbook and Student Code of Conduct is a stakeholder guide to the expectations of the school system. It is not intended to nor does it contain all rules, policies, procedures, and regulations. Efforts will be made to provide parents and students with complete and accurate information. The Orange Beach City Board of Education (Board) reserves the right to change requirements, and to modify, amend, or revoke any rules, regulations, and schedules.

For students or parents having difficulty reading and understanding information in this document, consider one of the following options: Contact your student's school office for help or contact your school counselor and schedule an appointment time for guidance.

MISSION STATEMENT

The mission of Orange Beach City Schools is to provide a K-12 results based experience that focuses on the whole student, one that incorporates challenging academics and skills acquisition, strong character development and solid citizenship which will build our next generation.

VISION STATEMENT

Orange Beach Schools vision is to pursue and expect excellence on behalf of every student in every school.

INTRODUCTION

The information presented in this manual is deemed an extension of Board policy and will have the force and effect thereof. The Orange Beach City Board of Education requires Orange Beach City Schools' (OBCS) administrators, faculty members, students, and parents/guardians to adhere to and to comply with all Board approved policy.

Each school maintains a copy of the Board Policy Manual, which is available for public review. The Board Policy Manual is also available online at www.orangebeachboe.org Copies of particular policies will also be made available upon request.

EQUAL EDUCATIONAL OPPORTUNITIES

It is Board policy that no student shall be denied the benefit of any education program or educational activity on the basis of race, color, national origin, age, sex, disability, limited English proficiency, immigrant status, migrant status or homeless status. A free and appropriate education is available to all students with disabilities. It is the policy of the Board that barriers to enrolling and retaining students with limited English proficiency, homeless status, migrant status and immigrant status shall be removed, including but not limited to, the denial or delay of enrollment of such students due to lack of birth certificate, lack of school records or transcripts, lack of immunization or health records, lack of proof of residency, lack of transportation or guardianship or custody requirements. Notwithstanding the foregoing, the Board recognizes and confirms the importance and necessity of requiring certain enrollment related documentation. In the event students are enrolled without all required documentation, the Superintendent shall develop and implement administrative procedures to ensure and facilitate the supplemental provision of such documentation. All programs offered by schools within the school district are open to all students in compliance with statutory and judicial requirements.

TITLE IX

The Board does not discriminate on the basis of sex in the admission to or employment in its education programs or activities it operates. All inquiries, questions, or comments regarding Title IX concerns should be sent to:

Orange Beach City Schools
Attention Title IX Coordinator
P.O. Box 2799
Orange Beach, AL 36561

In accordance with Board Policy, all complaints regarding sexual harassment should be filed and reviewed under the Board's student sexual harassment policy and procedures. All other complaints under Title IX will be filed and reviewed according to the Board's general complaint and grievance policy and procedures.

TITLE VII

The Board does not discriminate on the basis of race, color, disability, creed, religion, sex, age, or national origin in its education programs or activities it operates. All inquiries,

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questions, comments, concerns, or complaints regarding non-discrimination policies and noncompliance with Title VII of the Civil Rights Act of 1964 should be registered with the appropriate central office employee based on the student's grade level in accordance with the Board's general complaint and grievance policy and procedures. Forms to register a specific complaint are located on the Board's website, with school principals, and with the system contacts listed below:

Orange Beach City Schools
Attention Title VII Coordinator
P.O. Box 2799
Orange Beach, AL 36561

FREE APPROPRIATE PUBLIC EDUCATION

The Board guarantees the right to a free appropriate education for all school age persons regardless of disability. The school system will arrange and provide for free evaluation services for any student who is suspected of having a disability and of needing personalized educational accommodations and/or related services. Parents may contact the local campus Section 504 Coordinator for additional information or to request that their child be referred for an evaluation (High/Middle School 251-967-5306 or the Elementary School at 251-981-5662).

Any person having inquiries concerning the Board's compliance with regulations concerning students or individuals with disabilities under the IDEA, Section 504 and/or the ADA should direct their concerns as noted above.

PARENT RESPONSIBILITIES

Parents/legal custodians and guardians are responsible for the child's attendance and conduct in school.

- Under Alabama Law, parents and guardians who fail to compel their child to regularly attend school or fail to compel their child to properly conduct himself or herself as a student in accordance with the written policy on school behavior, adopted by the Board of Education, shall be guilty of a misdemeanor, and upon conviction shall be fined no more than \$100, and may be sentenced to hard labor for the county for no more than 90 days (Code of Alabama, §16-28-12).
- Parents/legal custodians and guardians are required to read and share with their child the **Orange Beach City Schools' Code of Student Handbook and Code of Conduct**. The parent or legal guardian confirms that they have read the handbook during the online registration process.

PARENTAL EXPECTATIONS

As the parent is a child's first teacher, the parent should obey local, state, and national laws and should hold him/herself to high ethical and moral standards. They should be supportive

of the local Board of Education and its employees who act in the public trust. This support should involve participation in the provision and maintenance of a high quality instructional atmosphere in each of the city schools.

Recognizing the significance of parental support to quality education, the parent should constantly strive to maintain communication and cooperation between him/her and the personnel of the school system in all matters that affect the student. By these actions, a parent will show a respectful attitude and appreciation toward the need for education in today's society.

ENROLLMENT AND ATTENDANCE

Student and parent/guardian responsibilities include, but are not limited to the following:

- To abide by laws and local board of education and individual school rules and policies regarding attendance:
 - Compulsory Attendance
 - Entrance Age
 - Attendance Policy
 - Truancy
- To comply with enrollment documentation and residency requirements:
 - Resident Students
 - Admission into Schools
 - Non-Resident students
- To be aware and enroll in the student's assigned attendance zone.
- To promptly request and complete make-up assignments for excused absences and tardies.

Student and parent/guardian rights are:

- To be informed of local board of education and individual school rules and policies regarding eligibility for enrollment, school attendance, including policies and rules regarding absences, tardies, truancies, and related programs, checkouts, make-up work, and school sponsored activities:
 - Admission into Schools
 - Attendance Zones
 - Truancy
 - School Redistricting Policy
 - Absences and Excuses
 - Dispute Resolution Policy Regarding the Enrollment of Homeless Children and Youth
- To be provided with make-up assignments for excused absences or tardies.
Absences and Excuses

FEDERAL PROGRAM SERVICES FOR HOMELESS STUDENTS

For information on services for Homeless students, please contact the Federal Programs Coordinator at The Orange Beach City Board of Education. This includes the establishment

of an atmosphere conducive to purposeful instruction. Regulations and due process procedures shall be designed to protect all members of the educational community in the exercise of their rights and responsibilities and to provide uniformity to assist in understanding the practices and procedures used in the schools.

GENERAL GRIEVANCE PROCEDURES (Board Policy 5.33.1)

Whenever an Orange Beach School System student believes he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, students can resort to the more formal procedures as provided herein.

Definitions

- **Complaint** shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. Complaint shall not apply to any matter in which the method of review is prescribed by law. Complaints are objections to a specific act or condition.
- **Complainant** shall mean any student or group of students, directly affected by the alleged misinterpretation or violation, filing a complaint.
- **Faculty/Staff and Administration** shall mean the employees of the Orange Beach Board of Education or representatives under the direct supervision of an employee of the school Board.
- **Day** shall mean a school/academic day.
- **Time Limits:** The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
- **Released Time:** The complaint procedure will normally be carried out during non-instructional time. If, however, the Board elects to carry out provisions during instructional time, the complainant shall not lose academic credit.

Complaint Procedure

- **Informal Discussion:** If a student believes there is a basis for complaint, he/she shall discuss the complaint with his/her principal or the designee of the principal, except in cases of discrimination or harassment involving the principal or the designee, in which case the complainant shall report to the Superintendent designee (Title IX Equity Coordinator or 504 Coordinator) within five (5) days of the occurrence of the alleged violation except in cases

involving harassment or discrimination in which thirty (30) days will be allowed.

- **Level One:** If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her principal or designee. The principal or designee shall communicate his/her answer in writing to the complainant within ten (10) days of receiving the written complaint. Class complaints involving more than one (1) principal or designee and complaints involving an administrator above the building level may be filed by the complainant at level two.
- **Level Two:** If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.
- **Board Appeal:** If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the Orange Beach Board of Education, provided a request for placement on the Board agenda is filed within ten (10) days.

Confidentiality will be provided to the extent possible to any student or affected party who alleges discrimination or harassment.

RESPECT FOR PERSON, PRIVACY, AND PROPERTY

Student responsibilities include, but are not limited to the following:

- To abide by laws and local board of education and individual school rules and policies regarding respect for person, privacy, and property.
- To respect the recognized privacy rights of others.
- To attend school and related activities without bringing items prohibited by law or local board of education policy or which detract from the educational process.
- To respect the property rights of those at school and the general public.

Student rights are:

- To be informed of local board of education and individual school rules and policies regarding respect of person, privacy and property.
- To retain privacy of personal possession on his/her person, in lockers, or vehicles, unless school personnel have reasonable suspicion to believe the student possesses an item which is prohibited by law or local board of education policy.

KNOWLEDGE AND OBSERVATION OF RULES OF CONDUCT

Student and parent/guardian responsibilities include, but are not limited to the following:

- To abide by laws and local board of education and individual school rules and policies regarding rules of conduct:
 - Equal Educational Opportunities
 - Title IX Prohibition of Discrimination on basis of sex or gender
 - Prohibition of Sexual Harassment
 - Pupil Conduct
 - Prohibition of Bullying, Harassment, Violence, and Threats of Violence
 - Prohibition of Firearms, Weapons and Illegal Drugs and Alcohol
 - Drug/Alcohol Free School Policy
 - Tobacco and Electronic Smoking Devices Policy
 - Search of Property and Individual
 - Access and Acceptable Use of Technology
 - Inspection of School Property
 - School Attendance
- To document receipt of the code of conduct with his/her signature.
- To abide by the Mandatory Uniform Dress Code
- To be informed of laws and local board of education and individual school rules and policies regarding rules of conduct.
- To be informed as to the specific grounds of the violation(s) of the local board of education's code of student conduct.

DRESS CODE POLICY

All students are expected to be clean and appropriately dressed for school. Dress and appearance must not present health or safety problems or cause disruption and should encourage a serious approach to school. The Orange Beach City Board of Education prohibits any clothing or grooming that in the principal's judgment may reasonably be expected to cause a substantial disruption of, or interference with, normal school operations. The local school principal will be the final authority for determining appropriate dress within the framework of the policies below.

Elementary schools, PreK through grade six, will utilize a uniform policy and all secondary level schools, grades seven through 12, will utilize a dress code. The dress code will consist of guidelines that students must follow to ensure appropriate attire. Appropriate dress and grooming in the school atmosphere can be determined by neatness, cleanliness, safety, appropriate selection of attire, and freedom from distraction of other students and/or the learning process. Any article of clothing or grooming that the principal can reasonably expect to cause a material or substantial disruption of, or interference with, normal school operations can be prohibited.

Elementary School (PreK-6)

- Top
 - Collared shirt with sleeves or turtleneck. School colored polo.
 - A small unobtrusive logo is permitted.
 - School T-shirt, PTO T-shirt or Sea Sand and Stars T-shirt

- Fridays - Any OB T-shirt or jersey.
- Pants
 - Khaki or Navy Shorts or Pants (Denim is permitted).
 - Khaki or Navy pants, shorts, jumpers, capris, dresses or skirts.
 - Jeggings or tights permitted under dresses or skirts, but not alone.
- Sweatshirts and Sweaters
 - Solid Black, Brown, Navy, White, Tan, Gray or School Colors
- Shoes
 - Closed toe shoes should be worn at all times
- Pajamas
 - Are prohibited
- Coats and Jackets
 - No pictures, emblems, or writings on clothing that:
 - Are lewd, offensive, vulgar or obscene,
 - Advertises or depicts tobacco products, alcoholic beverages, drugs or any other illegal substance, or
 - Contains fighting words or incites criminal activity
 - Create a disruption to the learning environment
- Items not allowed are as follows: wind pants/sweatpants, velour pants, tights, yoga pants, oversized clothing, overalls, bell bottoms, un-hemmed clothing, clothing with cuts, slits, holes or slashes, sleeveless shirts, overcoats or trench coats
- Clothing must be of appropriate length and fit, to be acceptable, short pants and skirts must extend beyond either the finger tips when the student extends arms downward along the sides or reach the mid-thigh, whichever is longer.

Secondary School (Grades 7-12)

- Tops
 - No pictures, emblems, or writings on clothing that:
 - Are lewd, offensive, vulgar or obscene,
 - Advertises or depicts tobacco products, alcoholic beverages, drugs or any other illegal substance, or
 - Contains fighting words or incites criminal activity
 - No cut off tops. (No midriff can be showing)
 - No sleeveless garments.
 - No see-through garments.
 - Designed so that the neckline does not reveal cleavage.
 - Designed to cover all undergarments.
 - Fit properly - no oversized or overly tight tops.

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- No tank top/undershirt can be worn as a shirt.
- Shorts
 - Length should be at fingertip/hand or mid-thigh, whichever is longer.
 - Fit properly - no oversized or tight shorts.
 - No spandex, biker, or see-through shorts.
 - Must be hemmed and not rolled up.
- Dresses
 - Length should be at fingertip or mid-thigh, whichever is longer.
 - Splits may not exceed (3) inches above the top of the knee.
- Pants
 - Proper fit - no sagging or baggy fit: worn at the waist.
 - No see through or spandex leggings pants.
 - Leggings/tights may be worn only under shirts and dresses of appropriate length.
 - No oversized or tight pants.
 - No holes in jeans in inappropriate areas (length rule).
 - Sweat pants and warm-up suits will be allowed.
- Shoes
 - Must be worn at all times, fastened properly.
 - Classes may require certain shoes. (EX: PE, Chemistry).
 - No bedroom slippers.
 - Accessories
- Hats, caps, sweatbands or other head covering will not be worn in the buildings.
- No gang related clothing/items will be allowed.

Compliance Guidelines for Schools

1. Upon the first infraction of the Dress Code, the student will be warned and the parent notified. An immediate change to appropriate attire is required.
2. Upon the second infraction of the Dress Code, the student will be referred to the office and the parent notified. An immediate change to appropriate attire is required.
3. Upon the third infraction of the Uniform or Dress Code, the student will receive detention. An immediate change to appropriate attire is required.
4. Upon the fourth and subsequent infraction(s) of the Dress Code, the student will receive a one-day suspension and the parent will be notified.

Exemptions

All students enrolled in the Orange Beach City Public Schools shall be required to dress in accordance with the adopted uniform of their school. The school principal must approve any deviation and/or exemption from the school uniform. Those deviations and/or exemptions, may include, but are not limited to:

1. School dress-up days
2. Students wearing nationally recognized youth organization uniforms on organization meeting days
3. Any modifications to, or exemption from the uniform requirements originating from a financial hardship
4. Any modifications to, or exemption from the uniform requirements originating from a student's particular disability or health condition
5. Religious exceptions based on a student's sincerely held religious belief.

If the parents or guardians desire not to have their child comply with any portion of the uniform or dress code policy for the reasons stated in items (3) through (5) above, or due to special extenuating circumstances related to an item listed in items (3)-(5), the students parents or guardians must supply a written explanation to the campus principal as to why the deviation or exemption should be granted. If the outcome of the principal's determination is not to the parent or guardian's liking, the parent or guardian may submit a written deviation or exemption request to the Superintendent, or his or her designee.

PROHIBITION OF TOBACCO, ALCOHOL, DRUGS AND ELECTRONIC SMOKING DEVICES

Students shall not use, possess, distribute, and/or sell drugs, electronic smoking devices, or alcohol in a school building, on school grounds, on Board property, on school buses, or at a school-sponsored function. Drugs shall include those listed in the State and/or Federal Controlled Substances Laws, prescription drugs (except in accordance with Board policies and procedures on prescription medications), and drug or alcohol paraphernalia.

Self-administration of medications by students shall be permitted for chronic conditions subject to compliance with the State Department of Education and Alabama Board of Nursing Medication Curriculum. Upon obtaining permission to self-administer approved medications in accordance with the preceding sentence, a student shall be permitted to possess and self-administer approved medications, according to the orders of the prescriber, at any time while on school property or while attending a school-sponsored event. With regard to all other uses of prescription and/or over-the-counter medication by students, parents/guardians shall be required: (1) to personally deliver the medication to the school office; and (2) to complete all necessary forms for the dispensing of medication during the school day. Violations of Board policy and/or procedures concerning over-the-counter medication are excluded from the list of mandatory consequences set forth below. Notwithstanding the foregoing, students shall be subject to discipline, as deemed appropriate by the school principal, in the event they fail to comply with Board policy and procedures concerning over-the-counter medication.

Alcohol, drugs, and alcohol/drug paraphernalia, or other related substances or items confiscated shall be released to appropriate law enforcement officials. A student with a disability who violates this policy shall have the policy applied within the guidelines defined for the discipline of students with disabilities in compliance with applicable laws.

Applicable Discipline and Procedures Related to Drug and Alcohol

Students who are found to possess, obtain, use, consume, or be under the influence of alcoholic beverages, illegal drugs, prescription drugs (unless in accordance with Board policies and procedures), and/or drug/alcohol paraphernalia as described above shall be in violation of the Board's policy on Drug and Alcohol Free Environments.

- For the first violation of this policy, the school principal or designee shall:
 - a. Immediately suspend the student from attending regular classes and school activities. The student shall be provided due process.. Unless otherwise provided herein, the suspension may range from a minimum of five days and shall not exceed nine (9) days.
 - b. Notify the parent/guardian as soon as possible.
 - c. Notify appropriate law enforcement officials.
- For second and subsequent violations of this policy, the school principal or designee shall:
 - a. In grades seven through twelve, immediately suspend the student from attending regular classes and school activities, pending a recommendation for expulsion. Due process shall be provided in accordance with Board policy.
 - b. In grades kindergarten through six, immediately suspend the student from attending regular classes and school activities. Consequences for violations of this policy may range from a minimum of five days of suspension up to a recommendation for expulsion. Due process shall be provided in accordance with Board policy.
 - c. Notify the parent/guardian as soon as possible.
 - d. Notify appropriate law enforcement officials.

Distribution of Drugs or Alcohol

Students who sell, furnish, give away, distribute, or transfer alcoholic beverages, illegal drugs, prescription drugs or counterfeit substances as described above shall be in violation of this policy.

The school principal or designee shall:

- In grades seven through twelve, immediately suspend the student from attending regular classes and school activities, pending a recommendation for expulsion. Due process shall be provided..
- In grades kindergarten through six, immediately suspend the student from attending regular classes and school activities. Consequences for violations of this policy may range from a minimum of five days of suspension up to a recommendation to expel. Due process shall be provided.
- Notify the parent/guardian as soon as possible.
- Notify appropriate law enforcement officials.
- Notwithstanding the foregoing, in the event any student is found to be in violation of this policy and is criminally charged as a consequence thereof, they shall not be allowed to be readmitted to OBCS until such charge(s) has been disposed of by appropriate authorities and the student has otherwise complied with all requirements for readmission.

CORPORAL PUNISHMENT

Corporal punishment (spanking) should not be administered by school personnel.

SUSPENSION AND EXPULSION

Suspensions

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. Students may be suspended from school for offenses serious enough to warrant such action as provided in the Student Code of Conduct or the following outlined violations. At a minimum, the following circumstances represent when and how a student may be suspended. The Superintendent is further authorized to develop and outline any additional procedures regarding suspensions in the Student Code of Conduct.

It is the policy of the Orange Beach City Board of Education that a student may be suspended from school under the following circumstances:

- After committing Class I offense as identified further below;
- After committing a Class II offense as identified below; and
- After committing any serious offense or exhibiting any serious misconduct

All suspensions should be for a specified number of days not to exceed 9 school days any deviation of said pattern shall require authorization from the Superintendent.

In the event that a student's misbehavior is severe enough to warrant suspension, the procedures shall be as follows:

- The student shall be informed orally or in writing, by the principal or by his or her designee of the charges against him or her. In the event the student denies the charges, the students will be provided an opportunity to present his or her side of the story. Under all circumstances, students will be provided an opportunity to state matters and mitigation of the charges.
- if in the opinion of the principal or his or her designee, the student committed the offense in question, the student shall be suspended from school.
- The principal should immediately notify the student's parent or legal guardian of the action taken, the reason or bases for the action, and what further action will be taken, if any.

Suspension of students with disabilities will be subject to applicable requirements imposed by the IDEA, Section 504, and any applicable implementing regulations thereunder.

Expulsions

Students may be expelled from school for offenses serious enough to warrant such action as provided in the Student Code of Conduct or the following outlined violations. At a minimum, the following circumstances represent when and how a student may be expelled. The Superintendent is further authorized to develop and outline any additional procedures regarding expulsions in the Student Code of Conduct.

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It is the policy of the Orange Beach City Board of Education that a student may be expelled from school under the following circumstances:

- After committing Class II offense as identified further below;
- After committing a Class III offense as identified below; and/or
- After committing any serious offense or exhibiting any serious misconduct.

Expulsions might be for any given period of time or permanently.

In the event that a student's misbehavior, severe enough to warrant expulsion, the procedure shall be as follows:

- The student should be clearly informed by the principal, or by his or her designee, of the offense with which he or she is being charged. The student will be given an adequate opportunity to state his or her position regarding the alleged offense and provide any matters in mitigation. Provided however, in the event that the principal determines that the student poses an immediate threat to persons or property, or threatens immediately to disrupt the educational process, the student may be suspended immediately. In such cases, notice of misconduct with which the student is charged should be given as soon as practical, and no later than three (3) days following suspension. Under such circumstances, a time should be scheduled as soon as practical and not later than five (5) days after suspension to provide the student adequate opportunity to state his or her position regarding the alleged offense and provide any matters in mitigation.
- If, in the judgment of the principal, or his or her designee, the student committed the offense or offenses in question, the student shall be immediately suspended from school pending a determination by the principal as to whether expulsion is necessary.
- In the event the principal determines that the totality of the circumstances require expulsion, the principal must refer the matter to the system's hearing officer. The principal will notify the student's parents or legal guardian of his or her recommendation for expulsion and of the misconduct with which the student is charged. The notice must further notify the parent or legal guardian that they have the right to request a hearing at which time they shall have the right to ask questions of the principal and of any witnesses, and to present witnesses. Except as otherwise agreed upon by the hearing officer, the request for hearing must be submitted to the hearing officer in writing within three (3) days of the date of the notification of the intent to expel. Notice of the results of the hearing should be given in writing to the student's parent or guardian within three (3) days after the hearing.
- The student's parent or guardian shall thereafter have the right to appeal from the results of said hearing to the local Superintendent provided notice of intent to appeal is given within five (5) days of receipt of the notice of the results of the hearing. The appeal shall be heard by the Superintendent or an expulsion review committee as designated by the Superintendent. The appeal hearings will be held within five (5) days of the receipt of the notice of appeal except as otherwise agreed upon by the local Superintendent and the parent or guardian of the student. The student shall have the right to ask questions of the hearing officer, principal, and any witnesses, and to present witnesses during the appeal hearing. The student and his parent or

guardian shall be notified in writing of the results of the appeal within five (5) days following hearing.

When a student is placed in an alternative setting by a non-Orange Beach City School, Orange Beach City Schools will honor the placement, and the student will complete the time assigned to alternative school via Orange Beach City School's alternative school.

When a student is suspended or expelled, the student is denied any admission to Orange Beach City Schools until the student has cleared their record with the school originating this suspension or expulsion. 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 IDEA, Section 504, and relevant implementing regulations thereunder.

CLASSIFICATION OF VIOLATIONS AND SANCTIONS

It is fundamental that an orderly school have clearly defined rules for behavior to which students must conform. Nonconformity to the rules is a violation of the Student Code of Conduct. Conduct violations are grouped into three classes: Class I, Class II, and Class III, ranging from the least to the most serious. Appropriate school personnel shall investigate, verify, and take the necessary actions to resolve student misconduct. After determining a violation and the classification of the violation, the principal or his or her designee should implement the appropriate sanction. Violations apply to student conduct on a school campus, at school related events, while being transported to or from school or School related events, or off-campus misconduct that has a direct effect on good order and general welfare of the school. Below is a listing of examples of each class of violation and possible sanctions. As the violations increase in seriousness, the severity of the possible sanctions increase. The Superintendent is further authorized to supplement the list of violations and sanctions in the Student Code of Conduct that is presented for adoption to the Board each year.

Class I Violations

- 1.01 Distraction of other students;
- 1.02 Bullying, intimidation, harassment of student, minor and isolated incident;
- 1.03 Tardiness;
- 1.04 Non direct use of profane language or obscene gesture (See 2.10);
- 1.05 Nonconformity to dress code;
- 1.06 Disruption on a school bus, minor incident;
- 1.07 Inappropriate public display of affection, minor incident;
- 1.08 Unauthorized absence from class or school for part of a day;
- 1.09 Refusal to complete class assignments;
- 1.10 Failure to follow directives from a school system staff member, minor;
- 1.11 Unauthorized use of school or personal property;
- 1.12 Littering of school property;
- 1.13 Horseplay;
- 1.14 Violation of the Technology Acceptable Use, minor incident, first incident; and/or
- 1.15 Any further violations which may be outlined in the Board of Education student code of conduct or which the principle may be reasonable to fall within this category after investigation and consideration of extenuating circumstances.

Class I Sanctions

1. Conference with the student;
2. Conference with the parent;
3. Verbal warning, reprimand and or demerits;
4. Loss of privileges;
5. Bus suspension;
6. Removal from class;
7. Temporary or permanent detention before school, after school, or Saturday;
8. In-school suspension;
9. Referred to counselor;
10. Referred to peer mediation;
11. Restitution;
12. Student contract; and/or
13. Other sanctions as approved by the Board of Education and further outlined in the Student Code of Conduct.

Class II Violations

- 2.01 Failures to follow directives from a school system staff member, moderate or serious or second incident;
- 2.02 Disruption on the school bus, moderate or second incident;
- 2.03 Vandalism/property damage;
- 2.04 Theft of property;
- 2.05 Gambling;
- 2.06 Possession of stolen property with the knowledge that is stolen;
- 2.07 Sexual harassment;
- 2.08 Threats/extortion;
- 2.09 Trespassing;
- 2.10 Direct use of profane language or obscene gesture directed toward another person;
- 2.11 Repeated direct or non-direct use of profane language or obscene gestures;
- 2.12 Unauthorized absence from school for a day or more;
- 2.13 Inappropriate public display of affection, repeated or significant;
- 2.14 Inappropriate touching of another person;
- 2.15 Possession of and/or use of matches or lighters;
- 2.16 Possession, sale, and or use of a tobacco product;
- 2.17 Dishonesty and cheating;
- 2.18 Providing false information to a local Board of Education employee;
- 2.19 Bullying, intimidation, harassment a student, moderate or second incident;
- 2.20 Repeated violations of class I offense;
- 2.21 Violation of the Technology Acceptable Use, moderate or second incident; and/or 2.22 Any other offense or violations as further outlined in the Student Code of Conduct or in which the principal may be reasonable to fall within this category after investigation in consideration of extenuating circumstances.

Class II Sanctions

- 1. Assignment to the alternative school;
- 2. Out of school suspension;
- 3. Referral to an outside agency;
- 4. Expulsion; and/or
- 5. Any sanctions included in Class I and other sanctions as approved by the Board of Education and further outlined in the Student Code of Conduct.

Class III Violations

- 3.01 Arson;
- 3.02 Robbery;
- 3.03 Theft of property;
- 3.04 Burglary of school property;
- 3.05 Criminal mischief;
- 3.06 Bomb threat;
- 3.07 Sexual offense;
- 3.08 Fighting;
- 3.09 Inciting or participating in major student disorder;
- 3.10 Unjustified activation of fire alarm system or fire extinguisher;
- 3.11 Assault on a person student, teacher, staff member, visitor, etc;
- 3.12 Possession of a weapon;
- 3.13 Preparing, possessing, and organizing explosive device;
- 3.14 Unlawful sale, purchase, furnishing or giving, or possession of illegal drugs or drug paraphernalia or alcoholic beverage;
- 3.15 Accessing or changing information in school computers without authorization or for an appropriate purposes;
- 3.16 Crimes as defined on the laws of the city, state of Alabama, or United States;
- 3.17 Bullying, intimidation, harassment a student, severe or repeated;
- 3.18 Repeated failure to follow directives from a school system staff member, severe;
- 3.19 Repeated violations of Class I and/or II Offenses after directives and sanctions from school system staff;
- 3.20 Violation of the Technology Acceptable Use, major/severe or repeated violations; and/or
- 3.21 Any other offense or violation as further outlined in the Student Code of Conduct or in which the principal made reasonable to fall within this category after investigation in consideration of extenuating circumstances.

Class III Sanctions

Class III violations typically result in suspension or expulsion. Provided however, discipline may include any sanctions(s) included in Classes I and II and other sanctions as approved by the Board of Education and as further outlined in the Student Code of Conduct.

DISCIPLINE SPECIFIC TO STUDENT THREATS TO HARM OTHERS

Disciplinary actions dealing with threats will be handled consistently and in a timely manner by the administration. Specifically, **actions that create panic, fear and chaos will not be tolerated at any grade level.**

Please note the following procedures and consequences stated below in regard to student harassment threats:

Kindergarten – Third Grade

1. First occurrence – 1 day suspension.
 - a. Call parents and schedule a re-entry conference.
 - b. Notify SRO
 - c. School counselor meet with all students involved.
 - d. Digital history checked on Chromebook or laptop reviewed
 - e. Notify parents of the student(s)/victim(s) involved in the situation.
2. Second occurrence – 3 days suspension.
 - a. Re-entry conference with parents and SRO present.
 - b. A referral to the system's mental health officer will be offered.
 - c. School counselor will meet with all students involved.
 - d. Digital history checked on Chromebook or laptop. If concerns are evident, system technology department will be notified for a deeper investigation.
 - e. Notify parents of student(s)/victim(s) involved in the situation.
3. Third occurrence – Contact Superintendent or designee for additional guidance.

Fourth– Sixth Grades

1. First occurrence – 3 days suspension.
 - a. Re-entry conference with parents and SRO present.
 - b. School counselor meet with all students involved.
 - c. Digital history checked on Chromebook or laptop. If concerns are evident, system technology department will be notified for a deeper investigation.
 - d. Notify parents of student(s)/victim(s) involved in the situation.
2. Second occurrence – 5 days suspension.
 - a. Re-entry conference with parents and SRO present.
 - b. A referral to the system's mental health officer will be offered.
 - c. School counselor meet with all students involved.
 - d. Digital history checked on Chromebook or laptop. If concerns are evident, system technology department will be notified for a deeper investigation.
 - e. Notify parents of student(s)/victim(s) involved in the situation.
3. Third occurrence – Contact Superintendent or designee for additional guidance.

ALL Middle and High School:

1. First occurrence – 3 day suspension.
 - a. A re-entry meeting with the student, parents, counselor, principal and police (SRO) must take place before the student can return to school.
 - b. Contact the IT coordinator, to have a complete IT footprint check on the student.

2. Second occurrence – 5 days suspension.
 - a. A re-entry meeting with the student, parents, counselor, principal and police (SRO) must take place before the student can return to school.
 - b. Contact the Schools Resource Officer, IT coordinator, to have a complete IT footprint check on the student.
3. Third occurrence – Contact Superintendent or designee for additional guidance.

**Please note that IEP Teams may render a decision for students receiving Special Education services.*

SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES

Suspension of students with disabilities will be subject to applicable requirements imposed by the IDEA, Section 504, and any applicable implementing regulations thereunder.

IN-SCHOOL SUSPENSION PROGRAM

The Orange Beach City Board of Education shall maintain an in-school suspension program as necessary to provide a structured discipline atmosphere in which a student is isolated or removed from regular classroom activities but is not dismissed from the school setting.

SEXUAL HARASSMENT

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.

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:

- 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;
- 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;
- 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:

- Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or pictures, and sexual propositions;
- Repeated unwelcome solicitations of sexual activity or sexual contact;
- Unwelcome, inappropriate sexual touchings;

- Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to the student's educational status.

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" above. In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decision making responsibility in connection with the processing of the complaint.

Sexual Harassment Complaint Procedures

Any student who believes he or she has been the victim of sexual harassment may report such acts to any appropriate Board administrator on the "Sexual Harassment Complaint Form" located online or by contacting the appropriate Central Office Administrator. The Board encourages the reporting party to reduce all complaints to writing but oral reports shall be considered complaints as well.

A. Reporting.

The school principal or designee is the person who should receive the initial oral or written report(s) of sexual harassment at the campus level. In the event a principal appoints a designee, such designation should be conspicuously posted. In accordance with Board Policy, however, the principal/designee may request, but may not insist upon, a written complaint. If the complainant or reporting party refuses to make or sign a written complaint, the principal/designee should carefully document the allegations in writing and record the date and circumstances of the interview. In addition, any other adult Board personnel who receive a report of sexual harassment shall inform the campus principal/designee immediately. Failure to forward any harassment report or complaint as provided herein, may result in disciplinary action against the principal/designee/personnel. If the complaint involves the campus principal/designee, the complaint shall be made or filed directly with the Title IX Coordinator by the reporting party or complainant.

B. Investigation

By authority of the Board, the campus principal/designee, upon receipt of a report of complaint alleging sexual harassment, shall immediately undertake or authorize an investigation. The investigation may be conducted by Board officials or by a third party as deemed appropriate under the circumstances.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods deemed pertinent by the investigator.

In determining whether alleged conduct constitutes a violation of this policy, consideration should be given to the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or

incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

The investigation will be completed as soon as practicable. The investigator shall make a written report to the principal/designee upon completion of the investigation. If the complaint involves the principal/designee, the report may be filed directly with the Title IX Coordinator. If the complaint involves the Superintendent/or Title IX Coordinator, the report may be filed directly with the School Board President. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

Upon receipt of a report, the appropriate administrator will take appropriate action or make an appropriate recommendation. Such action or recommendation may include any sanctions as listed in the Student Code of Conduct, including but not limited to: a warning, a verbal reprimand, a written reprimand, counseling, reassignment, suspension or termination.

The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant in accordance with state and federal law regarding data or records privacy.

C. No Retaliation

The Board will discipline or take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged religious, racial or sexual harassment or violence or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

D. Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the Federal Office of Civil Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law.

E. Harassment or Violence as Abuse

Under certain circumstances, alleged harassment or violence may also be possible abuse under Alabama Law. If so, duties of mandatory reporting under Alabama Code Sections 16-1-24 and 26-14-1 may be applicable.

ANTI-BULLYING AND ANTI-HARASSMENT POLICY

Prohibition

Orange Beach City Schools is committed to providing a safe and supportive learning environment in which all members of the school community are treated with respect. Bullying, violence, and threats of violence, and intimidation are prohibited and constitute unacceptable behavior that will not be tolerated.

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 and in accordance with applicable Federal and State law.

Definitions

- Bullying - A continuous pattern of intentional behavior on or off 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.
- Hostile environment - 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.
- Violence - 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.
- Threat - 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.
- Threat of violence - An unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.
- Intimidation - An unjustified threat or other action that is intended to cause fear or apprehension in a student.
- Student - A person who is enrolled in OBCS.

Description of Behavior Expected of Students

- Students are expected to treat other students with courtesy, respect, and dignity, and to comply with the Student Code of 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.
- 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:
 - The student's race;
 - The student's sex;
 - The student's religion;
 - The student's national origin;
 - The student's disability;
 - The student's marital status;
 - The student's sexual orientation; or
 - The student's gender identity.

Consequences for Violations

A series of graduated consequences for any violation of this policy will be those outlined in Board Policy, the Student Code of Conduct, or any rule or standard adopted under authority of this policy.

Reporting, Investigation, and Complaint Resolution Procedures

Complaints alleging violations of this policy must be made on Board approved complaint forms available in the handbook, on the website, or at the school's office. The complaint must be signed by the student alleging the violation or by the student's parent or legal guardian and delivered to the principal or the principal's designee either by mail or personal delivery. At the request of the complaining student or the student's parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.

Upon receipt of the complaint, the principal or the principal's designee will, in their sole discretion, 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 an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.

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 will 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 will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

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 will inform the student's parent or guardian of the report.

Link to [complaint form](#).

ELECTRONIC COMMUNICATION DEVICES

The use of personal, wireless communication devices by students is prohibited on school grounds or while students are being transported on a school bus, except as provided for herein. Personal, wireless communication devices include, but are not limited to, cellular telephones, pocket pagers, email devices, "walkie talkies," or any other electronic communication device. Students are permitted to keep personal wireless devices only in lockers, the school office, or other locations approved by the principal or his designee. The Board assumes no responsibility for theft, loss, or damage to any personal/wireless communication device. The principal or his designee may approve the use of such devices during medical emergencies, natural disasters, after regular school hours, at events or under circumstances in which the use of the devices serves safety and convenience without disrupting academic or school operations. Principals or their designees will also have the authority to further restrict or deny the use of personal/wireless communication devices by any student to prevent the misuse, abuse, or violation of school rules regarding the use of such devices. School officials may read, examine, or inspect the contents of any such device upon reasonable suspicion that the device contains evidence of an actual violation of the law, of Board policy, the Student Code of Conduct, or other school rules, provided that the nature and extent of such examination shall be reasonably related and limited to the suspected violation.

This policy shall apply to handheld electronic devices with communication and storage capabilities and shall include, without limitation, cellular telephones, MP3 and similar music players, tape recorders and players, scanners, portable digital assistants, wireless email devices and cameras. The scope of this policy does not include electronic devices approved for use by the building principal or required by a student's Individualized Education Program.

In the event students are suspended or expelled for violating the Electronic Communication Device Policy, due process shall be provided in accordance with Board Policy.

USE OF DIGITAL DEVICE DURING THE ADMINISTRATION OF A SECURE TEST

The possession of a digital device (including but not limited to cell phones, MP3 players, cameras, or other telecommunication devices capable of capturing or relaying information) is strictly prohibited during the administration of a secure test. If a student is observed in possession of a digital device during the administration of a secure test, the device will be confiscated. If a student is observed using a digital device during the administration of a secure test, testing for the student will cease, the device will be confiscated and is subject to search. The student will be dismissed from testing, and the student's test will be invalidated. Local education agency (LEA) personnel will make all students, parents, and/or guardians aware of this prohibition through inclusion of this policy in the Student Code of Conduct Handbook and other regularly used modes of communication.

TECHNOLOGY ACCEPTABLE USAGE POLICY (AUP)

The entire AUP policy may be found in our Board Policy Manual at www.orangebeachboe.org. (Policy 5.90)

PURPOSE: The purpose of the Orange Beach Board of Education (OBBOE) is to provide an effective, challenging, and engaging education for every one of our students. The intended use of technology is to a) enhance the educational experience of students by direct interaction with technology, and to b) indirectly enhance the educational experience of students by allowing faculty and staff to access and process important information in a timely and efficient fashion.

POLICY STATEMENT: An acceptable use policy (AUP) is a policy that outlines, in writing, how Orange Beach Board of Education expects its community members to behave with technology. Similar to a Terms of Service document, an AUP should define publicly what is deemed acceptable behavior from users of hardware and information systems such as the Internet, computers, laptops, tablets and any applicable networks. The primary goal of the technology environment is to support the educational and instructional endeavors of students and employees of Orange Beach City Schools. Use of any and all technology resources is a privilege and not a right.

Any questions about this policy, its interpretation, or specific circumstances shall be directed to the Technology Department before proceeding. Violations of this policy will be handled in a manner consistent with comparable situations requiring disciplinary and/or legal action.

LEARNING

Student Responsibilities Are:

- To abide by laws and local board of education and individual school rules and policies regarding the right to learn.
- To take advantage of appropriate opportunities provided for learning.
- To avoid hindering the teaching process.
- To seek assistance, if needed, to aid learning.
- To obey rules regarding attendance, conduct, free speech, student publications, assembly, privacy, and participation in school programs and activities.

Student Rights Are:

- To be informed of laws and local board of education and individual school rules and policies regarding the right to learn.
- To be provided a safe school environment free of illegal drugs, alcohol, or weapons.
- To be provided appropriate instructors, instructions, materials, and equipment to take advantage of the opportunity to learn.
- To be provided with the opportunity to express concerns regarding the operation of the school.

OPT-IN FOR MENTAL HEALTH SERVICES

No student under the age of fourteen may participate in ongoing school counseling services including, but not limited to, mental health services, unless (1) the student's parent or legal guardian has submitted a written opt-in granting permission for the student to participate or (2) there is an imminent threat to the health of the student or others.

For purposes of this policy, "mental health services" includes services, treatment, surveys, or assessments relating to mental health; however, it does not include instructional activities designed to educate students regarding topics related to mental health (1) contained in the school system's approved curriculum or (2) otherwise required to be taught by law (e.g., Erin's Law; Jason Flatt Act).

This policy is not applicable to any school counseling services or "mental health services" contained in a student's PST, IEP, or §504 plan. Consent for those services will be obtained in accordance with the specific procedures required by federal and/or state law, and information regarding any mental health services will be provided in the pertinent plan.

A. **Written Notification**

1. At least annually, the school system shall provide parents and legal guardians a written notification regarding school provided or sponsored mental health services. The notification will include the purpose and general description of each of the mental health services available; information regarding ways parents may review materials to be used in guidance and counseling programs available to students; and information regarding ways parents may allow, limit, or prevent their student's participation in the programs.

The written notification may be provided electronically, including through the school system's online enrollment portal or by such other means and methods as are customarily used for such purposes.

B. **Opt-In To Participate in Mental Health Services**

1. General Requirement – For a student under the age of fourteen to participate in mental health services, written permission by the student's parent or legal guardian is required annually. The written permission must be specific as to any treatment and not broad in nature. Parents and legal guardians may be

provided the opportunity to opt-in electronically during online enrollment or by such other means and methods as are customarily used for such purposes.

- a. *Rescinding Permission* – A parent or guardian may rescind permission for a student to participate in mental health services at any time by providing written notice to school administration
- b. *Requests for Opt-In and Referrals Authorized* – If a parent or legal guardian does not initially opt-in to mental health services, school officials may contact the parent or legal guardian to (1) attempt obtain permission for the student to participate in mental health services if the school official believes that the student would benefit from services or if circumstance arise for which services could be beneficial; and/or (2) provide a parent or legal guardian with a referral or information regarding mental health services that may be available to a student through other agencies or providers.
- c. *Exception for Imminent Threat* – If a parent or legal guardian has not opted-in to mental health services, a student may be provided mental health services if there is an imminent threat to the health of the student or others. School employees may determine in their discretion whether such an imminent threat exists and provide any mental health services they deem necessary under the circumstances.

C. **Information for Parents/Legal Guardians**

1. If a student's parent or legal guardian elects to opt-in to mental health services, the counselor providing services shall keep the parent fully informed regarding any diagnosis and any recommendations for additional counseling or treatments beyond the services for which the parent or legal guardian has already opted in. The parent shall have the authority to make final decisions regarding any such recommended counseling and treatments.

D. **Recordkeeping**

1. Written records maintained by the school system and directly related to a student's mental health services will be treated in the same manner as health care records and are subject to the confidentiality protections applicable to education record generally. Such records will be available for examination and review by authorized persons in the manner prescribed and to the extent required by federal and/or state law.
2. Records pertaining to a student's mental health services will be kept separately from academic records, unless including such record(s) in the student's academic record is necessary to implement a state and/or federal law (e.g., special education referral process).

ANNUAL NOTIFICATION REGARDING SCHOOL-PROVIDED OR SPONSORED MENTAL HEALTH SERVICES

The school system provides or sponsors the following mental health services

- Large group guidance - Includes a school counselor or professional visiting the classroom to discuss topics such as bullying, class scheduling, stress management,

test anxiety, or guest speakers to discuss good choices, substance abuse prevention, etc.

- Small group guidance - Includes a small group of students with a school counselor or professional to discuss topics such as test anxiety, grief, healthy coping skills, etc.
- Mentoring - Peer Helpers, Big Brothers/Big Sisters, and/or Social Work Interns work with students in school on topics such as friendships, healthy relationships, anger management, and anxiety
- Assessments or Surveys - includes questionnaires provided to students related to social behaviors, feelings, etc.
- Crisis intervention - short-term, immediate assistance by a school counselor or professional for a specific situation.
- School-Based Mental Health - On-going counseling services by school professionals or private practitioners in the school setting. A parent or legal guardian's permission will be obtained during an intake meeting before services are provided.

Review of Materials

You may request to review any materials used in the guidance and counseling programs available to students by contacting the student's principal.

Information Regarding How to Allow, Limit, or Prevent Your Child's Participation in Mental Health Services

Under Alabama law, no student under the age of fourteen may participate in ongoing school counseling services including, but not limited to, mental health services, unless (1) the student's parent or legal guardian has submitted a written opt-in granting permission for the student to participate or (2) there is an imminent threat to the health of the student or others.

Therefore, if your child is under fourteen, they will only be allowed to participate in mental health services if you opt in. **If you would like the school system to be able to offer and/or provide mental health services to your child, you must opt-in for each service listed for them to participate in that service.**

Even if you do not opt-in to mental health services, your child may be provided mental health services if there is an imminent threat to their health or others. School employees may determine at their discretion whether such an imminent threat exists and provide any mental health services they deem necessary under the circumstances.

Parent of students with disabilities: Please note that the opt-in process is not applicable to any school counseling services or "mental health services" contained in a student's IEP or §504 plan. Consent for those services will be obtained and information regarding your child's mental health services will be provided through the usual special education process.

The opt-in for mental health services may be found at this [link](#).

PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

Student responsibilities are:

- To abide by laws and local board of education and individual school rules and

policies in regarding school programs and activities.

- To be courteous and responsible at all school programs and activities.
- To complete assignments related to his/her participation in school programs and activities.

Student rights are:

- To be informed of laws and local board of education and individual school rules and policies regarding school programs and activities.
- To develop or participate in student programs and activities consistent with local board of education and individual school policies and procedures.
- To seek office in any student organization if eligible.

ATHLETIC PROGRAMS

Participation

Students in grades 7-12 are eligible to participate in the Orange Beach City Schools Athletic Program providing that they meet the Alabama High School Athletic Association Academic and Eligibility Rules.

Medical Conditions

A student participating in a school sport who is diagnosed with a chronic or emergency health condition requiring medication to be available for administration must have the medication(s) authorized by the school nurse. The parent/legal guardian must notify and submit all medication and required documentation to the school nurse prior to participation. All athletes must have a medical clearance completed by a physician.

FREE SPEECH

Student responsibilities are:

- To abide by laws and local board of education and individual school rules and policies regarding free speech. b. To be courteous of the views of others.

Student rights are:

- To be informed of laws and local board of education and individual school rules and policies regarding free speech.
- To express disagreement in a constructive manner taking into account the rights of others, consistent with the established education process.

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.

Student responsibilities are:

- To abide by laws and local board of education and individual school rules and policies regarding student publications.
- To communicate in a respectable manner consistent with good education practices.
- To seek accurate and complete information on the topics approved for publication.
- To observe the accepted rules for responsible journalism under the guidance of faculty members.

Student responsibilities are:

- To be informed of laws and local board of education and individual school rules and policies regarding student publications.
- To participate, as part of the educational process, in the development and/or distribution of student or school publications consistent with the educational process.

ASSEMBLY

Student responsibilities are:

- To abide by laws and local board of education and individual school rules and policies in regard to assembly.
- To seek approval, plan, and conduct meetings consistent with local board of education rules.

Student rights are:

- To be informed of laws and local board of education and individual school rules and policies regarding assembly.
- To assemble in a lawful manner for lawful purpose with prior approval by local school officials.

NOTIFICATION OF LEGAL LIABILITIES

The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property, school sponsored activities and/or against school employees.

POLICE DEPARTMENT INVOLVEMENT

It is the policy of the Orange Beach City Board of Education to have the respective Police Department contacted to investigate every incident involving illegal or prohibited drug possession, consumption, sale, or distribution. All students involved in any such conduct may be subject to arrest, transportation to the Police Station, and in the normal course of investigation, interviews by the Police Department.

ATTENDANCE AND CONDUCT (Act 94-782), (Act 99-705) (Code of Ala. § 16-28-12)

Each parent/legal guardian or other person having control or custody of a student required to attend school who fails to require the student to enroll, to regularly attend school, or to compel the student to properly conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor and may be fined up to \$100 and may be sentenced to hard labor for up to (90) days. Amendment to Act 94-782 (effective July 1, 2000).

Act 99-705 amends the attendance requirement to read "Each student who is enrolled in a public school shall be subject to the attendance and truancy provisions of the article except that any parent/guardian who voluntarily enrolls their student in public school, who feels that it is in the best interest of that student, shall have the right to withdraw the student at any time prior to the current compulsory attendance age."

ACT 95-314 states that if the school administrator is unable to verify the enrollment status* of a student, the student shall automatically be removed from membership when he/she has accumulated ten (10) consecutive unexcused absences. This does not remove the responsibilities for investigating nonattendance, non-enrollment, and other requirements as specified by legislative or State Board of Education mandates relative to school attendance.

**After extensive documented research*

DROP-OUT/DRIVER'S LICENSE (Act 94-820 which amended Act 93-368 as codified in Code of Ala. § 16-28-40) The Department of Public Safety shall deny a driver's license or learner's permit to any person under nineteen (19) who is not enrolled or has not received a diploma or certificate of graduation. Exceptions are students who are enrolled in a GED program, are enrolled in a secondary school, are participating in an approved job training program, are gainfully employed, are a parent of a minor or unborn child, or are the sole source of transportation for the parent.

DRIVER'S LICENSE/ PISTOL POSSESSION (Act 94-820) (Code of Ala. § 16-28-40)

Any person over the age of fourteen (14) who is convicted of the crime of possession of a pistol on the premises of a public school, or a public school bus shall be denied issuance of a driver's permit or license to operate a motor vehicle for (180) days from the date the person is eligible and applies for a permit or license. If a person over age fourteen (14) possess a driver's license on the date of conviction, the driver's license will be suspended for (180) days.

Section 1:

- No person shall shoot or discharge a firearm into an occupied or unoccupied school bus or school building.
- A person who shoots or discharges a firearm into an occupied school bus or school building shall be guilty of a Class B felony.
- A person who shoots or discharges a firearm into an unoccupied school bus or school building shall be guilty of a Class C felony.

DRUG DEALING (Act 94-783) (Code of Ala. § 6-5-72)

A person who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage or both suffered by a third person caused by or resulting from the use of the controlled substance by the minor if the sale, furnishing, or giving of the controlled substance is the proximate cause of the injury or damage. DRUGS, ALCOHOL, WEAPONS, PHYSICAL HARM, OR THREATENED PHYSICAL HARM (Act 94-784) (Code of Ala. § 16- 1-24.1)

The school principal shall notify appropriate law enforcement officials when a person violates local board of education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If any criminal charge is warranted, the principal is authorized to sign the appropriate warrant. If that person is a student, the local school system shall immediately suspend that person from attending regular classes and schedule a hearing within five (5) school days.

If a person is found to have violated a local board of education policy concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, the

person may not be admitted as a transfer student or readmitted to the public schools until criminal charges, if any, have been disposed of by appropriate authorities and the person has satisfied all other requirements imposed by the local board of education as a condition for readmission.

ACT 94-784 - ESTABLISHMENT OF SCHOOL DISCIPLINE PLANS INCLUDING: DRUGS/ALCOHOL/WEAPONS AND ASSAULT

Provides for automatic suspension of students violating drug, alcohol, weapons, and assault policies - students will be readmitted based on local board approval. Principals are required to notify appropriate law enforcement officials when any person violates local board of education policies concerning drugs, alcohol, weapons or assaults.

MANDATORY REPORTING OF CHILD ABUSE (CODE OF ALA. § 26-14-3(F))

According to Alabama laws, all...nurses, school teachers and officials, peace officers, law enforcement officials, social workers, day care workers or employees, mental health professionals, as defined in Rule 505 of the Alabama Rules of Evidence, or any other person called upon to render aid or medical assistance to any child shall report or cause to report incidents where a child below the age of eighteen (18) is known or suspected to be a victim of child abuse or neglect.

OBSTRUCTING GOVERNMENTAL OPERATIONS (§Code of Ala.13A-10-2)

A person commits the crime of obstructing governmental operations if, by means of intimidation, physical force, interference, or by any other independently unlawful act, he:

1. Intentionally obstructs, impairs, or hinders the administration of law or other governmental function; or
2. Intentionally prevents a public servant from performing a governmental function. This section does not apply to the obstruction, impairment, or hindrance of the making of an arrest.
3. Obstructing governmental operations is a Class A misdemeanor.

TEACHER ASSAULT (Act 94-794) (Code of Ala. § 13A-6-21)

A person commits the crime of assault in the second degree (Class C felony) if the person assaults with intent to cause serious physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his/her duty.

THEFT OF LOST PROPERTY (Code of Ala. §13A-8-6)

Definition: A person commits the crime of theft of lost property if he actively obtains or exerts control over the property of another which he knows to have been lost or mislaid, or to have been delivered under a mistake as to the identity of the recipient or as to the nature of the amount of the property, and with intent to deprive the owner permanently of it, he fails to take reasonable measures to discover and notify the owner.

CRIMINAL TRESPASS BY MOTOR VEHICLE (-Code of Ala.§ 13A-7-4.1)

A person commits the offense of criminal trespass by motor vehicle when the person does so after having been requested not to do so by a uniformed law enforcement officer or by a properly identified owner or an authorized agent of the owner. A person who commits the offense of criminal trespass by motor vehicle shall be guilty of a misdemeanor and upon

conviction thereof shall be punished by a fine:

1. Not to exceed \$50.00 for the first such offense;
2. Not to exceed \$100.00 for the second such offense; and
3. Not to exceed \$150.00 for the third or subsequent such offense.

VANDALISM (Act 94-819) (Code of Ala. § 16-5-380)

The parent/legal guardian, or other person having control of any minor under the age of eighteen (18) with whom the minor is living and who has custody of the minor, shall be liable for the actual damages sustained to school property, plus the court costs caused by the intentional, willful, or malicious act of the minor.

WEAPONS IN SCHOOLS (Act 94-817) (Code of Ala. § 13A-11-72)

No person shall knowingly with intent to do bodily harm, carry, or possess a deadly weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony.

(Note: The term "deadly weapon" means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury, and such term includes, but is not limited to, a bazooka, hand grenade, missile, or explosive or incendiary device; a pistol, rifle, or shotgun; or a switch-blade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, black-jack, bludgeon, or metal knuckles).

FIREARMS IN SCHOOLS (ACTS 1995, NO 95-756, 1768 §1-4) (CODE OF ALA. §16-1-24.3)

Students, who are determined to have brought to school or have in their possession a firearm in a school building, on school grounds, on school buses, or at other school-sponsored functions shall receive a required expulsion for a period of one year. The local Board and Superintendent may modify the expulsion requirement for a student on a case-by-case basis. Students who are expelled for violation of this section shall not be allowed to attend regular school classes in any public school in the state during the expulsion period. Students who are expelled from school for firearm possession may be permitted to attend alternative schools designed to provide education services. Discipline of students with disabilities who violate the firearm possession policies of city boards of education shall be determined on a case-by-case basis in accordance with the requirements of the IDEA and Section 504 Rehabilitation Act. For the purposes of this section, the term "firearm" has the same meaning as defined in Title 18 §921 U.S.C. When there are violations of the prohibition on firearms being brought to school by students, the school principal shall notify the appropriate law enforcement officials. Law enforcement authorities shall refer the violators to the appropriate authority in the judicial system when the action is feasible. The school principal shall notify the parents of students who violate the firearm-free school environment.

ENVIRONMENTAL

In October 1986, the Asbestos Hazard Emergency Response Act (AHERA) was signed into law. Included in this Act are guidelines for the Environmental Protection Agency (EPA) to establish rules regarding asbestos-containing materials (ACMs) in schools. Specifically, EPA was instructed to address the issues of (1) identifying, (2) evaluating and (3) controlling

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ACMs in schools. The final AHERA regulations (rules) became effective December 14, 1987. They are found in 40 CFR 763 Subpart E 763.80-763.99 and have authority under the Toxic Substances Control Act (TSCA).

The Orange Beach City Board of Education has available for review and inspection the asbestos management plans for all schools and buildings under the jurisdiction of the Orange Beach City Board of Education. These plans are available at each school or administrative center. Any person interested in reviewing these plans should contact the Office of the Superintendent.

GENERAL INFORMATION

DRUG AND ALCOHOL TESTING PROCEDURES

Orange Beach City Board of Education Drug Free School Policy

The Orange Beach City Schools Board of Education (OBBOE) values students and their participation in extracurricular and non-mandatory co-curricular activities. OBBOE will promote the health and safety of its students and it is the desire of the OBBOE and staff that every student in Orange Beach City Schools refrain from using or possessing illegal drugs; however, school officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. In an effort to protect students electing to participate in extracurricular and non-mandatory co-curricular activities and ensure those driving or parking motor vehicles on campus during regular school hours or a time when a student is participating in or observing any school activity, from controlled substance and illegal drug use and abuse the Orange Beach City Schools Board of Education adopts the following policy for drug testing students participating in extracurricular and non-mandatory co-curricular activities and driving or parking on campus as well as driving to school related events.

Justification

Pursuant to the laws of the United States and the State of Alabama OBBOE has enacted this drug testing program for the safety and betterment of the students on Orange Beach City Schools campuses.

Policy Objectives

- To create and maintain a safe, drug-free environment for all students.
- To reduce the likelihood of incidents of accidental personal injury and/or damage to students or property.
- To encourage any student who uses, is dependent upon, or is addicted to tobacco, alcohol or other drugs to seek help in overcoming the problem.
- To minimize the likelihood that school property will be used for illicit drug activities.
- To protect the reputation of the school system and its students.
- To provide early intervention programs to students and parents before addiction

Substance abuse is a serious threat to the school system, its success, visitors and employees. The OBBOE believes that benefits derived from this policy outweigh the potential inconvenience to competitive students and student drivers. While the percentage of substance abusing students may be relatively small in absolute terms, any substance abuse may significantly affect the health and safety of the abusing student or the student's classmates. The OBBOE earnestly solicits the understanding and cooperation of all school staff, students and parents in implementing this policy.

Student Extracurricular and Non-Mandatory Co-Curricular Activities' Substance Abuse Policy

In order to promote the safety and welfare of students who participate in athletics or extracurricular activities, to ensure such participation is neither impaired or any risk of injury exacerbated to provide incentives to students to maintain safe and healthful practices, and to promote a school environment that is free of alcohol and illegal drugs or controlled substances, the OBBOE reserves the right to require any student who participates in athletics or extracurricular activities to submit to sobriety tests or screening for illegal drugs or controlled substances prior to, during, or following the event, practice, competition, or any other time while the student is under the supervision of the school system. Such testing or screening will be conducted through a random selection process. 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.

Student Parking/Driving on Campus 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 of the 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 the maintenance of academic and attendance standards and the payment of fees. Principals may also establish priorities for the issuance and assignment of parking permits. The OBBOE 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 the use of a motor vehicle. Such testing or screening will be conducted through a random selection process. 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 OBBOE 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 OBBOE.

Substance Screening

Substance screening may be required for all students desiring to participate in athletics or extracurricular activities/organizations or drive/park on campus. Such testing may be required either alone or as part of a pre-practice or pre-participation physical examination. Those desiring to participate are required to sign a consent/release form before being submitted to screening. Students will not be allowed to participate in any activity when they test positive, refuse to submit to a test, or refuse to execute the required consent/release form.

Reasonable Suspicion

All students participating in athletics or extracurricular activities/organizations or driving/parking on campus may be tested during the initial implementation of the program. All students will be required to submit to screening whenever a coach, assistant coach, faculty sponsor or school official observes circumstances which provide reasonable suspicion to believe that the student has used alcohol or a controlled substance or has otherwise violated the substance abuse rules. The coaches, assistant coaches, faculty sponsors, or school official's determination that reasonable suspicion exists to require the student to undergo an alcohol and drug test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the student.

The required observations for alcohol and/or controlled substance reasonable suspicion testing shall be made by a coach, assistant coach, faculty sponsor, school official or designee who has been trained for at least 60 minutes on alcohol misuse and an additional 60 minutes on controlled substance misuse.

The adult requesting testing shall prepare and sign written documents explaining the circumstances and evidence upon which they relied within 24 hours of the testing, or before the results of the tests are released, whichever is earlier. While a coach, assistant coach, faculty sponsor or school officials may request a reasonable

cause test, when feasible, he or she is encouraged to obtain a second adult's opinion as a witness.

Random Testing

The OBBOE will conduct random unannounced screening of students desiring to participate in athletics, extracurricular activities/organizations or drive/park on campus. The drug testing agency will provide computerized random sample lists to the Drug Program Coordinator. The list of students in the random pool will be updated periodically.

Return to Participation Testing

All students referred through administrative channels who undergo a counseling or rehabilitation program or who are suspended for abuse of substances covered under this policy will be subject to unannounced testing following return to an extracurricular activity for no less than 12 months and no more than 60 months.

Substances Tested For

Students participating in athletics, extracurricular activities/organizations or who drive/park on campus may regularly be tested for any controlled and/or illegal substances, including but not limited to: nicotine, cotinine, amphetamines, cannabinoids, cocaine, opiates, and alcohol. Students may be tested for any other substances, (such as but not limited to steroids, barbiturates, and benzodiazepines) without advance notice as part of tests performed by the OBBOE for safety purposes. Such tests will be coordinated with the Drug Program Coordinator.

Testing Procedure

OBBOE reserves the right to collect and test hair, saliva, breath, and urine. All initial positive findings, with the exception of alcohol, may be confirmed with gas chromatography/mass spectrometry.

Collection Sites

OBBOE will designate collection sites in areas where individuals may provide specimens. For the most part, collections will be conducted on-site at the appropriate designated school.

Collection Procedures

OBBOE, the drug testing agency, and the laboratory, will develop and will maintain a documented procedure for collecting, shipping and accessing specimens. OBBOE, the drug testing agency, and laboratory will utilize a standard Custody and Control

Form for all students testing. OBBOE, the drug testing agency, and the laboratory will utilize a standard Breath Alcohol Testing Form for alcohol testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will also be used for specimen transportation.

Students participating in athletics, extracurricular activities/organizations or driving/parking on campus will also be required to execute the Orange Beach City Schools Board of Education Student Consent Form.

Evaluation and Return of Results

The laboratory will transmit (by fax, mail, or computer, but not orally over the telephone) the results of all tests to the OBBOE Medical Review Officer (MRO). The MRO will be responsible for reviewing test results of students. Prior to making a final decision, the MRO shall give the individual an opportunity to discuss the result either face-to-face or over the telephone.

The MRO shall then promptly tell the Drug Program Coordinator which students tested positive. A school official will then schedule a conference between the student and parents or legal guardians to discuss the positive test result.

Release of Test Results

All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received by the OBBOE through its drug and alcohol testing program are confidential communications and shall not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with the Policy Consent/Release Form or if subpoenaed by a court of law. However, all students will be required to execute a consent/release form permitting the OBBOE to release test results and related information to the school officials who have a need to know.

Parents or legal guardians will be informed of confirmed positive test results by an OBBOE designee. The MRO shall retain the individual test results for five (5) years.

Discipline

All students participating in athletics, extracurricular activities/organizations, or driving/parking on school property are prohibited from possessing, using, selling, transmitting, intending to transmit, or being under the influence of a 'prohibited substance,' as that term is defined in the Student Handbook. Any student who violates this prohibition shall be subject to the penalties set forth below.

For purposes of these minimum penalties, a violation shall have been deemed to have occurred when (i) a student tests positive for a prohibited substance as a result of a drug test, or (ii) is observed by a school official or law enforcement member possessing, using, selling, transmitting, intending to transmit, or being under the influence of a prohibited substance, or (iii) the admission by a student upon confrontation by a school official to his/her possession, use, sale, transmission, intent to transmit a prohibited substance, or being under the influence of a prohibited substance, or (iv) the school administration concludes, based on available evidence, that a violation has occurred. Violations shall be cumulative from the time a student enters the Orange Beach City Schools System, and shall apply to all activities of a student throughout the calendar year whether inside or outside a school setting and irrespective of whether school is in session.

No student may be returned to regular activities after any rehabilitation or testing positive unless certified as safe and not using drugs by having a negative result on a return-to-participation screen. Any student returned to participation after violating the policy or testing positive will be subject to aftercare and random testing as set out in a written Probation Agreement which he or she will be required to execute.

Recognizing that participation in an athletic activity, extracurricular activity/organization and/or driving/parking on campus is a privilege and not a right, students and their parent(s) or guardian(s) shall be required to manifest their consent to the code of minimum penalties set forth in the Handbook by signing a written consent form as a condition of the students becoming a member of mentioned groups or driving/parking on school property.

The OBBOE will discipline, including suspension from athletic and extracurricular activities/organizations, any student for violation of the policy, including refusing to submit to screening, to execute a release or execute a waiver of written consent, or otherwise cooperate with an investigation or search by the administration.

All students who test positive in a confirmative substance test will be subject to discipline up to and including immediate suspension from all extracurricular activities and loss of driving/parking privileges on campus.

First Violation

Upon first violation, the student shall be suspended from game participation in the sport or athletic activity in which he/she is currently participating for a minimum of 14 consecutive days to begin immediately following the violation, or 20% of total number of games in the regular season, (not to exceed 20% of the total number of

sporting events in that particular season) beginning no earlier than the opening game or event for that sport or activity. Students who drive to school will have a loss of driving/parking privileges on school property for 10 school days. For all non-athletic extracurricular activities, the student shall be suspended from participating in 20% of regularly scheduled competitions or performances, or, where 20% of regularly scheduled competitions is not readily apparent, a comparable restriction of participation as determined by the principal and faculty sponsor for the activity. If an athlete is not participating in an in-season sport or activity, he/she will have a two-week suspension at the beginning of the next extracurricular activity in which he/she participates. Further disciplinary actions may be implemented by the coach or sponsor.

If the violation relates to the consumption or use of a prohibited substance to the extent the substance is capable of being detected by a drug test, the student cannot be reinstated to the competitive group until he/she tests negative for that prohibited substance as a result of an approved drug test.

Students in violation of this policy for the first time may be required to complete counseling with school staff or undergo completion of a substance abuse awareness program.

Second Violation

Upon the second violation, the student will be suspended from participating in any extracurricular activities for the remainder of the school year in which the second violation occurs. Additionally students with driving/parking privileges will have those suspended for the remainder of the school year as well. However, the duration of the suspension shall be for a minimum of eight weeks and shall carry over to the ensuing school year if necessary, and thereby preclude such student from participating in any other extracurricular activity, or driving/parking on school property during the eight week minimum suspension period. Further disciplinary actions may be implemented by the coach or sponsor.

Before he/she can be reinstated to extracurricular activities or driving privileges, (i) he/she must test negative for that prohibited substance as a result of an approved drug test if the violation relates to the consumption or use of a prohibited substance and substance is capable of being detected by a drug test, and (ii) he/she shall have undergone mandatory counseling with school counseling staff as may be reasonably necessitated by the circumstances in the discretion of appropriate school official and (iii) the student will be required to complete a substance abuse awareness program.

Third Violation

Upon the third violation, the student will be suspended from participating in any extracurricular activities, and prohibited from driving/parking on campus for a full calendar year.

Before he/she can be reinstated to the extracurricular group or drive/park on school property, (i) he/she must test negative for that prohibited substance as a result of an approved drug test if the violation related to the consumption or use of a prohibited substance and the substance is capable of being detected by a drug test, and (ii) he/she shall have undergone mandatory counseling with the school counseling staff as may be reasonably necessitated by the circumstances in the discretion of an appropriate school official and (iii) the student will be required to complete a substance abuse awareness program. Further disciplinary actions may be implemented by the coach or sponsor.

Fourth Violation

Upon the fourth violation, the student will be indefinitely suspended or permanently barred from participating in any extracurricular activity or driving/parking on school property in the Orange Beach City School System.

At the Superintendent's discretion, non-resident students may face withdrawal from Orange Beach City Schools upon violation of this policy.

Investigation/Searches

Where a school official has reasonable cause to suspect that a student has violated the substance abuse policy, he or she may inspect vehicles which a student brings on the Board's property, lockers, purses, book bags, or other belongings, and at locations where school related activities are being conducted without prior notice in order to ensure extracurricular activities occur in an environment free of prohibited substances. A student may be asked to be present and remove a personal lock. Where the student is not present or refuses to remove a personal lock, a school official will do so for him or her.

Detection of prohibited substances from authorized searches will be communicated to the Drug Program Coordinator.

Voluntary Drug Testing Program

Students who are not subject to random drug testing under these policies may volunteer for participation in the drug testing program. This option will be offered to students and their parents at the beginning of each school year beginning in grade seven.

Students who enroll in the voluntary program will be included in a separate pool of students randomly selected for testing, following the same procedures as if the student were in a qualifying activity. The student's parent or guardian may withdraw consent at any time. If a student tests positive for substance use/abuse, the following procedures will be followed.

- The student's parent or guardian shall be notified and asked to confer with appropriate school professional personnel.
- During the conference, the parent or guardian shall be given all relevant information concerning the student's substance abuse.
- The student and parent or guardian shall be referred to appropriate community agencies which can offer counseling and support services.
- Students testing positive under the voluntary program will be subject to suspension of privileges related to driving to and from, or parking at any school or school property in the Orange Beach City School system. The privilege of driving to, from and parking at any OBBOE property will only be reinstated with the presentation of documentation, including negative drug tests and physician statements, that allows school officials to reasonably conclude that the student's ability to drive is not impaired by substance use.
- Parents may choose to opt in to the drug testing program, and have their child tested each time a sample is collected, at their own cost. Cost would be equal to the amount of testing cost and be paid to the Orange Beach City Schools Board of Education.

Students who are testing in the opt-in program will not count toward the numbers for the pool of randomization.

The Board of Education reserves the right to charge a fee for voluntary enrollment in the drug testing program based on the cost associated with the administration of drug tests.

Voluntary participation in the drug testing program is required of students to drive to and from and park at Orange Beach City Schools properties.

The Orange Beach City Schools Board of Education asserts that it has no obligation to allow students to drive to, from, or park at any school's property. The Board further asserts that its legitimate interest in the safety of the school environment allows the Board to restrict students' driving and parking on its campuses to students who participate in the voluntary drug testing program. For these reasons, the Orange Beach City Schools Board of Education (the OBBOE) has adopted a

policy that only students who participate in the voluntary drug screening program may drive to, from, or park at any Orange Beach Schools property.

The OBBOE further asserts that its legitimate interest in the safety of the school environment allows the OBBOE to restrict students' driving and parking on its campuses to students who participate in an educational program aimed at safe driving, including, but not limited to, school rules and laws relevant to driving and parking on campuses, the impact of substance abuse and distracted driving on safe driving. The Board shall make available to students an appropriate educational program for this purpose.

Student Consent and Release Form

I, _____ have read the above statement of policy and agree to abide by the Board's drug and alcohol rules. I understand that a student testing positive, refusing to test, refusing to cooperate with testing, or being in violation of this policy will not be penalized academically but will forfeit all extra curricular, co-curricular, and parking on campus privileges.

I agree to submit to drug and/or alcohol tests in accordance with the Policy as a condition of my initial or continued participation in extracurricular activities or to have the privilege of driving or parking on campus.

I agree to voluntarily submit to drug and/or alcohol tests at any time.

I do hereby give my consent to the School Board to collect a specimen from me, and I further give my consent to the Board to forward the sample(s) to the testing laboratory for its performance of appropriate tests thereon to identify the presence of drugs and/or alcohol and then to transmit the results to the Board's Medical Review Officer (MRO).

I authorize any laboratory or MRO to release test results to the Orange Beach City School System. I authorize the MRO to release final test results to the Board.

I also expressly authorize the Board or its MRO to release any test-related information, including positive results:

- (a) As directed by my specific, written consent authorizing release of the information to an identified person.
- (b) To my decision maker in a lawsuit, grievance, or other proceeding initiated by me or on my behalf.

I understand that the refusal to submit to testing or a positive or adulterated test result will affect my initial or continued participation in extracurricular programs or driving or parking on campus for Orange Beach City Schools and result in consequences as described in the Orange Beach City School System Drug Free Policy.

Student Date

Parent or Guardian Date

Witness Date

HEALTH SERVICES, COMMUNICABLE DISEASES AND AIDS/HIV

SCHOOL HEALTH SERVICES

A program of student health services is provided in the areas of Health Assessment and Care, Emergency Care, Communicable Disease Prevention and Control, and Health Education and Screenings for students of Orange Beach City Schools. Screening programs include vision and hearing screening in grades kindergarten and second and scoliosis screening is provided in grades 5-9 (ages 11-14) as mandated by state law. Periodically, dental screening programs are provided for elementary school students. Various health education programs are provided annually. A maturation program is offered for all fifth grade students with parental consent. Special emphasis is given to “hand washing” and “cough and sneeze etiquette” programs. Individualized Health Care Plans and/or Emergency Action Health Care Plans are developed for all students with chronic health care conditions. Immunization Audits are conducted during the year by local health department staff on randomly selected student’s records, with parental consent. The parent/guardian and physician must sign the Alabama State Department of Education School Medication Parent/Prescriber Authorization form granting permission for a child to receive prescription medication at school. The delegating registered school nurse must evaluate and approve all over-the-counter medicines and parent instructions. The parent/guardian or the parent designated responsible adult shall deliver all medication to the school nurse or other school personnel designated by the principal in the original container with clear, current instructions. Should you have questions or concerns regarding this information, please contact the Office of the Superintendent.

IMMUNIZATION REQUIREMENT FOR SCHOOL ENTRY

All students are required to have an updated Certificate of Immunization, prior to entering kindergarten or first grade or prior to re-entering the higher grades as mandated by the State of Alabama (Code of Alabama 1975, § 16- 30-4). For more information regarding the Orange Beach City Public School System’s immunization requirements and exemptions, please visit the Health Services page on the Board’s website.

COMMUNICABLE DISEASES

The policy of the Orange Beach City Board of Education is to observe the regulations for the control of communicable diseases/parasites in public schools as recommended by the State Board of Health. The Board shall exercise its authority to condition the recommendation with regard to the prescribed school program and the dates of admittance.

FOOD ALLERGIES AND ANAPHYLAXIS

Anaphylaxis is the most serious form of an allergic reaction that occurs after being exposed to an allergy trigger. This type of reaction can be life-threatening; therefore, avoidance is the cornerstone of preventing an allergic reaction. The Board has adopted an Anaphylaxis Preparedness Program. A copy of the full policy and procedures regarding Anaphylaxis is available for review in the Health Services Administrative Office and in all School Health Rooms and online under the Student Health Services link. Anaphylaxis is a medical emergency that requires immediate intervention and treatment. Parents who have children recently diagnosed with asthma and food allergies should contact their child’s school nurse

so that proper preventative measures can be discussed and put in place.

PEDICULOSIS (HEAD LICE)

Pediculosis (infestation by head lice) should not disrupt the educational process. Head Lice are transmitted by direct head-to-head contact when heads touch. Symptoms may not exist until two (2) months after transmission. Prevention begins at home. Parents should know how to prevent, identify, and treat lice. The Orange Beach City Health Services personnel have adopted procedures and guidelines regarding the management and prevention of head lice. To obtain a copy of the Board's Pediculosis Management procedures guidelines, please view the "Lice Information" guidelines located on the Health Services page of the Board's website or contact your child's school health room nurse.

MEDICATION AT SCHOOL AND MEDICATION CURRICULUM

It is the policy of the OBCS that the registered professional school nurse be responsible for medication administration in the school setting. OBCS follows the Alabama Department of Education Prevention, and Support, Health Services Medication Curriculum titled, *Unlicensed School Personnel: How to Assist with Medication in the School Setting*. The Medication Curriculum is available for review in the Health Services Administrative Office and in all School Health Rooms. To view a copy of the guidelines and frequently asked questions and answers regarding medication at school, you may also click on the "Medications at School" form on the Board's Health Services page of the Board's website.

BACKPACK SAFETY

Backpacks that are too heavy can cause a lot of problems for kids, like back and shoulder pain and poor posture. To read more on the National Safety Council's initiative to prevent injury to children resulting from backpacks that are too heavy please visit the "Backpack Safety" tab located on the Board's Health Services page on the Board's website.

STUDENT AIDS/HIV

OBCS does not discriminate on the basis of a student's human immunodeficiency virus ("HIV") or acquired immunodeficiency syndrome ("AIDS") status or the association with another person with HIV/AIDS. A student with HIV/AIDS infection has the same right to attend school and receive services as any other student, and will be subject to the same rules and policies.

HIV/AIDS infection shall not factor into any decisions concerning class assignments, privileges or participation in any school-sponsored activity. Based on a student's need for accommodations or services, school authorities will determine the educational placement of a student known to be infected with HIV/AIDS on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV/AIDS status of a student. Violation of medical privacy may be cause for disciplinary action. No information regarding a person's HIV/AIDS status will be divulged without a court order or the informed, written, signed and dated consent of the parent or guardian of a minor with HIV/AIDS.

All health records, notes and other documents that reference a student's HIV/AIDS status will be kept under lock and key. Access to these confidential records is limited to those

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named in written permission from the parent or guardian and to emergency medical personnel. Information regarding HIV/AIDS status will not be added to a student's educational or health records without written consent of the parent or guardian.

Employees are required to follow infection control guidelines in all settings and at all times. Schools will operate according to the standards set forth by the National Associations of State Boards of Education guidelines in the document "Someone at School has AIDS" (and all supplements thereto) and the regulations of the Alabama State Department of Education concerning blood borne pathogens.

INSTRUCTIONAL SERVICES

GIFTED REFERRAL PROCEDURES

Intellectually gifted children and youth are those who perform at or have demonstrated the potential to perform at high levels in academic or creative fields when compared with others of their age, experience, or environment. Teachers, counselors, administrators, parents or guardians, peers, self, or any other individuals with knowledge of the student's abilities may refer a student. Additionally, all second grade students will be observed as potential gifted referrals using a gifted behavior checklist. For each student referred, information is gathered in the areas of Aptitude, Characteristics, and Performance. The information is entered on a matrix where points are assigned according to established criteria. The total number of points earned determines if the student qualifies for gifted services.

To make a referral:

- Tell your child's classroom teacher or the school's Gifted Education Program teacher that you would like to have your child referred for the Gifted Education Program.
- The Gifted Education Program Teacher will then begin the referral process by sending a Notification and Consent for Gifted Screening form home for you to sign. This gives permission for the school system to look at previous test results and achievement information. It also allows the system to administer achievement tests, vision and hearing and ask the classroom teacher to complete an evaluation of gifted characteristics seen in the regular classroom.
- Next, a committee at the local school will review all data and determine if there is enough information to continue with the referral. The referral is then sent to Special Services at Central Office for processing.
- If your child's scores are at the appropriate level the referral will continue. If scores are not at the appropriate level, a letter will be sent home to parents from the Central Office..
- After all testing is completed; you will receive information on the results and eligibility requirements for the program.

For more information on gifted referral procedures and eligibility requirements, please contact the Central Office.

SECLUSION AND RESTRAINT FOR ALL STUDENTS

The Orange Beach City Board of Education adheres to the Alabama Administrative Code 290-3-1-.02 (1) (f) regarding Seclusion and Restraint for all students. Additional information as required by this code is outlined in procedures, a copy of which may be obtained by contacting the Special Services Department.

HOMEBOUND SERVICES GUIDELINES AND PROCEDURES

Homebound services shall be made available to students who qualify. Additional information regarding student homebound services can be found on the Board's website and by contacting Special Services.

SERVICE ANIMAL

For students with disabilities needing additional information and guidelines regarding the use of a service animal on Board Property, please contact Special Services.

INSPECTION OF SCHOOL BOARD PROPERTY

School officials reserve the right to inspect school property, including lockers, to ensure the safety and security of the premises and pupils. Lockers remain the property of the school. Although a student may exercise exclusive control of this locker as opposed to access by fellow students, the control is not exclusive against school officials. School officials may inspect lockers at any time to ensure school safety and pupil welfare.

CARE OF PROPERTY

Every pupil shall be a protector and caretaker of school property. Pupils who injure, deface or destroy any property of the school system shall be required to pay for damages. Pupils shall respect the property rights of others. Liability limit up to \$1,000.00 – Act 94-819

(a) Safekeeping of Valuables Pupils are discouraged from bringing valuables and large amounts of money to school. Pupils shall be responsible for safekeeping of valuables and should not leave books, clothing, wallets, purses or other valuables unattended.

(b) Only pupils assigned to a locker should have the combination.

HAZARDOUS AND DISRUPTIVE ITEMS

Items which are hazardous or disruptive to the educational process may be collected by school officials.

SCHOOL VISITORS

Visitors to the school campus must obtain permission through the principal's office before entering the school building or going on school grounds. Principals are authorized to implement building-level requirements and procedures governing access to the school building and regarding activities attended by school and non-school personnel, including family members, relatives, vendors, and other visitors 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.

Unauthorized persons on school property are trespassers and shall be subject to legal prosecution. This includes students who are on suspension or have been expelled.

TEXTBOOK ACCOUNTABILITY

Alabama Code § 16-36-69 - Use of textbooks.

(a) All textbooks furnished free of charge to pupils shall be the property of the local board of education, as long as textbook funds are expended as prescribed by law.

(b) When distributed to pupils the textbooks shall be retained for normal use only during the period they are engaged in a course of study for which the textbooks are selected. At the

completion of each course of study or otherwise at the instructions of the principal or teacher in charge, the textbooks shall be returned as directed. A receipt shall be required from each pupil, parent, or guardian upon issuance of any textbook, which receipt shall be retained until the return of the textbook.

(c) The parent, guardian, or other person having custody of a child to whom textbooks are issued shall be held liable for any loss, abuse, or damage in excess of that which would result from the normal use of the textbooks. In computing the loss or damage of a textbook that has been in use for a year or more, the basis of computation shall be a variable of 50 to 75 percent of the original cost of the book to the local board of education. If the parent, guardian, or person having custody of the child to whom the textbook was issued fails to pay the assessed damages within 30 days after notification, the student shall not be entitled to further use of the textbooks until remittance of the amount of loss or damage has been made.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)

The Board finds that providing automated external defibrillators to Board facilities in accordance with the provisions of *Alabama Code 6-5-332.3* is in the best interest of the students, employees and visitors of the Board. The Board authorizes its staff to equip appropriate Board owned facilities with AEDs and to implement appropriate guidelines for the use of automated external defibrillators in Board facilities.

ACCIDENTS

Principals shall file appropriate reports with the attendance supervisor of all student accidents requiring professional medical services occurring on school grounds or while participating in school related activities.

FIRST AID

Principals shall establish and maintain a first aid area to provide emergency services to students.

INCIDENTS

The principal shall file with the attendance supervisor reports of all incidents occurring on school campuses in compliance with Legislative Act 82-515.

VOLUNTARY RELIGIOUS EXPRESSION

FUND RAISING

STUDENT RECORDS

The Orange Beach City Board of Education shall adhere to the provisions of the Family Educational Rights and Privacy Act of 1974 regarding students records.

Parents shall be notified of their Family Educational Rights and Privacy Act rights annually by publication of the policy in the student handbook. Copies of the policy shall be available at each school.

DIRECTORY INFORMATION NOTIFICATION

Pursuant to the Family and Educational and Privacy Rights Act, 20 U.S.C.A. section 1232g. The Orange Beach City Board of Education ("Board") believes that it is vitally important to communicate and in so doing, may deem it necessary to make its schools, students and certain student information available to the public, including, but not limited to the news media and other informational and promotional outlets. Pursuant to the Family and Educational and Privacy Rights Act, 20 U.S.C.A. section 1232g and the implementing regulations, the Board hereby provides notice of the categories of information that it has designated as "Directory Information", which means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory Information may be released without prior parental consent.

The Board designates the following categories of information as Directory Information: the student's name, photograph, video image (other than security video), date and place of birth, dates of attendance, grade level, enrollment status, degrees, honors and awards, student work intended for display or dissemination and participation in officially recognized activities, including but not limited to sports, along with general information associated with said activities, such as the weight and height of members of athletic teams. Directory Information shall also include the name(s) and mailing address of the student's parent(s) or guardian(s). Student video images contained on security video recordings shall be subject to disclosure as Directory Information to law enforcement personnel and the parent(s) or guardian(s) of a student appearing on security video recordings.

Furthermore, the Board uses all available media to communicate. Directory Information may be in, but not be limited to print, video and/or web-based media. In the event a parent or guardian objects to the disclosure of any or all of the information designated herein as Directory Information, written notice must be provided to the local school principal within 14 days of receipt of this notice. Should you have questions regarding this information, please contact your local school principal..

INSPECTION OF STUDENT RECORDS

For student record requests:

Parents or eligible students shall submit to the student's principal or other appropriate school official, (see type, location and custodian chart included below), a written request which identifies as precisely as possible the record or records he or she wishes to have access to. The principal or other appropriate school official shall make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. In accordance with applicable law, access must be given in 45 days or less from the receipt of the request.

In accordance with applicable law and Board Policy, the Board is not required to provide copies of education records, unless, for reasons such as great distance, it is impossible for a parent or eligible student to review the records. If copies are required, a reasonable fee, as outlined below, will be assessed for those copies requested.

Copy Costs for all records and documents:

The cost for standard reproductions of paper documents is outlined in the below fee schedule. Please note, even if requested documents are currently available in electronic form, if reproduction of a document into paper form is required in order to provide an electronic or paper copy, the cost for standard reproduction of the document will be assessed as outlined below. An administrative fee that covers research, preparation and/or recovery costs may also be assessed for each request. The total cost may vary greatly depending on the type of request that is being made. The requestor will be provided with an estimated cost for reproduction and fees prior to the fulfillment of

the request. Payment must be provided before documents will be made available. Note: No work will be done to fulfill your request until the payment is received. If records are mailed to the requestor, the requestor will also be assessed for the estimated cost of postage as part of a reasonable fee.

SCHEDULE OF FEES FOR COPIES:

General Copies

Size/Format	Fee
8.5 x 11	\$0.25 per page
8.5 x 14	\$0.25 per page
11x17	\$0.25 per page
CDs	\$1.00 each
DVDs	\$1.00 each
Jump Drive	\$2.00 each
Actual postage cost will be added for any request that is fulfilled by mail	

Administrative Costs for Time Intensive Copies or Time Intensive Retrieval of Requested Information

Employee Time Spent	Fee
First hour or less	No charge above the copy fee
Consecutive Hours after First Hour (1+ hours)	\$15 per hour plus copy fee
*Partial Hours will be rounded to the next full hour	

TYPES, LOCATIONS, AND CUSTODIANS OF STUDENT RECORDS

The following is a list of the types of student records the school system maintains, their locations, and the applicable custodian of records:

Type	Location	Custodian
Cumulative School Records	School Office	School Principal/Princ. Designee
Cumulative School Records (Former Students)	School Office and/or Office of Prevention and Support	School Principal/Princ. Designee and/or Prevention and Support Supervisor
Student Health Records	School Office or Student Health Services	School Principal/Princ. Designee and/or Health Services Supervisor
Special Education Records (Active and Inactive)	Special Services Office	Special Education Coordinator or his or her designee
Counseling and Section 504 Records	Office of Counseling and Intervention	Intervention Supervisor
School Transportation Records	Transportation Department	Director of Transportation
System-Wide Test program records	School Office	School Principal/Princ. Designee
Discipline Records	School Office	School Principal/Princ. Designee
Grades, Student Test Papers or Work Samples	School Office	School Principal/Princ. Designee and/or student's teacher

DISCLOSURE OF EDUCATION RECORDS

The school system shall disclose information from a student's education records only with written consent of the parent, legal guardian, or eligible student, except:

1. To school officials who have legitimate educational interest in the records.

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A school official is:

- A person employed by the district as an administrator, supervisor, instructor, or support staff member.

- A person elected to the school board.

- A person employed by or under contract to the district to perform a special task, such as an attorney, auditor, medical consultants or therapists.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or by a contract agreement.

- Performing a task related to a student's education.

- Performing a task related to the discipline of a student.

- Providing a service or benefit relating to the student or student's family, such as health care, counseling, or job placement.

2. To officials of another school in which a student seeks or intends to enroll upon request of such official. The school system forwards records upon request.

3. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs.

4. In connection with a student's request for or of receipt of financial aid, as necessary to determine the eligibility amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.

5. If required by a state law requiring disclosure that was adopted before November 19, 1974.

6. To organizations conducting certain studies for or on behalf of the district.

7. To accrediting organizations to carry out their functions.

8. To parents of an eligible student who claim the students as a dependent for income tax

purposes. 9. To comply with judicial order or lawfully issued subpoena.

10. To appropriate parties in a health or safety emergency.

RECORD OF REQUESTS FOR DISCLOSURE

OBCS shall maintain a record of all requests for and/or disclosure of information from a student's education records, excluding requests of school officials and requests for directory information. The record will indicate the name of the party making the request, any additional parties to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents or eligible student.

OBCS designated the following items as Directory Information: student name, address, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, most recent previous school attended and photograph. The District may disclose any of those items without prior written consent, unless notified in writing to the contrary by July 1 preceding the school year.

CORRECTION OF EDUCATION RECORDS

Parents or eligible students have the right to request that records be corrected they believe are inaccurate, misleading, or in violation of their privacy rights. The following procedures shall be utilized in correcting student records:

1. Parents or the eligible student must submit a written request for OBCS to amend the record. In so doing, they shall identify the part of the record they want changed and specify why they believe it is inaccurate, misleading, or in violation of the student's privacy or other rights.

2. Orange Beach City Schools may comply with the request or decide not to comply. If a decision is made not to comply, system personnel shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.

3. Upon request, Orange Beach City School officials shall arrange for a hearing, including the hearing officer, and notify the parents or eligible student, reasonably in advance of the date, place and time of the hearing. (con't)

4. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the District. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.

5. Orange Beach City School officials shall prepare a written decision based solely on the evidence presented at the hearing and as recorded in the official board record of the hearing.

6. If Orange Beach City School officials decide the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it shall notify the parents or eligible student they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

7. The statement shall be maintained as part of the student's education records as long as the contested portion is maintained. If OBCS discloses the contested portion of the record, it shall also disclose the statement.

8. If OBCS decides the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend the record and notify the parents or eligible student, in writing, that the record has been amended.

CHILD NUTRITION AND WELLNESS

SCHOOL FOOD SERVICE MANAGEMENT POLICIES AND PROCEDURES

School food services shall be provided in all schools where feasible. The management of said service shall be coordinated with the Supervisor of School Food Services and with the local principal responsible for the management in his/her school.

Individual schools operating school food service programs under the National School Lunch Act shall follow all requirements of the State and Federal agencies regulating USDA programs.

PURCHASING FOR SCHOOL FOOD SERVICE

Purchasing of food, equipment, and other items for the school food service program shall be in conformity with current rules and regulations for the board.

FREE AND REDUCED LUNCH POLICIES

A guide for free and reduced price lunches for the local system shall be revised and updated in conformity with that of the current USDA and State Department of Education policies. Principals shall follow this guide in administering this program. Any exceptions shall have the approval of the superintendent or his designee.

PRICE AND PAYMENT OF SCHOOL FOOD SERVICES

The price of breakfast and lunch paid by students and adults in local system schools shall be recommended by the superintendent and approved by the board. Guests may be invited to have lunch on special occasions. Visitors not affiliated with school activities served in the school food service program shall have approval of the principal and shall be required to pay the current cost of the meal unless the cost of said meal is paid by the individual or group of individuals who extend invitations to eat in the school cafeteria.

SANITATION INSPECTIONS

The principal, lunchroom manager, and school food service supervisor shall cooperate in every way with local, state and federal health inspectors. Lunchrooms shall conform to

standards as set forth by these agencies. The principal shall assume primary responsibility in seeing that the lunchroom meets applicable rules and regulations relative to sanitation. The principal shall request assistance as necessary from the Supervisor of School Food Services in assuming this responsibility.

CARE OF SCHOOL FOOD SERVICE EQUIPMENT AND FACILITIES

The principal and manager are responsible for the care of school food service equipment and facilities. Requests for maintenance work shall conform with procedures established by the board.

CHILD NUTRITION PROGRAM CHARGE POLICY

Orange Beach City Schools realizes that some students may either lose or forget their lunch/breakfast money. However, it is unlawful for the Child Nutrition Program to absorb unpaid, charged meals. Therefore, the following guidelines may be used by schools at the principal's discretion:

Grades Pre-K through 3 and All Special Needs Students: Federal law requires grades Pre-K through 3 and special needs children to receive a meal at breakfast and lunch, regardless of funds. Parents will be contacted for repayment of charged funds. Non-public funds will be used to cover charged meals if money cannot be collected from parents.

Grades 4-12: Two meals may be charged. The students and/or parents are responsible for repaying the funds for charged meals to the cafeteria. After a student has charged two meals, an alternative meal may be provided to the student at the principal's discretion.

No a la carte items can be purchased by any student until money for charged meals is collected. The cafeteria manager should continue to submit the child's name to a designated office employee daily or weekly until the charges are collected and submitted to the Child Nutrition Program. The CNP Manager and Assistant Manager should assist in contacting parents regarding money owed to the cafeteria. At the end of the school year, the school office will be responsible for remitting payment for the remaining charges to the Child Nutrition Program with non-public funds if parents have not resolved the matter within the proper time frame.

CHILD NUTRITION PROGRAM OFFER VS. SERVE

The Child Nutrition Program offers lunch to all children in Orange Beach City Schools and breakfast at select schools. Offer versus Serve (OVS) is a system for reimbursable meals that allows students to decline a certain number of food items in the meal in order to reduce waste. Only senior high schools are federally required to have OVS for lunch and breakfast. To date, the practice for Orange Beach City Schools has been to require Grades 4 – 12 to implement OVS. For lunch, students may decline 2 of the 5 food items offered and still be considered a reimbursable lunch. For breakfast, students may decline 1 of the 4 food items offered and still be considered a reimbursable breakfast. A reimbursable meal consists of 3 different food components and meets nutrient and portion size standards. Reimbursable meal prices are the same regardless if students decline items as long as a reimbursable meal is served. Students can choose to take all 5 meal components.

For lunch, the food items students choose from are:

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- Meat or Meat Alternate
- Vegetable or fruit
- Fruit or vegetable
- Bread/Grain
- Milk

For breakfast, the food items students can choose from are:

- Meat or Meat Alternate
- Bread/Grain
- Fruit/Juice
- Milk

(The breakfast meal may consist of two meat/meat alternates or two bread grains.)

Offer vs. Serve will apply to all grades, Pre-K through 12 for breakfast and lunch. This will allow children to leave unwanted food items off the tray and will significantly reduce waste. Under this policy, children in all grades can decline milk as one of the food items. If children do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged. School staff cannot make exceptions to the policy, such as requiring that every child take milk. CNP managers and staff will be trained on OVS by CNP Central Office Staff prior to the beginning of each school year.

CHILD NUTRITION PROGRAM DIET PRESCRIPTION POLICY FOR STUDENTS WITH SPECIAL DIETARY NEEDS USDA regulations 7 CFR 15b require substitutions or modifications in school meals for children whose disabilities restrict their diets. A child with a disability is only provided substitutions in foods when that need is supported by a statement signed by a licensed physician (Diet Prescription Form). Orange Beach City Schools Child Nutrition Program will work with these children to provide the best accommodations possible.

When in the licensed physician's assessment, food allergies may result in severe, life-threatening (anaphylactic) reactions, the child's condition would meet the definition of a "disability," and the substitutions prescribed by the physician must be made.

Each special dietary request must be supported by a Diet Prescription Form. This form explains the food substitution that is requested. It must be signed by a licensed and recognized medical authority. Diet Prescription Forms for Orange Beach City Schools can be obtained at each school, from the Child Nutrition central office, or online.

The diet prescription should include:

- An identification of the medical or other special dietary condition which restricts the child's diet
- The food or foods to be omitted from the child's diet
- The food or choice of foods to be substituted

Diet Prescriptions should be as specific as possible. For example: If a child cannot have fluid milk, it should be noted if the child can have cheese or food products made with milk. If milk is marked to be avoided and no other notations are made, all foods made with milk will not be given to the child. Specific foods that the child can or cannot have should be noted. If a

child is prescribed a "rotation diet," specific guidelines must be given with the diet prescription.

Under no circumstances is school food service staff to revise or change a diet prescription. If any changes need to be made, the parent is responsible for obtaining a new diet prescription from the medical doctor.

School food service staff offers special meals, at no additional cost, to children whose disability restricts their diet as defined in USDA's nondiscrimination regulations, 7 CFR Part 15b.

It is advised by the State Department of Education and USDA that all children with diet prescriptions on file obtain new diet prescriptions for each school year. Because food allergies and special dietary needs can change as children get older, it is necessary to obtain updated information from a medical doctor regarding the child's condition and dietary needs. The food service staff cannot alter a child's diet prescription without written consent from a medical doctor.

Parents are also encouraged to obtain the monthly menus from the local school and highlight items that the child can eat. This menu should be returned to the cafeteria manager at least one week before the first of the month. Food service staff will work with the child/parent to provide the best meal possible.

The Child Nutrition Staff can only accommodate special dietary requests for students. Adults with special dietary needs should review the menu and supplement food from home.

STUDENT 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 nutrition education and physical education and activity. For more information regarding OBCS's rules and directives regarding the implementation of the Board's student wellness policy on nutrition and physical activity, please contact the Child Nutrition Coordinator.

EARLY WARNING TRUANCY NOTICE

Daily attendance is vitally important to the acquisition of knowledge. Students gain considerably as a result of being in class each day. It is the purpose of this program to do everything possible to encourage good attendance by involving as many supportive groups as necessary and by developing a uniform method of addressing this important issue.

Students deserve every opportunity for academic success and prompt, regular, daily attendance not only teaches life supporting skills but, also, increases the likelihood of school being a positive experience. A uniform attendance emphasis must then define the responsibilities of the groups of people directly related to the program. These groups will be: students, parents, teachers, administrators, and courts.

Responsibilities of the Student

- A. Arriving at school prior to the opening time.
- B. Being seated and ready for instruction in each class before the tardy bell rings.
- C. Bringing to each class those books and materials necessary to make attendance meaningful.
- D. Remaining in class for the entire class period.

Responsibilities of the Parents

- A. Encouraging their child to be present daily and on time.
- B. Discouraging their child from absences related to family trips and/or vacations during the school year, and appointments that could be better scheduled so as to not interfere with the school day.
- C. Refraining from asking the school to violate the checkout procedure approved by the Orange Beach City Board of Education.
- D. Scheduling necessary appointments for their child outside the school day when possible.
- E. Cooperating with the school in providing valid excuses for their child's absence.
- F. Attending conferences arranged by the principal.

Responsibilities of the Teacher

- A. Developing class incentives related to improved attendance.
- B. Establishing contact with parents concerning their child's attendance patterns.
- C. Working with the guidance counselor in scheduling students in programs that meet their individual needs.
- D. Recognizing the importance of each class period and scheduling teacher requests for students accordingly.
- E. Demonstrating to the student that planned learning experiences will take place each day.

Responsibilities of the Administration

- A. Designing local school plans for improving attendance.
- B. Enforcing a checkout system consistent with administrative policy.
- C. Considering many alternatives in an effort to reduce the number of suspensions and, thereby, absent days.
- D. Attempting to keep parents aware of each absence daily.

PARENTAL NOTIFICATION EARLY WARNING TRUANCY PREVENTION PROGRAM

1. ATTENDANCE

The Alabama Compulsory School Attendance Law (Sec. 16-28-3) requires children between the ages of six (6) and seventeen (17) to enroll and attend school. Additionally, Section 16-28-12 of the Code of Alabama, as amended May 17, 1993, requires that any parent/guardian who enrolls a student in school will be responsible for the child's regular attendance and proper conduct. Parents and/or guardians must provide to the child's teacher an explanation of each absence within three days after the child returns to school. If the parent or guardian fails to provide this information to the teacher, each child's absence will be recorded as unexcused or truant. Except in emergency situations, out of town trips must have the principal's approval prior to taking the trip, if the absence is to be coded excused.

Please be advised of the attendance requirements as set forth in the Early Warning Truancy

Prevention Program, which is implemented in Orange Beach City Schools. The program was recommended by the State Department of Education and the Administrative Office of the Courts and has been approved by the Orange Beach City Board of Education and the Juvenile Court. Pursuant to Section 16-28-12 of the Code of Alabama, all students - grades Pre-K--12 are subject to the provisions of this program.

Schools shall follow the following protocol when absences occur:

1. First Truancy/unexcused absence (warning)

(i) Parent/guardian shall be notified by the school principal or designee that the student was truant and the date of the truancy.

(ii) Parent/guardian shall also be provided with a copy of Alabama's compulsory school attendance laws and advised of the penalties that can be applied and the procedures that shall be followed in the event that other unexcused absences occur.

2. Second Truancy/unexcused absence (written notification)

Parents will be sent a letter from the school notifying them of actions that will be taken by the school and courts should truanancies continue.

3. Third Truancy/unexcused absence (school conference)

Parents will participate in a truancy intervention conference at the school with the school principal and/or designee (counselor, social worker, lead teacher, etc.). The school files a truancy report with the OBCS Attendance Officer.

4. Fourth Truancy/unexcused absence (district level intervention)

The OBCS Attendance Office will notify parents or legal guardians of legal actions related to non-attendance.

5. Fifth Truancy/unexcused absence –(referral to Early Warning Truancy Prevention Program)

(i) The parent, guardian, or person having control of the child shall (1) attend a conference with the attendance officer and principal or his/her designee and/or (2) participate in the early warning program provided by the juvenile court.

(ii) Attendance at one of these conferences shall be mandatory except where prior arrangements have been made or an emergency exists.

(iii) Failure to appear at the school conference and/or to appear at the early warning program may result in the filing of a complaint/petition against the parent under Code of Ala. 1975, §16-28-12(c) (failure to cooperate), or a truancy against the child, whichever is appropriate.

6. No earlier than seventh unexcused absence.

(i) File a complaint/petition against the child and/or parent/guardian, if appropriate.

Early Warning Program

1. Purpose: The Early Warning Program is a school /community-based program to assist public school personnel, parents, and law enforcement personnel in providing for early intervention for children and youth who are truant or in danger of becoming truant. A child is truant if no explanation is provided for absences or the child is absent for reasons other than those recognized as excusable.

2. Description: The Early Warning Program is a cooperative effort involving the Orange Beach City Board of Education; Juvenile Court Services; and Community Agencies.

3. Procedure: Parents will be notified in writing of the date they are scheduled to attend the Early Warning Program. Per State Department guidelines, participation in the Early Warning Program is required.

4. Truancies after Referral to Early Warning: Non-attendance of the Early Warning Program and/or subsequent truancies may result in a truancy petition (against student) or a contributing to truancy petition (against parent/guardian) to be filed with Juvenile Court.

TENTH ABSENCE CODED EXCUSED:

Students who accumulate ten excused absences may also be required to attend the Early Warning Truancy Prevention Program. This action will require approval of the principal.

DRIVER'S LICENSE AND LEARNER'S PERMIT NOTICE

Students and parents, by presentation of this written policy, are hereby notified of the provisions of Legislative Act 94-820 as enacted by the Alabama Legislature.

Purpose of Act

The purpose of the Act is:

1. to provide consequences for certain persons over 14 years of age convicted of possession of a pistol on the premises of a public school, school bus, or both, and 2. **to require school attendance by persons 16-19 years of age as a prerequisite for obtaining a driver's license/learner's permit by the state of Alabama for the operation of a motor vehicle.** School attendance standards may be met by enrollment in a school or General Educational Development (GED) program or job-training program approved by the State Superintendent of Education..

Suspension of Current Driver's License/Learner's Permits

When a student 16 years or older who has a driver's license/learner's permit and is not enrolled or who is absent from school for 10 consecutive days or 15 days total for unexcused reasons during a semester shall be reported by the school authorities to the Department of Public Safety. Unexcused absences due to suspension days for conduct violations are counted toward the 15 day total. The Department of Public Safety shall notify persons that their Driver's Licenses/Learner's Permits will be suspended on the 30th day following notification unless re-enrollment occurs or one of the above conditions is documented.

Enrollment, Schooling, Employment Provisions

Section I of the Act also states the Department of Public safety shall deny the issuance of a driver's license/learner's permit or the renewal of a driver's license to any person under the age of 19 who does not, at the time of application, present a diploma or other certificate of graduation from a high school or documentation that the person:

1. is enrolled in a secondary school, or
2. is enrolled and making satisfactory progress toward the GED certificate, or is participating in an approved job training program approved by the State Superintendent of Education, or
4. is gainfully and substantially employed, or

5. is a parent with care and custody of a minor or unborn child, or
6. has a physician's statement that the person depends on him/her as their sole source of transportation, or
7. is exempt from these requirements based on Section 16-28-40 of the Code of Alabama.

Operational Procedures

Principal's Responsibilities

1. Principals or designees shall provide students with information relative to the Act and procedures for compliance.
2. Principals or designees shall complete Part 1, Section 1 of the "Student Enrollment/Exclusion Status Form" at the request of students enrolled in their schools. Principals or designees should provide students with information relative to completing Part 1, Section 2, and Part 2 sections of the form; however, it is the responsibility of the student/parent/guardian to secure signatures, documentation statements, etc. for the GED and Exclusion Status Sections.
3. Principals or designees shall submit to the Department of Public Safety "A Student Enrollment/Exclusion Status Form" on each student who is not enrolled or who is absent from school for 10 consecutive days or 15 days total for unexcused reasons during a semester. Copies of said form will be sent to the attendance supervisor.
4. Principals or designees shall refer to the attendance supervisor the names of students who wish to be exempt for reasons beyond their control, under the provisions of this Act.

Student's Responsibilities

1. Students, who are eligible to apply for a driver's license/learner's permit, should obtain a "Student Enrollment/Exclusion Status Form" at the office of their school before going to the Department of Public Safety for a permit or license. The information included in this form must be completed and signed by the designated school official.
2. Persons, 15-19 years of age, who are not enrolled in a school of the School System and desire to get their driver's license/learner's permit should obtain a "Student Enrollment/Exclusion Status Form" at the office of the school they previously attended or at the Central Office prior to going to the Department of Public Safety. The information included in said form should be completed and signed by the designated school official.

Right to an Appeal

Students and/or parents/guardians have the right to appeal decisions regarding school attendance standards as they relate to compliance with the Act. The process for an appeal will follow the grievance procedures as outlined in the Student Code of Conduct and Attendance issued to all students at the beginning of each school year. A copy of the Act shall be available for review through the principal's office and at the Central Office of the Board of Education.

STUDENT ENROLLMENT/EXCLUSION STATUS INSTRUCTIONS

Part I: Enrollment Status should be completed and submitted to the area Driver License Examiner, Department of Public Safety, by any person under the age of 19 who is applying for or renewing or requesting reinstatement of a driver's license or learner's permit to operate a motor vehicle. Designated school personnel should submit this form to the

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Department of Public Safety, Driver Improvement, P. O. Box 1471, Montgomery, AL 36102-1471, if a student is not enrolled or has accumulated more than 10 consecutive or 15 days total unexcused absences during a single semester. Individuals claiming an exclusion should complete Part II of this form (see back).

Part II. The appropriate personnel for individuals claiming an exclusion from this Act should complete exclusion Status. The applicant is responsible for securing proper documentation for presentation to the Department of Public Safety.