

# Fayette County School District

## Code of Student Conduct



The guidelines and procedures in this document are based on state and federal laws and are meant to supplement the *Fayette County Board of Education – Policy Manual* adopted June 2015.

Revised July, 2018

UPDATED JUNE 2019

### COMMITTEE MEMBERS: June 25, 2015

Rene P. Nichols, Chairperson

Jim Burkhalter, Heather Collins, Matthew Lindsey, Kim McCollum, Steve Sawyer, Dustin Silas, Darrell Thomas, Ray Trull, Tim Dunavant, Mary Gravlee, Amy Tucker, Christy Jones, Heather Whitley, Tana Dodd, Donna Brown, Lindsey Jean, Howard Peoples, Lee Haley, and Carla Lewis

### REVISIONS: July 2018

Rene P. Nichols, Chairperson

Jim Burkhalter, Kim McCollum, Dana Owens, Jennifer Sanford, Kelvin James, Margaret Wallace, Amy Tucker, Heather Collins

### UPDATED: June 2019

The Fayette County School District operates under the ***Fayette County Board of Education (FCBOE) – Policy Manual*** adopted June 2015 (updated annually). The ***Fayette County School District Code of Student Conduct*** (adopted June 2015 and revised July 2018 - UPDATED June 2019) contains guidelines and supplemental procedures that are based on state and federal laws meant to enhance the *FCBOE Policy Manual*. These guidelines/procedures do not repeal, replace, or supercede official board policies. Additional guidelines, related to students, may be found in the ***Fayette County School District - Academic Guide/High School Course Offerings*** document. All three documents are located on the district website - [fayette.k12.al.us](http://fayette.k12.al.us).

### MEMBERS OF THE FAYETTE COUNTY BOARD OF EDUCATION

District 1	Waldon Tucker	District 4	Sam Sullivan, Vice President
District 2	Keith Madison	District 5	Tim Fields
District 3	Tom Hubbert, President	District 6	John Stowe

### ADMINISTRATIVE AND SUPERVISORY STAFF

P.O. Box 686,103 1<sup>st</sup> Ave. NW, Fayette, AL 35555

205-932-4611

<b>Jim Burkhalter</b> - Superintendent	<b>Julie Chaffin</b> - Chief School Finance Officer
<b>Mary Raines</b> - Deputy Superintendent, Federal Programs, Personnel	<b>Rene P. Nichols</b> - 21 <sup>st</sup> Century, Attendance, CTE, Prevention & Support Supervisor
<b>Mary Gravlee</b> - Special Education, Testing Supervisor	<b>Kelly James</b> - Transportation Supervisor <b>David Carl Nalls</b> - Maintenance Supervisor
<b>Jenna Mayfield</b> - Child Nutrition, Wellness, Supervisor	<b>Kim Williams</b> - Technology, E-Rate, Curriculum, Supervisor

### FAYETTE COUNTY SCHOOL DISTRICT - CODE OF STUDENT CONDUCT

A copy of the *Code of Student Conduct* will be placed on the school district's website ([fayette.k12.al.us](http://fayette.k12.al.us)) and in each principal and assistant principal's office.

## INTRODUCTION

The Fayette County Board of Education maintains that instruction should occur in an environment that is conducive to learning. Effective instruction requires good order and discipline, free of distractions, fictions, and disturbances which interfere with the effective functioning of the students, in class and at school. Effective instruction occurs in a friendly, yet business-like atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals.

As students progress in our school system, it is reasonable to assume that an increase in age and maturity will result in students assuming greater responsibility for their actions.

To assist students, parents, school personnel, and administrators in maintaining such an environment, the Fayette County School District's ***Code of Student Conduct*** has been developed and updated. I encourage everyone to refer to it frequently.

***Jim Burkhalter,***

Superintendent of Education

## MISSION STATEMENT

Our mission is to provide a safe, disciplined learning environment that empowers all students to develop their full potential.

## VISION STATEMENT

Preparing, Inspiring, and Enlightening Today's Students for Tomorrow's Challenges.

## FAYETTE COUNTY NON-DISCRIMINATION POLICY

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

Mary Raines – Deputy Superintendent, Federal Programs

P.O. Box 686 Fayette, AL 35555 (Phone: 205-932-4611)

Dr. Rene P. Nichols - Title IV, Title IX, and Section 504 Supervisor, Fayette County Board of Education, P.O. Box 686, Fayette, Alabama 35555 (Phone: 205-932-8071) or to the Office for Civil Rights, Department of Education, Washington, D.C. 20210.

## JURISDICTION OF THE BOARD OF EDUCATION

Students enrolled in the Fayette County School System are subject to the policies of the Fayette County Board of Education and the rules and regulations of the school during the school day. The authority applies to all school-sponsored activities including but not necessarily limited to the following:

Activities where appropriate school personnel have jurisdiction over students

Athletic functions on campus or at other school campuses

Club organization meetings

Field Trips

School groups representing the school system in educational events

School-sponsored social events

Transportation

All school regulations and prohibitions pertain to automobiles driven to school. In addition to the foregoing, jurisdictional control over the student may be extended to the immediate vicinity of the school when the conduct of the student is deemed to have a detrimental effect on the health, safety, and welfare of school personnel and students or likely to result in damage to school property.

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## **ACADEMIC GUIDE/HIGH SCHOOL COURSE OFFERINGS**

For specific policies regarding academics and curriculum -“Acceptable Use Policy”; “Diplomas”; “Diploma Requirements”; “Early Admission to Institutions of Higher Education”; “Fifth Year Seniors”; “Guidelines for Students Transferring Into Fayette County Schools” (home/church/non-accredited schools); “High School Instructional Programs” (ACCESS; Virtual Learning) ; Promotion Guidelines”; “Required Examinations and Exemptions”; “Report Cards”; and “Valadictorian and Salutatorian” -- please see the ***Fayette County School District - Academic Guide/High School Course Offerings*** located on the district website - [fayette.k12.al.us](http://fayette.k12.al.us).

## **ACCREDITATION (FCBOE Policy 4.3)**

Fayette County School District obtained district-wide accreditation in March 2019 by AdvanceED.

Certain standards of excellence are required to be a member of the accrediting agency. Accreditation occurs every five years. The Fayette County School District also participates in the Alabama State Department of Education - Compliance Monitoring process every four years, the last date being January 2019. The district conducts annual reviews to remain in compliance with state and federal mandates through this monitoring process.

## **ACTIVITY FUND MANAGEMENT**

All student activity funds shall be under the control of the local school principal. Such funds shall be accounted for in accordance with financial bookkeeping procedures approved for use by the School District. Expenditure of such funds shall be approved by the local school principal and activity sponsor and shall be expended only through written check signed by appropriate school officials.

All funds of the School District shall be subject to periodic financial audits by the Superintendent, Chief School Financial Officer (CSFO), and the Board.

## **ADMISSION TO SCHOOLS (FCBOE Policy 6.1.2)**

1. Resident Students – School-age children who reside within Fayette County Alabama and not within the limits of a city operating an independent municipal school system, may be admitted to Fayette County Schools. For purposes of this policy, the residence of the student will be the residence of the custodial parent or legal guardian. If custody of the child is shared, alternating, or unclear, or if the child does not reside with a custodial parent or legal guardian, the domicile or actual physical residence of the child will control, except when there is evidence that the claimed residence of the child is not his actual residence, or that the claimed residence is fraudulently given as a means of avoiding or violating admission, enrollment, attendance, and residency standards and Requirements.
2. Non-resident Students – The Board may permit students who do not reside within the Fayette County School District to attend schools within the school system. The Board may establish criteria for admission of nonresident students, and may require the payment of tuition as a prerequisite to enrollment. The Board will not provide transportation to and from school or homebound instruction outside of the county limits of Fayette County.
3. PreK Enrollment – The Board may permit students who do not reside within the Fayette County School District to attend a PreK Program within the school system. Because of the limited number of spots available in PreK Programs the order to fill those spots are to be determined as follows: students who reside in the school zone are placed first, students who reside in Fayette County but are outside the school zone where the program is located are placed second, and students who apply from outside the County are placed third.
4. Admission Policy for Homeless, Migratory, Immigrant, and Limited English Proficient Students – All homeless, migrant, and immigrant students, children in foster care, and English language learners will have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth and will be provided the opportunity to meet the same



challenging state content and state student performance standards to which all students are held without being stigmatized or isolated.

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

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

*(Revised October 17, 2017)*

5. Homeless Students –

(i) Enrollment. Homeless students will be permitted to enroll without regard to residency status and will not be denied services offered to other students in the school system. Homeless students may also be entitled to other accommodations under federal law. Homeless students will continue in the school they attended before becoming homeless for the duration of their homelessness, or for the remainder of the academic year if the student becomes permanently housed during an academic year. Otherwise, a homeless student may be enrolled in any school in the system that non-homeless students who live in the attendance area in which the student is living are eligible to attend.

(ii) Dispute Resolution. When a dispute arises regarding school placement, the system will immediately enroll the homeless student in the school in which enrollment is sought by the parent, guardian, or unaccompanied youth, pending resolution of the dispute. The school will provide the parent, guardian, or unaccompanied youth with a written explanation of the decision, a statement of the right to appeal, and the procedure for appealing the placement decision. The principal of the school will notify the Board's Homeless Liaison of the dispute.

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

*(Revised September 12, 2017) [Reference: 42 U.S.C.A. §11432(g)(3)(A)&(E)]*

6. Students in Foster Care – A student in foster care will enroll or remain in the student's school of origin, unless it is determined that remaining in the school of origin is not in such student's best interest. If it is not in a student's best interest to stay in the school of origin, a student in foster care may be enrolled in any school in the system that serves the attendance area in which the student is living, even if the student is unable to produce records normally required for enrollment. The school system will immediately contact the school last attended by the student to obtain relevant academic and other records.

*(Revised September 12, 2017) [Reference: 20 U.S.C. §§6311(g)(1)(E)]*

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

8. Required Documentation – Students entering the school system for the first time, regardless of grade level, are not required to submit a birth certificate, but may be requested to submit a birth certificate or another form of acceptable documentation to verify the student's age. A social security number may also be requested, but such request is voluntary and is not a requirement of enrollment. In addition, students may also be required to submit other registration materials as school officials may reasonably require, including, but not limited to, a certificate of immunization or an exemption as

prescribed by the Department of Public Health and signed by a private physician or appropriate health department official. The Superintendent may accept alternate forms of evidence or modify otherwise applicable requirements as necessary and appropriate to accommodate migrant, immigrant, limited English proficient or homeless students.

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

### **ASSIGNMENT OF STUDENTS TO CLASSES**

It shall be the responsibility and duty of the local school principal and certified staff to assign students to classes. Principals will assign students to classes in keeping with school accreditation standards and any procedures or criteria that may be established at the system or school level. *(FCBOE Policy 6.1.3.b)* The School District shall always endeavor to assign students to classes that are in the best interest of students.

### **ATHLETICS**

The Fayette County Schools are members of the Alabama High School Athletic Association and strive to have the sports program to be an integral part of the school program. It is hoped that students and spectators will practice the sportsmanship rules which are as follows:

1. keep in mind that a student spectator represents his school just as do the athletes;
2. realize that the good name of the school is more valuable than any game won by unfair means;
3. lead other spectators to respect officials by setting a good example, by accepting decisions of officials without questions;
4. respond to the calls of the cheerleaders, especially when the team is losing;
5. be courteous to the visiting team both on and off the field of play;
6. impress upon the community the responsibility for control and fair play;
7. suggest that any spectator who continually practices poor sportsmanship be requested to not attend future games;
8. give fair, courteous, and truthful accounts of athletic contests in local and school papers, and to radio stations;
9. commend and applaud good sportsmanship by the visiting team;
10. express disapproval of abusive remarks or disrespectful gestures from the side lines;
11. be familiar with the state high school athletic rules and support their enforcement;
12. encourage the discussion of fair play, sportsmanship, and school spirit through class work, auditorium programs, and club programs;
13. abide by the “no tobacco” on school grounds rule.

### **ATTENDANCE**

#### **1. GENERAL**

The Fayette County Board of Education believes that regular attendance is important for students and to the School District. Regular attendance by students facilitates development of the skills and knowledge necessary to function in a democratic society. Therefore, the Board endeavors to secure, in compliance with Alabama law, the prompt and regular attendance of students and to secure their proper conduct, and to hold respective parents and guardians responsible and liable for a child's/children's non-attendance or improper conduct.

#### **2. COMPULSORY ATTENDANCE/REQUIRED TO ATTEND** *(FCBOE Policy 6.1.1)*

Every child between the ages of six (6) and seventeen (17) must attend a public school, private school, church school, or be instructed by a competent private tutor for the entire length of the school term except that every child attending a church school is exempt from the requirements of the *Code of*

*Alabama* (1975) 16-28-3;16-28-5, provided such child complies with the enrollment and reporting procedure specified in the *Code of Alabama* (1975) 16-28-7 of the code. It is the policy of the Fayette County Board of Education that children enrolled in a private school, church school, or instructed by a private tutor must provide appropriate documentation to the Superintendent within 10 days after the beginning of school or upon withdrawal from school or upon residency in Fayette County.

### 3. EXPLANATION REQUIRED

Every parent, guardian, or other person having control or charge of any child required to attend public school, private school, or church school, shall as soon as practical explain the cause of any absence of the child under his control or charge which was without permission of the teacher. Failure to furnish such explanation shall be admissible as evidence of such child being a truant with the consent and connivance of the person in control or charge of the child, unless such person can show to the reasonable satisfaction of the court that he had no knowledge of such absence and that he had been diligent in his efforts to secure the attendance of such child. *Code of Alabama* (1975) 16-28-15

A good cause or valid excuse, as used in this section, exists when on account of sickness or other condition attendance was impossible or entirely inadvisable or impracticable or when, by virtue of the extraordinary circumstances, the absence is generally recognized as excusable. *Code of Alabama* (1975) 16-28-13

### 4. ABSENCES AND EXCUSES (*FCBOE Policy 6.1.4*)

Roll will be checked daily and each absence recorded. Students must be in attendance one-half of the instructional day to be counted and reported present as specified in the *Code of Alabama* (1975) 16-28-8. Students are not permitted to be absent from school without a valid excuse. Absences will be designated as excused or unexcused.

a. **Excused Absences** - will be permitted for the following reasons:

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

b. **Excuses**

Documentation supporting an excused absence must be submitted within three (3) days after the student returns to school or the absence will be deemed to be unexcused. (*FCBOE Policy 6.1.4*)

**A student may have up to five (5) EXCUSED absences (with a valid parent note regarding an illness) without a doctor's excuse per semester without penalty. Excessive unexcused absences may result in a loss of academic credit or referral of the matter to juvenile or other appropriate legal authorities for investigation.**

c. **School Participation Absences**

Students who are away from school because of participation in official school-sponsored activities shall be marked present and allowed to make up missed work.

Students who are absent from school for an excused or unexcused reason shall not participate in any school extracurricular or co-curricular activities that day (athletic contest, cheerleading, scholars bowl, etc.).

d. **Make-up Work – Excused Absences**

If a student is absent for any excused reason as defined above, the student shall be allowed to make up school work missed during said absence or absences. The student shall be responsible

for contacting the teacher or teachers to arrange for make-up work. The student shall contact the teacher and complete make-up work assigned during the excused absence within three (3) days after returning from said absence.

## **5. TRUANCY REPORTING**

### **Truancy Definition**

A parent, guardian, or other person having charge of any child officially enrolled in Alabama public schools (K-12) shall explain in writing the cause of any and every absence of the child no later than three (3) school days following return to school. A failure to furnish such explanation shall be evidence of the child being truant each day he is absent. Seven (7) unexcused absences within a school year constitute a student being truant for the purpose of filing a petition with the Court. The Interagency Committee on Youth Truancy Task Force recommendations known as the Early Warning Truancy Prevention Program timeline for reporting truancy shall define the truancy status of any student as follows:

#### **a. 1<sup>st</sup> Truancy/Unexcused Absence (warning)**

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

#### **b. 5<sup>th</sup> Unexcused Absence (conference)**

- The parent, guardian, or person having control of the child shall participate in the Early Warning Truancy Prevention Program provided by the Juvenile court at the Fayette County Courthouse.
- Attendance at the Early Warning Truancy Prevention Program shall be mandatory except where prior arrangements have been made or an emergency exists.
- Failure to appear at the Early Warning Truancy Prevention program shall result in the filing of a complaint/petition against the parent under *Code of Alabama*. (1975), 16-28-12(c) (failure to cooperate), or a truancy against the child, whichever is appropriate.

#### **c. 7<sup>th</sup> Unexcused Absence**

- The Attendance Officer will file a complaint/petition against the child and/or parent/guardian, if appropriate.

#### **d. Child under probation**

- The school attendance officer should be notified by the juvenile probation officer of all children in the school system under probation supervision by the juvenile court as consistent with state statute.
- Where a child under probation is truant, the school attendance officer should immediately notify the juvenile probation officer.

#### **e. Suspensions are unexcused absences, but do not constitute unexcused absence total for truancy purposes.**

#### **f. Make-up Work – Unexcused Absences**

Teachers shall not provide make-up work or examinations for students absent for unexcused reasons. Teachers shall not assign zeros to students absent for unexcused reasons on an automatic basis; zeroes may be assigned to such students only when other students in general receive grades for homework, examinations, recitation, etc.

## **6. TARDIES**

Students are required to attend school and each class on time each day. When a student is tardy at the beginning of the school day, the parent must check the student in at the school office or contact the school administrator.

Attendance at the middle and high school level will be taken each period of the day. Tardies are counted per period and daily as either excused or unexcused. Students with more than three (3) tardies are subject to discipline in accordance with the *Code of Student Conduct*.

**7. ACADEMIC SANCTIONS – for excessive unexcused class absences**

If a student has ten (10) class/course periods (5 for a semester course) **unexcused absences**, course credit may be withheld, unless it is deemed an emergency situation by the superintendent or school principal.

**8. WITHDRAWAL FOR EXCESSIVE UNEXCUSED ABSENCES**

Students who accumulate more than ten (10) consecutive unexcused absences or 12 total unexcused absences may be withdrawn from school. Parents will be notified of the pending withdrawal and given one (1) week to appear before the principal or Attendance Officer to show cause as to why the student should not be withdrawn.

**ATTENDANCE ZONE AND CLASS ASSIGNMENT** (*FCBOE Policy 6.1.3*)

Students will be assigned to the school serving the attendance zone in which his parent(s) or legal guardian reside(s). A student whose parent or legal guardian moves from one attendance zone to another during the school year will be transferred to the school attendance zone in which the new residence is located. The student may be permitted to remain in the school attendance zone that serves the former residence until the end of the semester with the approval of the Superintendent. A parent or legal guardian who has documented plans to move to a new attendance area during the first or second grading period of the school year may have his child enrolled in the school serving the new residence upon approval by the Superintendent.

Principals will assign students to classes in keeping with school accreditation standards and any procedures or criteria that may be established at the system or school level.

**AUTOMOBILE AND MOTORIZED VEHICLE USE BY STUDENTS**

Students operating motorized vehicles on school premises shall do so in accordance with Alabama traffic laws and such rules and regulations as may be formulated by local school officials.

Violation of this policy may result in arrest and prosecution in accordance with Alabama law and/ or disciplinary action by local school officials.

**BULLYING OF STUDENTS** (June 2019)

**1. Bullying, Intimidation, Violence, and Threats of Violence Prohibited**

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 *Code of Student Conduct*, subject to the investigating school administrator's authority and decision.

**2. Definitions**

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

(a) "Bullying" means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal or physical actions that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in this policy. To constitute bullying, a pattern of behavior may do any of the following:

- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
  - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
  - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
  - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
  - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- (b) “Hostile environment” means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.
- (c) “Violence” means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- (d) “Threat” means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through and electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.
- (e) “Threat of violence” means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.
- (f) “Intimidation” means an unjustified threat or other action that is intended to cause fear or apprehension in a student.
- (g) “Student” as used in this policy means a student who is enrolled in the Fayette County School District.

### **3. Description of Behavior Expected of Students**

- a. Students are expected to treat other students with courtesy, respect, dignity and comply with the *Code of Student Conduct*. Students are expected and required: (1) to comply with the requirements of law, policy, regulation, and rules prohibiting bullying, violence, or intimidation; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student; and (3) to refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristics of the student that is identified in this policy.
- b. Bullying, intimidation, violence, threats of violence, are prohibited and will be subject to appropriate disciplinary consequences and/or sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the student:
  - Race
  - Sex
  - Religion
  - National origin
  - Disability



#### **4. Consequences for Violations**

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

#### **5. Reporting, Investigation, and Complaint Resolution Procedures**

- a. Complaints alleging violations of this policy must be made on a *Fayette County School's Complaint Form* available in the *Code of Student Conduct* on the website, or at the school's office. The complaint must be delivered to the principal or the principal's designee either by mail or personal delivery. Incidental or minor violations of the policy may be presented and resolved informally.
- b. Upon receipt of the complaint, the principal or the principal's designee will determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions 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 school system.
- c. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation 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*.

#### **6. Promulgation of Policy and Related Procedures, Rules, and Forms**

This policy and any procedures, rules, and forms developed and approved to implement the policy will be published on the website of each local board of education and school, shall be available at each school office, and shall be included in the student handbook that is distributed to each student at the beginning of each school year.

### **Common Forms of Bullying**

[Please note that this is not intended to constitute an exhaustive list]

#### **Verbal Bullying**

Teasing

Name-calling

Inappropriate sexual comments

Taunting

Threatening to cause harm

Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

**Social Bullying**

Exclusion – intentionally excluding a student  
Telling other students not to be friends with someone  
Spreading rumors about someone  
Embarrassing someone in public  
Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

**Physical Bullying** – the victim’s personal boundaries are violated

Hitting/kicking/pinching  
Spitting  
Tripping/pushing  
Taking or breaking someone’s things  
Making mean or rude hand gestures  
Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

**Cyberbullying**

Intimidating text messages or emails  
Rumors by email or social networking sites  
Embarrassing pictures and videos  
Trolling  
Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

*Helpful resources: “Best Practices in Bullying Prevention” found at <http://stopbullyingnow.hrsa.gov>*

**CELL PHONE & ELECTRONIC COMMUNICATION DEVICES** (FCBOE Policy 6.20)

The updated Fayette County School District’s cell phone policy (July 2018) is designed to ensure that the use of cell phones does not interfere with teaching and learning during the school day or with student safety.

**CELL PHONES**

- 1 - The use of cell phones for any purpose – including phone calls, text messaging, games, and other functions is not permitted at any time on school grounds or while students are being transported to and from school on school buses.
- 2 - Cell phones must not be visible during the day or while being transported to and from school on school buses. They should be stored in a secure location, such as a vehicle, pocket, purse, locker, backpack, etc.
- 3 - Cell phones must be turned completely off (not simply on silent or vibrate mode) during the school day or while being transported to and from school on school buses.
- 4 - Students participating in extracurricular activities and athletic events must contact their coach or sponsor for his/her rules involving cell phone use after school hours or on after-school bus trips. Coaches and sponsors will set rules and establish consequences involving the use and/or misuse of these devices.
- 5 - The use of camera phones is strictly forbidden in private areas, such as locker rooms, washrooms, dressing rooms, classrooms, and offices at any time. Camera phone violations may be treated as a Level II or Level III Offenses, when necessary. Such violations may also be in violation of the criminal code of the state of Alabama.
- 6 - Any phone communication during the instructional day will take place on school phones with permission from office personnel with the exception of emergency situations as deemed by the local school administration. Parents should call the school for any emergency situation.
- 7 - Students shall not bring cell phones into a classroom where standardized testing is taking place. Teachers will collect any student cell phones into a classroom where standardized testing is being administered for that day. The possession and/or use of a cell phone during standardized testing may result in the test being invalidated and legal action being taken by the testing company.



8 - This policy will be enforced irrespective of whether the student or parent owns the phone/device. Possession of a cell phone by a student is a privilege which may be forfeited by any student not abiding by the terms of this policy. Students shall be personally and solely responsible for the security of their cell phones. The Fayette County School District shall not assume any responsibility for theft, loss, or damage of a cell phone or unauthorized calls made on a cell phone.

### **OTHER ELECTRONIC DEVICES**

Electronic devices such as, but not limited to, digital cameras, camcorders, PDA's, MP3 players, and headphones, may be used as part of the instructional process with prior administrative and teacher authorization. Otherwise, these devices may not be visible during the instructional day.

Students participating in field trips, extracurricular activities, and athletic events must contact their coach or sponsor for his/her rules involving electronic device use after school hours or on field trips. Coaches and sponsors will set rules and establish consequences involving the use and/or misuse of these devices.

Possession of electronic devices by a student is a privilege which may be forfeited by any student not abiding by the terms of this policy. Students shall be personally and solely responsible for the security of their electronic devices. The Fayette County School District shall not assume any responsibility for theft, loss, or damage of electronic devices.

Any violations of the above policy will result in the following:

First Violation – Student will be warned and the cell phone/electronic device will be confiscated by an administrator for the remainder of that school day. The phone/device will be returned at the end of that school day.

Second Violation – Cell phone/electronic device will be confiscated by an administrator until a parent comes to the school for a conference. The parent must then sign a form stating that they understand that any subsequent violations will result in out of school suspension and the cell phone/device being confiscated for 30 days. The school administration may also assign In-School Suspension to the student.

Third Violation – The principal will notify the parent of cell phone/device violation and that the student will receive an out-of-school suspension of one day.

Fourth Violation – Cell phone/device will be confiscated for 30 calendar days.

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

### **CHEERLEADING GUIDELINES**

The Board believes the purposes of cheerleading are to promote school spirit and to provide an opportunity for selected students to participate in a leadership development activity. The Board approves and supports activities designed to accomplish these purposes.

In an effort to protect students who may participate as cheerleaders and to protect the interest of Board employees and the Board, the following rules should be followed:

1. Each cheerleading squad is to be placed under the direction of a Board employee. This employee will serve as the coach or sponsor of each squad.
2. Each cheerleader sponsor or adult sponsor's designee must be in attendance and must actively direct all cheerleading squad functions, practices and performances.
3. Prior to participating in any cheerleading activity, including tryouts, each student must present evidence annually from a properly licensed physician, that the student is in appropriate cardiovascular condition to participate in cheerleading activities.
4. Aerobic warm-up and stretching exercises, under the direction of the sponsor, should precede all practices and performances.
5. All students participating in cheerleading squad activities must be insured under a catastrophic student accident policy.
6. All students participating in cheerleading squad activities must be academically eligible as defined by the Alabama High School Athletic Association.

## COMMUNITY ACTIVITIES AND PERFORMANCES BY STUDENTS

Many worthwhile and valuable experiences, both social and scholastic, are derived by student participation in various community activities. Students may be allowed to participate in community sponsored activities during the regular school day when approved by the local school principal and student's parent or guardian. The following rules should be used in determining whether or not students participate in such activities:

1. The participation in the activity will not interfere with students school work.
2. The regular school schedule will not be interrupted unless the majority of the students will benefit through their participation.
3. Neither an individual, group, nor school shall be permitted to use school time to participate in community sponsored activities unless it contributes to the total educational program of the school or community.

## CONDUCT

The Board shall not tolerate conduct by any student in the School District which materially interferes with or substantially disrupts achievement of an atmosphere conducive to learning. Such conduct shall not be permitted on school property, in any school building, at any school related function or activity. Violators shall be subject to appropriate disciplinary measures designed to assure that no student interferes with the rights of others to receive a quality education. Students shall receive annual notices of local school codes of conduct as approved by the Board, the Superintendent, and the principal. All codes of conduct shall assure educational opportunity for all students.

### CODE OF STUDENT CONDUCT (*FCBOE Policy 6.15*)

It is fundamental that an orderly school have clearly defined behaviors to which students must conform. Non-conformity to these behaviors becomes violations of the ***Code of Student Conduct*** - revised July 2018 and updated June 2019.

### STUDENT CONDUCT

Located In the *Code of Student Conduct* is a section entitled “Student Conduct” that identifies offenses/violations and administrative response options. The same “Student Conduct” is provided as a handout to students/parents at the beginning of each school year or upon enrollment in the School District.

#### Classification of Violation--

Violations of the Student Conduct are grouped into the three classifications of minor, intermediate, and major offenses. Each classification is followed by a disciplinary procedure to be implemented by the principal or designees.

#### Procedures for the Administration of Formal Disciplinary Action--

In the following classes of violations and disciplinary procedures, it is understood that the principal or designee shall hear the student's explanation and consult further with school personnel, if necessary, before determining the classification of the violation.

Each classroom teacher will deal with general classroom disruption by taking in-class disciplinary action, by making a personal call to the parent(s) or guardian(s) when feasible, and/or by scheduling conferences with the parent(s) or guardian(s) and other school staff. Only when the action taken by the teacher is ineffective or the disruption is severe, should the student be referred to the principal or designee. Failure to bring notebook, pencil, books, or required materials and equipment to class; refusal to do homework; or refusal to work in class is normally not cause for disciplinary referrals; however, when such offenses become chronic and routine, the teacher should refer such student(s) to the principal or designee. Parents or guardians of students who consistently exhibit poor work habits should be notified by school personnel.

## **MINOR OFFENSES - CLASS I**

- 1.01 Excessive distraction of other students  
Excessive distraction is any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or any similar grouping for instruction. Examples: talking excessively, interrupting class functions, provoking other students.
- 1.02 Illegal organizations  
Illegal organizations are any participation in fraternities, sororities, and secret societies.
- 1.03 Threat, harassment, or intimidation of a student  
The intentional, unlawful threat by word or act to do violence to another student, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in the person that such harm is likely.
- 1.04 Tardiness  
Tardiness is reporting late to school or class.
- 1.05 Use of profane or obscene language
- 1.06 Non-conformity to dress code
- 1.07 Minor disruption on a school bus
- 1.08 Inappropriate public display of affection  
This is interpreted as any physical contact such as hand holding, arms around waists, etc.
- 1.09 Unauthorized absence from class or school for part of a day
- 1.10 Failure to follow appropriate directives from a Board employee
- 1.11 Repeated refusal to complete class assignments and failure to bring required instructional materials to class.
- 1.12 Vehicular violations
- 1.13 Unauthorized use of school or personal property, including electronic communication devices
- 1.14 Littering of school property
- 1.15 Any other violation which the principal may deem reasonable to fall within this category

## **ADMINISTRATIVE RESPONSE OPTIONS - CLASS I**

Administrative response options for Class I violations include but are not limited to the following:

- \* student conference
- \* verbal reprimand
- \* parent contact(s)/conference(s)
- \* detention (morning, afternoon, Saturday)
- \* after-school detention
- \* withdrawal of privilege(s)
- \* corporal punishment
- \* in-school suspension
- \* suspension from school/bus
- \* out-of-school suspension not to exceed three (3) days

## **INTERMEDIATE OFFENSES - CLASS II**

- 2.01 Defiance of Board employee's authority  
Defiance of Board employee's authority is any verbal or non-verbal refusal to comply with lawful and reasonable direction or order of a Board employee.
- 2.02 Battery upon students  
Battery is the actual and intentional pushing or striking another student against the will of the other or the intentional causing of bodily harm to an individual.

- 2.03 Vandalism  
Intentional and deliberate action resulting in injury or damages of less than \$200 to public property or the real or personal property of another.
- 2.04 Gambling  
Gambling is any participation in games of chance for money and/or other things of a value.
- 2.05 Stealing - Larceny - Petty Theft  
The intentional, unlawful taking and/or carrying away of public, real, or personal property valued at less than \$100.00 belonging to or in the lawful possession or custody of another.
- 2.06 Possession of stolen property with the knowledge that it is stolen
- 2.07 Threats - Extortion  
The verbal or by a written or printed communication, malicious threatening of injury to the person, property or reputation of another, with the intent to extort money or any pecuniary advantage whatsoever, or with the intent to compel the person so threatened or any other person to do any act or refrain from doing any act against his/her will.  
NOTE: Completion of the threat, either by the victim's complying with the demands or the carrying out of the threats against the victim, constitutes a Class III offense.
- 2.08 Trespassing  
The willful entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; or having been authorized, licensed, or invited, is warned by an authorized person to depart and refuses to do so.
- 2.09 Possession of fireworks or firecrackers
- 2.10 Unauthorized absence from school for a day or more
- 2.11 Offensive touching of another person
- 2.12 Written or verbal propositions to promote sexual acts
- 2.13 Use of obscene manifestations (verbal, written, physical) toward another person
- 2.14 Directing obscene or profane language to a Board employee or visitor  
Verbal assault upon a Board employee or visitor.
- 2.15 Leaving premises without permission
- 2.16 Intentionally providing false information a Board employee  
Including, but not limited to, forgery of parent's (s') name(s); intentionally providing false information, such as changing grades.
- 2.17 Dishonesty and Cheating
- 2.18 Possession of and/or use of matches or lighters
- 2.19 Any other offense which the principal may reasonably deem to fall within this category

## **ADMINISTRATIVE RESPONSE OPTIONS - CLASS II**

Administrative response options for Class II violations include but are not limited to the following:

- \* parent contact(s)/conference(s)
- \* corporal punishment
- \* detention (morning, afternoon, Saturday)
- \* in-school suspension
- \* referral to outside agency
- \* out-of-school suspension not to exceed five (5) days
- \* expulsion

## MAJOR OFFENSES - CLASS III

- 3.01 Drugs and alcohol  
Unauthorized possession, transfer, use, or sale of drugs, drug paraphernalia, or alcoholic beverages. In accordance with *Legislative Act 94-783*, a person/student who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage or both.
- 3.02 Arson  
Arson is the willful and malicious burning of any part of a building or its contents. In accordance with *Legislative Act 94-819*, parents are liable for damages to school property caused by their child(ren).
- 3.03 Battery upon Board employee  
The threatening by word or act or the unlawful and intentional touching or striking of a Board employee against his/her will, or the intentional causing of bodily harm to a School Board employee. In accordance with *Legislative Act 94-794*, it is a felony to assault teachers or employees of the Board.
- 3.04 Possession, sale, or use of tobacco products  
The use of any tobacco products while on school property.
- 3.05 Robbery  
The taking of money or other property from the person which may be the subject of larceny from the person or custody of another by force, violence, assault or putting in fear of same.
- 3.06 Stealing - Larceny - Grand Theft  
The intentional unlawful taking and/or carrying away of property valued at \$100 or more belonging to or in the lawful possession or custody of another.
- 3.07 Burglary of school property  
The breaking into, entering, or remaining in a structure or conveyance with the intent to commit an offense therein during the hours the premises are closed to the public.
- 3.08 Criminal mischief  
Willful and malicious injury or damages at or in excess of \$200 to public property, or real property belonging to another.
- 3.09 Fighting  
Any physical conflict between two or more individuals
- 3.10 Possession of firearms  
Any firearm (including a starter gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device. In accordance with *Legislative Act 94-817*, the possession of a deadly weapon on school premises with intent to do bodily harm is a Class C felony. In accordance with *the Federal Gun-Free Schools Act of 1994*, students found to be in possession of a firearm or facsimile on school premises will be expelled for not less than one (1) year.
- 3.11 Discharging of any pistol, rifle, shotgun, air gun, pellet gun, or BB gun, or any other device on school property
- 3.12 Possession of weapons  
Any knife, metallic knuckles, tear gas gun, chemical weapon or device, or any other weapon, instrument, or other object capable of causing bodily harm, or with the intent to be armed.
- 3.13 Bomb threats  
Any such communication(s) directed to a School Board employee which has the effect of interrupting the educational environment.
- 3.14 Explosives - Preparing, possessing, or igniting on School Board property explosives likely to cause serious bodily injury or property damage.
- 3.15 Sexual offenses  
Acts of a nature including, but not limited to, battery, intercourse, attempted rape, or rape.
- 3.16 Aggravated battery

Intentionally causing great bodily harm, disability, or permanent disfigurement; use of a deadly weapon.

- 3.17 Inciting or participating in a major student disorder  
Leading, encouraging, or assisting in major disruptions which result in the destruction or damage of private or public property; personal injury to participants or others.
- 3.18 Unjustified activation of a fire alarm system or fire extinguisher
- 3.19 Igniting fireworks and/or firecrackers
- 3.20 Illegal use of an electronic communication device at school
- 3.21 Accessing or changing information in school computers to endanger or cause harm to another individual
- 3.22 Any other offense which the principal may deem reasonable to fall within this category
- 3.23 Crimes as defined under the laws of the city, state of Alabama, or United States

### **ADMINISTRATIVE RESPONSE OPTIONS - CLASS III**

Administrative response options for Class III violations include but are not limited to the following:

- out-of-school suspension not to exceed ten (10) days (not to exceed a cumulative total of 10 days per semester for special and non-special education students)
- referral to an outside agency, including the criminal justice system
- expulsion
- legal action
- restitution of property and damages where appropriate

NOTE: Due to the serious nature of Class III violations it may be necessary to remove a student immediately from school property. In such event, the procedures spelled out in the out-of-school suspension policy should be followed.

### **CONTESTS FOR STUDENTS**

Participation in contests shall be optional for the individual school and the individual student. The schools of the School District may cooperate with outside agencies sponsoring worthwhile contests that are in keeping with the educational goals of the school. The following criteria shall be used for determining participation in contest by schools and/or students:

1. the educational aims of the school and the needs and interests of their students must be considered at all times;
2. schools and their students shall not be used for private or commercial interests;
3. schools and their students shall not be used for sales or promotional purposes;
4. teachers and students shall be given consideration against added work and responsibilities;
5. contests shall not be sponsored by schools when preparation of contestants creates a neglect of other student's educational experiences.

### **CORPORAL PUNISHMENT** (*FCBOE Policy 6.17*)

Extreme care should be taken when administering corporal punishment. In fact, corporal punishment should be used only as a last resort. However, if it becomes necessary to use corporal punishment as a disciplinary measure, it should be carried out in the following manner:

Each teacher shall be held responsible for the order and discipline of his/her room. Corporal punishment may be used in cases of great urgency. If corporal punishment is necessary, it may be administered by the principal or the teacher, but in either case two certified staff members employed by the Board must be present at the time. The teacher is expected to handle all matters of discipline except in extreme cases, when they may be referred to the principal. In cases where the principal thinks it is best for the welfare of the school, he/she may suspend students or recommend to the Board that they be expelled.

In all cases, corporal punishment shall be administered in the office of the principal or such place or places as may be designated by the principal. Corporal punishment shall not be administered in the visual presence of other students. The local school principal shall provide parents with a written explanation of the reason(s) for administering corporal punishment to their child when requested.

The local school principal and certified staff shall utilize fully all practical ways and means of helping students with problems and of inducing them to accept and act upon conduct standards approved for the school before extreme measures such as corporal punishment are taken.

## **DETENTION**

### **Senior High and Junior High**

Students may be detained for disciplinary purposes at the discretion of the local school principal and certified staff of individual schools. Provided a student is detained before or after regular school hours, the student must be given notice of such detention in time to notify parent or guardian and arrange for necessary transportation. Students shall not be required to remain before or after school for more than one hour daily for detention purposes. Transported students shall not be detained after school on an involuntary basis without reasonable prior notification of the parent or guardian.

### **Elementary**

Provided an elementary student is detained before or after regular school hours, the above provisions shall be observed and in addition, the local school principal or certified staff member shall notify said student's parent or guardian prior to detention.

## **DRESS CODE (June 2018)**

Students' appearance should be neat and clean. Dress and appearance which cause disruption of the educational process or present health or safety problems shall not be permitted. Articles of clothing with offensive, suggestive, obscene, or disruptive patches, slogans, symbols, or other print material shall be prohibited. Such prohibited items include: slogans, patches, or advertisements which promote alcoholic beverages and/or other harmful or illegal substances; items associated with gang affiliation or activity; and items that promote racial divisiveness.

The Board strongly believes that it is the responsibility of students and parents or guardians to use reason, good judgment, and common decency in the choice of dress and physical grooming in the school setting. Generally, dress and appearance are the responsibility of parents; however, no student has the right to dress or appear in such a manner that disrupts the teaching/learning process.

When the dress or appearance of a student disrupts the teaching-learning process, the principal has the authority to take disciplinary action.

### **Jewelry**

1. Students are not to wear jewelry, ornaments, or accessories which distract from the learning environment; excessively noisy jewelry and/or belts.
2. Facial and/or tongue jewelry is not allowed for males and females.
3. Bracelets, belts, gloves, necklaces, and other accessories with spikes, studs, metal balls or chains are not allowed. No hemp jewelry is allowed.



**Hair**

Hair must be clean, well-groomed and should not impair vision. No hair style (mohawks), hair color, make-up, clothing or other article which is disruptive to the learning environment or which identifies a student as being a member of a gang and/or subversive or unlawful organization will be allowed.

**Shirts**

1. Shirts must have sleeves that cover the shoulders, upper arms and armpits. Shirts must also cover the chest and back.
2. Shirts and tops should be long enough to cover the midriff when sitting or standing. They must be buttoned high enough to cover the chest, and the back of the body cannot be exposed.
3. All shirts must fit properly and not be oversized or excessively long as determined by the School Administrator.
4. Shirts must not be see-through.

**Dresses and Skirts**

1. Dresses must cover the top of the shoulders and armpits. They must also have sleeves or worn with a top that does have sleeves.
2. Dresses must be buttoned high enough to cover the chest, and the back of the body cannot be exposed.
3. All dresses and skirts must be worn at the top of the knee.

**Pants**

1. All pants must be clean and in good repair.
2. No shredded or split or holes in pants are permitted. No pajama bottoms are permitted. All pants must be properly hemmed or with cuffs.
3. All pants must fit properly - no sagging/dragging pants.
4. No exposed underwear is allowed.
5. Pants and jeans with belt loops must be worn with a size-appropriate belt for middle/high school students.
6. Pants of lycra, spandex, or leggings may only be worn if dress or top is to the knee.

**Shorts**

Shorts shall be permitted provided that the shorts are neatly hemmed, conservative, and modest in appearance. Length of shorts should touch the knee. Specifically prohibited are cut offs, frayed-hem short, bicycle shorts, form fitting and skin-tight shorts of lycra, spandex or other similar materials.

**Other Areas**

1. Hats, caps, visors, bandanas, and sunglasses are not permitted in school during school hours.
2. Tattoos, clothing and accessories displaying obscene, distracting or suggestive language, unacceptable graphics or advertisements for illegal substances (including alcohol and tobacco) may not be worn or displayed. This will include anything that is derogatory to any race or religion.
3. Students are required to wear appropriate shoes to school at all times.
4. Cheerleaders, dance team, etc. uniforms are not to be worn to class.

Principals with approval from Superintendent may approve exceptions to the above.

All teachers shall be responsible for applying the dress code consistently.

The Fayette County Board of Education considers this code to be conducive to rather than restrictive of the education process of middle/high school students.



## **Procedures**

1. When the local school principal and/or teacher(s) feel that a student is in violation of the Board's officially approved local school dress code, the local school principal should make every effort to have the parent or guardian and student to cooperatively correct the identified dress code violation.
2. Provided the parent or guardian is unwilling or unable to have the student correct the identified dress code violation, the local school principal then may take appropriate disciplinary action. In all cases, the local school principal shall have the authority to temporarily dismiss students from school until such time as the identified dress code violation is corrected. Every effort will be made to contact the parent or guardian prior to dismissing students from school for any purpose.
3. So that the recommendations for dress and physical appearance will be consistent among the different levels (elementary, junior high, and senior high), a joint student-parent-faculty committee should be constituted at each level to define recommended standards of dress for consideration by the Board.

## **Dress for Physical Education**

Students, who for religious reasons, do not choose to dress in prescribed physical education attire shall be given the opportunity to choose alternate attire in keeping with religious belief and the goals and objective of said class.

## **DRIVER'S LICENSE/LEARNER'S PERMIT (FCBOE Policy 6.22)**

### **Notice**

Students, by presentation of this written policy, are hereby notified of the provisions of the *Enrolled Act* (Legislative Act 93-386) as enacted by the Alabama Legislature and as approved for implementation by the Board.

### **Purpose of Act**

The purpose of the *Enrolled Act* is to require school attendance by persons 16-19 years of age as a prerequisite for the issuance of 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 Equivalency Diploma (GED) program or job training program approved by the State Superintendent of Education.

## **PENALTY PROVISIONS OF THE ENROLLED ACT**

### **Enrollment, Schooling, Employment Provisions**

Section I of the *Enrolled Act* 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 operate a motor vehicle 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 secondary 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
3. 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 this requirement based on statute The *Code of Alabama* (1975) 16-28-1.

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

Further, persons 16 years and older who have a driver's license/learner's permit who withdraw or who are absent from school for 10 consecutive days or 15 days total for unexcused reasons shall be reported by the school Principal to the Department of Public Safety. 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 other conditions is documented.

## **OPERATIONAL PROCEDURES**

### **Principal's Responsibilities**

1. Principal or designee shall provide students with information relative to the Act and procedures for compliance.
2. Principal or designee shall complete Part 1, Section 1 of the Student Enrollment/Exclusion Form (located in the *Fayette County BOE Policy Manual*) 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. Principal or designees shall complete and transmit the "Department of Public Safety Notification Form" on each student who drops out or is absent from school for 10 consecutive days or 15 days total for unexcused reasons during a semester.
4. Principal shall be the sole determiner of the student's status in regard to enrollment, school absences, etc.

### **Students' Responsibilities**

1. Students, 15-19 years of age, who are enrolled in a school of the School District and desire to get their driver's license/learner's permit should pick-up a "Student Enrollment/Exclusion Status Form" at the office of the school where they are enrolled prior to going to the Courthouse, Department of Public Safety. Students should complete the name and personal information portion of the form, and request the principal or designee to complete Section 1 of the form.
2. Persons, 15-19 years of age, who are not enrolled in a school of the School District and desire to get their driver's license/learner's permit should pick-up 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. Such persons should complete the name and personal information portion of the form, request the principal of the school previously attended to complete Section I, of the form, and contact the appropriate agency/individual to complete other applicable sections.

## **DRUG AND ALCOHOL USE** (*FCBOE Policy 4.2.3*)

### **Reason for Policy**

Because the use of drugs, alcohol and other chemicals among young people has become a major problem in our country and because the use and availability of these substances on school campuses interfere with the educational process, this policy is designed to help eradicate the influence of drugs, alcohol, and other chemicals within the school environment. It is designed to act as protection, deterrent, and punishment for the students.

### **When and Where Applicable**

The use, possession, distribution, and sale of alcohol and the illegal use, possession, distribution, and sale of drugs in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited. Students violating this policy will be disciplined in accordance with the board's *Code of Student Conduct*.

Any student engaging in the prohibited activities listed above with respect to the following prohibited substances may be suspended or expelled as appropriate under the following circumstances:

1. alcohol or any alcoholic beverage;
2. any controlled substance or dangerous drug as defined by *The Code of Alabama, Title 20 (1975)* or as defined by *Section 812, Schedules I-V, Title 21, United States Code, Section 801*, et including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant, or any depressant;
3. any glue or aerosol paint or any other chemical substance, including but not limited to, lighter fluid, liquid paper, and reproduction fluid, for inhalation that may be abused; and
4. any excessive use of prescription or nonprescription drug, medicine, vitamin or other chemical, including but not limited to, aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines, and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants and sleeping pills not taken in accordance with the authorized use policy.

### **Notification of Law Enforcement**

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

### **Authorized Use**

Any student whose parent or guardian requests that he or she be given any prescription medicine, drug, or vitamin during the school day must provide the school nurse with a written statement of that fact on the first morning that such medicine is brought to school.

### **Educational Programs**

Certified school personnel shall organize and maintain programs of education designed to make students fully aware of the hazards of alcohol and the physical and psychological dangers incurred through the improper use of drugs.

### **Cooperation with Law Enforcement Agencies**

All local school principals are instructed to cooperate fully with law enforcement agencies and are to report to them any and all information that would be considered beneficial in their efforts to stem the increase in illegal drug use.

The Superintendent is also instructed to take steps to prevent any person from coming upon the campus of any school in the School District who is in possession of or under the influence of alcohol, marijuana, hallucinogenic drugs, and narcotics of any kind or any substance which may alter behavior.

The administration will make arrangements to cooperate with the local, state, and federal narcotic officers in the detection, prevention, and prosecution of any and all possible violations.

### **Applicable Procedures -- Substance Abusers**

A school staff member shall be expected to accompany any student to the principal's office when there is reasonable cause to believe the student to be in possession of, using, under the influence of, or transmitting an illegal substance while on school property or while attending a school-sanctioned/sponsored function or activity. When it is determined that a student has committed any of the above substance related offenses, the principal or designee shall comply with the following procedures in order to safeguard the student and the total school environment:

1. keep the student in a secured area of the building away from other students;
2. notify, if possible, the parent or guardian of the student and request he/she come to the school immediately;
3. notify the juvenile authorities;

4. accept any suspected illegal substance surrendered by the student. The principal or designee shall seal it in an envelope in the presence of another school staff member with both persons verifying that the substance is contained in the sealed envelope;
5. place the envelope in which the substance is contained in the possession of law enforcement authorities in the presence of a witness;
6. upon weighing all available information and evidence, the principal, based on reasonable belief that the student is in violation of the School District's substance abuse policy or applicable laws, may suspend the student from school for up to ten (10) days pending an expulsion hearing before the Board. If the initial information and evidence is inconclusive relative to the student's violation of the School District's drug policy, the principal may permit the student to remain in school until such time as any conclusive test information is received from law enforcement officials. In the event that conclusive evidence is subsequently obtained through law enforcement officials or other sources that the student was in violation of the School District's substance abuse policy, the student then may be subject to suspension for up to ten (10) days with a recommendation for expulsion. In all cases the principal shall insure that all due process procedures are accorded the student; and
7. inform the student and his/her parent(s) or guardian(s) of appropriate substance abuse treatment facilities.

**NOTE: In the event a student sells or distributes or proposes to sell or distribute a substance represented to be an illegal substance, all of the above procedures shall be followed up to and including suspension with a recommendation for expulsion.**

#### **Applicable Procedures -- Substance-Abuse Emergencies**

Provided a student experiences a substance-abuse emergency while under the supervision of school authorities, the principal or designee shall comply with the following procedures in order to safeguard the student and the total school environment:

1. obtain appropriate licensed medical assistance for the student. School authorities, if possible, shall provide the medical assistants (a) the name of the substance, (b) the amount of the substance consumed, and (c) the time of the consumption;
2. notify, if possible, the parent or guardian of the student and inform him/her of the emergency; and
3. if confirmation is received that the medical emergency is related to substance abuse that is in violation of the School District's substance abuse policy or applicable laws, the principal may suspend the student for up to ten (10) days, pending a hearing before the Board for expulsion. In all cases the principal shall insure that all applicable due process procedures are accorded the student.

#### **Expulsion Hearings**

All expulsion hearings shall be conducted in accordance with the Student Due Process Procedures.

#### **Substance Abuse Education**

The Superintendent or designee shall insure that an on-going and appropriate substance-abuse education program is taught in the schools of the School District. The substance-abuse program shall be based upon the State Department of Education publication, *Alabama Course of Study: Health Education, Bulletin No. 5, 1997*.

#### **DRUG TESTING POLICY - FAYETTE COUNTY BOE - LEA PLAN FOR STUDENTS**

The Fayette County Board of Education values student participation in extracurricular activities (ECA) for the opportunities it gives students to exhibit their talents and scholastic abilities as well as to develop leadership skills. Because students who participate in ECA are role models for other students, they are a key to reaching our goal of providing the best possible education program for all students. To achieve this goal and to maximize the skills and talents of our students, a drug-free learning environment is crucial. Student athletes,

cheerleaders, and all extra-curricular (defined as anything that is not regular classroom) participants in grades 7-12 shall be subject to random drug testing as well as any student who chooses to drive on school campus. Failure to comply with this policy will result in the student's loss of the privilege to participate in ECA. The Board reserves the right to depart from this policy where it deems appropriate. The guidelines contained within this document may be changed by the Board at any time, except where specifically prohibited by law. Students covered by this policy will be informed of changes.

### **POLICY OBJECTIVES**

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

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

The Board requires that all students report to school, extracurricular activities and competitive events without any mind altering substances in their systems. Outside conduct of a substance abuse-related nature which affects a student's athletic, academic, or other extra-curricular performance reflects badly on the school is prohibited and will be addressed administratively. ECA students must inform their coach/assistant coach/designated school representative when they are legitimately taking medication which may affect their ability to practice or compete or participate in other extracurricular activity, in order to avoid creating safety problems and violating this Drug Testing Policy. **(FAYETTE COUNTY SCHOOL DISTRICT DRUG TESTING CONSENT FORM – located in the appendix.)**

### **ENFORCEMENT**

To better assure these expectations, the Fayette County Board of Education reserves the right to require all ECA (Extracurricular Activity) students to submit to drug tests to maintain safety and security of our schools. The Board encourages and may require its employees to be trained in drug usage recognition skills.

Pursuant to Board policy and regulations, all students, grades 7-12, male or female, who participate in any school sponsored extracurricular activity or is provided the privilege of operating a private motor vehicle on School property for the purpose of parking may be tested prior to beginning of the activity of their choice or during the season of the activity on a random basis without advance notice. When Board officials (employees) have reasonable suspicion to believe a student has violated its Drug Policy, they may require the student to undergo drug testing.

Violation of these rules, including testing positive, will subject the ECA student to discipline, including suspension from student athletic or other extracurricular activities and/or forfeiture of parking privileges. Refusal to cooperate with the School in any test investigation will result in discipline including immediate suspension from participating in extracurricular activities.

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

No ECA student testing positive, refusing to cooperate with testing or being in violation of this policy will be penalized academically. Information, including testing positive, will not be released to criminal or juvenile authorities unless under compulsion by valid state or federal laws. All information, interviews, reports, statements, memoranda and test results, either written or otherwise, received by the Board through its drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery or disclosed in any public or private proceedings except in the following:

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

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

**Note of Clarification: This policy in no way circumvents nor may be used in place of Board Policy and School Rules pertaining to the use, distribution, manufacturing of drugs at/or away from school, School Board property or at school sponsored events.**

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

#### **Fayette County Board of Education Drug Screening Procedures Prohibitions**

All students are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, improperly used medications or any mind/mood altering intoxicating substances present in their system.

#### **After School Hours Conduct**

After school hours use of drugs or any other prohibited substances is illegal. ECA students should realize that these regulations prohibit all illicit drug use during and away from school activities.

#### **Prescription Drugs**

The Board prohibits the misuse of prescribed or over-the-counter medications and requires all students using prescribed drugs or over-the-counter medications to notify their coach/director if these drugs may affect their performance (i.e., causing drowsiness, etc.)

### **PROCEDURES**

#### **1. All Current Students**

##### **a. Random Testing**

The Board will conduct random unannounced screening of students through a certified provider. The drug-testing agency will provide computerized random sample lists to the local Drug Program Supervisor upon arrival. The list of students in the random pool will be updated periodically by the school. Students will be required to report to the Board designated collection site for testing as soon as possible. A urine sample will be collected privately via a certified employee. The sample will be sealed and delivered to a certified lab where the MRO (Medical Review Officer) will conduct the test and review the results.



- b. Return to Participation Testing** All students 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 for a twelve-month period.

## **Test Procedures**

### **1. Substances Tested For**

Students may be randomly tested for: amphetamines, cannabinoids, cocaine and opiates and other substances, such as but not limited to steroids, barbiturates and benzodiazepines without advance notice as part of tests performed by the School Board for safety purposes. Such tests will be coordinated with the Drug Testing Program Coordinator.

### **2. Testing Procedure**

The Board reserves the right to utilize blood, hair, or urinalysis testing procedures. Urinalysis will be utilized in random testing. All initial positive urine specimens will be confirmed by gas chromatography/mass spectrometry (GC/MS). Collection Sites: The School Board will designate local collection sites at each school where individuals may provide specimens.

### **3. Collection Procedures**

The Fayette County Board of Education and the laboratory have developed and will maintain a documented procedure for collecting, shipping, and accessing urine specimens. The Board and the laboratory will utilize a standard Urine Custody and Control Form for all students testing. A tamper-proof sealing system, identifying number, labels and sealed shipping containers will be used for specimen transportation. All students will also be required to complete the Fayette County Board of Education Applicant/Student Consent Form. No student will be permitted to drive on campus or participate in ECA until the consent form is turned in to the school office which will be kept on file.

### **4. Evaluations and Return of Result to the School Board**

The laboratory will transmit by fax, mail or computer, but not orally, the results of all tests to the School Board's MROs. 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 Fayette County Board of Education Drug Program Coordinator which students or applicants test positive. The coordinator will report the finding to the school principal. The principal will then schedule a conference between the student and parents or legal guardians to discuss the positive test results and appropriate consequences.

### **5. Request for Retest**

Where a split specimen has been collected, a student may request a retest of the split specimen within 72 hours of notification of the final test result. Where a single specimen is submitted for testing, the student may request a retest of the original sample within 72 hours after notification of the final test result. Requests must be submitted to the MRO. The student will be required to pay the associated costs of a retest in advance but will be reimbursed if the result of the retest is negative.

### **6. Release of Test Results**

All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received by the Board through its drug testing program are confidential communications and may not be used or received in evidence obtained in discovery or disclosed in any public or private proceedings except in accordance with the Drug Testing Consent Form.

However, all ECA students will be required to execute a consent/release form permitting the School Board to release test results and related information to the school officials who have a need to know. Parents or guardians will be informed of confirmed positive test results by the School Superintendent or Board designee.

The MRO shall retain the individual test results for five (5) years.

#### **7. Reasonable Suspicion**

When there are observable circumstances which provide reasonable suspicion to believe a student has used drugs, a student may be required to submit to drug testing. Determination that reasonable suspicion exists must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the student and shall be reported to the Principal or Drug Testing Coordinator.

The school official requiring 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 certified employee may recommend a reasonable cause test, he or she should, when possible, obtain a second school official's opinion as a witness.

#### **8. Violations**

For violations of this policy regarding drugs that can be detected by a drug test, the following penalties which might be cumulative from Grade 7 through Grade 12 shall be administered:

##### **First Violation**

Upon the first violation for drugs, the student shall agree to local counseling set-up by the school principal and the Central Office Drug Testing Coordinator. The student must complete the required counseling program as provided by an approved and certified agency partnering with the Fayette County Board of Education. For this service, the parent will be responsible for paying the counseling agency/resource for any fees incurred. If a parent chooses to seek substance abuse counseling through an outside agency, the parent/guardian will be responsible for payments there as well and the school system must receive appropriate documentation stating completion of therapy before activities or driving privileges will be continued. The student will also be required to retest after 30 days to continue with regularly scheduled activities. The student will be responsible for the costs of any retest and must have their test conducted through the School District's drug testing provider. If the student does not retest after 30 days, the student will not continue with extra-curricular activity or driving privileges. The student will also be subject to routine drug testing during the remainder of the school year to maintain "drug-free" status.

##### **Second Violation**

Upon the second violation, the student will be suspended from participation in any EC A activity or drive on school campus for 30 days. In order for extracurricular activities to be reinstated, the student must retake and test negative on another drug test after 30 days. If the student does not retest after 30 days, the student will not continue with extra-curricular activity or driving privileges. The student will be responsible for the costs of any retest and must have the re-test conducted through the School systems drug testing provider. The student will be required to participate in "ongoing" therapeutic counseling provided by an approved and certified agency partnering with the Fayette County Board of Education. If a parent chooses to seek substance abuse counseling through an outside agency, the parent/guardian will be responsible for payments there as well and the School District must receive appropriate documentation stating completion of therapy before activities or driving privileges will be continued. The student will be responsible for any fees incurred by these services, if any. The student may also be selected at any time during the next 365 days for drug testing.



### **Third Violation (and Thereafter)**

Upon the third violation and thereafter, the student will be suspended from participation in any ECA activity or driving on school campus for 365 days. The student may also be selected at any time during the next 365 days for drug testing. After 365 days, the student must have a negative drug test result before their chosen extra-curricular activity or driving privileges are reinstated.

#### **1. Notice Requirements**

The basic provisions of this policy and/or any modifications of this policy shall be made available to students by school officials in a timely manner. In addition, certified employees shall, prior to beginning of each respective activity (i.e. football practice, marching band practice, various group organizations within the school etc.), discuss with student participants and parents the specific provisions of this policy. The discussion shall include but not be limited to the following topics: purpose of the policy, random sampling procedures, sample collection procedures, reporting procedures and confidentiality requirement. No student participating in ANY extra-curricular activity, who tests positive, refuses to test, or refuses to cooperate with testing or being in violation of this policy will be penalized academically. Information, including testing positive, will not be released to criminal or juvenile authorities absent compulsion by valid state or federal laws. This policy is developed to be a non-punitive nature and the School will work with the student and/or his or her parents or guardians when there is any violation of this policy and procedures.

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

- a. as directed by the specific, written consent of the student authorizing release of the information to and identified person; and
- b. to a covered Extracurricular Activity student decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual.

### **EMERGENCY CLOSING OF SCHOOLS** (*FCBOE Policy 4.8*)

The decision to cancel or close a daily school session because of inclement weather, furnace breakdown, and similar common emergencies shall be at the discretion of the Superintendent of Schools or his/her designated representative.

#### **Procedures**

If it becomes necessary to cancel a daily school session caused by an emergency, the following notification procedure will be used:

1. Every effort will be made to notify parents, students, and school personnel at the earliest possible time.
2. The local radio station, TV outlets, and School Cast will be requested to announce the cancellation of school during early morning broadcasts.
  - a. The announcement will identify the school or schools that will have daily activities canceled.
  - b. The announcement will identify the reason for cancellation of school.
  - c. The announcement, if possible, will identify expected date school or schools will be reopened.
3. The Superintendent of Schools and/or his/her assistants will notify local school administrators and transportation officials as soon as possible.
4. Local school administrators should instruct all students and school personnel of notification procedures.

## EMERGENCY DRILLS

Special drills will be planned by the local school principal and staff to assure the orderly movement and placement of students in the safest available areas. The following drills (*revised January 2014 to comply with the Code Red Statute*) shall be a part of the plan. *Code of Alabama*(1975) §16-1-44.

### **ALL DRILLS WILL BE DOCUMENTED IN VIRTUAL ALABAMA**

#### **Fire Drills**

Schools will establish an orderly plan for evacuation of students and staff, in case of fire. Plans will be developed in cooperation with local fire department officials in keeping with rules and regulations set forth by *The Code of Alabama* (1975) §36-19-10 and State Fire Marshal's Office.

Fire drills (2 or more) will be held in all schools. Further, fire exit plans shall be posted in each school in all rooms occupied at any time by students.

#### **Severe Weather Drills**

Severe weather drills (2 or more) will be conducted once in September through November and once in January through March in all schools of the School District.

Procedures for severe weather drills shall be developed and conducted in accordance with local Civil Defense guidelines.

#### **Lockdown Drills**

Lockdown drills (2 or more) will be conducted in all schools of the School District. Procedures are developed in cooperation with local law enforcement officials. These drills will be held during the first six-weeks of each semester.

*Summer programs will have all three (3) (Fire, Severe Weather, Lockdown) each month of operation.*

### **ALL SCHOOLS WILL HOLD AT LEAST ONE EMERGENCY DRILL PER MONTH AND DOCUMENT THESE IN VIRTUAL ALABAMA.**

#### **Required Procedure (Tornado Watch)**

In the event a tornado watch is issued for areas in which a school of the School District is located, the principal or designee of that school shall take all actions as specified in the approved Civil Defense plan. When a tornado watch is in effect at the conclusion of the normal school day, students will be released via regular dismissal and transportation plans.

#### **Required Procedure (Tornado Warning)**

In the event a tornado warning is issued for areas in which a school of the School District is located, the principal or designee of that school shall take all actions as specified in the approved Civil Defense Plan. Under a tornado warning, students shall not be released via regular transportation plans, (i.e. car pools, private vehicles, etc.) provided the warning is in effect at the time set for concluding normal school day activities, except that students may be released during a tornado warning to students' parents/guardians at the end of the school day, provided said parents/guardians come to the school and assume custody of their child(ren). The intent of this policy should be communicated to the parents/guardians of students attending schools of the School District.

## EMPLOYMENT OF STUDENTS

Student employment during regular school hours is permissible only in relation to school-sponsored work/study programs. However, students classified as fifth (5<sup>th</sup>) year seniors (at least five (5) years in grades

9-12) may be granted permission to attend school only for the time required to attend the classes necessary for earning the Carnegie Units needed for graduation, provided the following provisions are met:

1. permission is granted by the superintendent and principal;
2. parental approval is granted in writing; and
3. the student abides by all rules and regulations set by the school principal, i.e. the student leaves the campus promptly at the release time, remains off the campus, etc.

### **EQUAL EDUCATIONAL OPPORTUNITIES** (FCBOE 6.8)

The Board does not discriminate on the basis of race, color, national origin, sex, disability, religion, or age in its programs and activities, and provides equal access to the Boy Scouts and other designated youth groups.

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

### **ESTABLISHING GUARDIANSHIP**

#### **Guardianship Requirements: Newly Enrolled Students**

Beginning on the adoption date of this policy, enrollment of a child(ren) residing with a person(s) other than the legal parent(s) in a school of the School District requires that guardianship be established based on the following criteria.

1. The guardian must reside in county and/or in an area served by the School District.
2. Guardianship papers must be presented to the principal prior to enrollment or during the terms of enrollment when circumstances require it.
3. The child(ren) must reside with the guardian a major portion of the time.
4. The parent(s) of the child(ren) and the guardian must sign an agreement supplied by the Board ascertaining to their understanding of the guardianship guidelines and their willingness to abide by them. This will be required at the beginning of each school year and/or when appropriate.
5. Failure to comply with all the above mentioned guidelines will mean a child(ren) may not be allowed to be enrolled, or if already enrolled, the child(ren) may be withdrawn from school.

### **EXPULSION** (FCBOE Policy 6.20)

Students may be expelled from school for offenses serious enough to warrant such action as provided in Code of Student Conduct or other Board disciplinary policies. Students who are recommended for expulsion may be suspended until such time as the Board meets to consider the recommendation for expulsion. Reasonable notice of the proposed action, the reasons therefore, and an opportunity to be heard will be afforded to the student and the student's parent or guardian prior to a final decision by the Board regarding expulsion. The Superintendent will notify the student or the student's parent or guardian, in writing, of any action taken by the Board. The term of an expulsion may extend to the maximum permitted by law. The Board may impose such reasonable limitations on the student's right to re-enroll in the school system following expiration of expulsion as may be permitted by law. A student who withdraws from school prior to the Board's consideration of a proposed expulsion may not re-enroll in the school system until the Board holds a hearing or other appropriate proceedings regarding the recommended expulsion. Expulsion of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act ("IDEA") and its implementing regulations.

## **EXTRACURRICULAR ACTIVITY PARTICIPATION** (FCBOE Policy 6.5)

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

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

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

**Athletics** – Participation in Board sanctioned athletic programs will be on such terms and conditions as may be approved by the Board and any athletic association of which the Board is a member. Schools may establish terms and conditions for participation in such programs as long as school eligibility criteria are not inconsistent with minimum system-wide eligibility or participation criteria, rules, regulations, or standards established by any athletic association or organization of which the Board is a member, or any rule, principle, or provision of applicable law. (FCBOE Policy 6.5.2)

**Academic Ineligibility – Eligibility Requirements** – The Board prescribes the following regulations for eligibility in this school system to participate in all extracurricular activities. (FCBOE Policy 6.5.3)

### **1. Grades 10 – 12**

Students entering Grades 10 through 12 must, for the immediate preceding school year, have passing grades of at least a 70 composite numerical average and earn the appropriate number of credits in each of six (6) subjects that total six (6) Carnegie units of credit, including four (4) credits from the four (4) core subjects composed of English, science, social studies, and mathematics.

- Physical education may count as only one (1) unit per year.
- No more than one (1) Carnegie unit may be made up during summer school. If a unit(s) or subject(s) is repeated in summer school, the higher numerical grade for the unit(s) or subject(s) may be used to compute the composite grade average.
- Eligibility will be determined on the first day of the local school year and will remain in effect for one (1) complete school year.

Students ineligible at the beginning of an academic year may become eligible at the end of the first semester if they meet all academic requirements at that time. *Bona fide* transfers may be dealt with according to the rules of the Alabama High School Athletic Association for sports and rules to be developed by this Board of Education as they pertain to other extracurricular activities.

- **Each eligible student involved in athletics must meet the definition of a regular student as defined by the Alabama High School Athletic Association.**
- Any student who earns more than four (4) credits in the core curriculum in any given year or who accumulates a total in excess of the required four (4) per year may be exempt from earning the four (4) core courses in the succeeding year as long as that student remains on schedule for graduation with his/her class.

2. **Grades 8 – 9**

Students entering Grades 8 and 9 must, for the immediately preceding school year, have a passing grade in five (5) subjects with a composite numerical average of 70 with all other rules applying the same as to students in Grades 10 – 12.

3. **Grade 7**

Students promoted to the seventh grade for the first time are eligible.

4. **Extracurricular Activities**

For the purposes of this subsection, extracurricular activities associated with athletics are defined as those recognized and sanctioned by the Alabama High School Athletic Association, and other extracurricular activities are defined as those that are sanctioned by a public school that are not related to a student's academic requirements or success in a course(s). Notwithstanding anything to the contrary in this policy, student participation in extracurricular activities offered by the school through math, science, band, choral, music, and other courses at events such as athletic events (pre-game, game, halftime, or other breaks), club conventions, parades, amusement park trips and competitions, trips by tour companies, performance at various meetings, etc. are extracurricular, and students academically ineligible under this policy will not be allowed to participate.

5. **Regular Curricular Activities**

Regular curricular activities are defined as those that are required for satisfactory course completion.

6. **Approval of Curricular Activities**

School sponsors are required to submit a request for each curricular activity that occurs outside the regular school day and/or school to the principal, Superintendent, and the local Board of Education for approval. Each request for full participation by all students, regardless of academic standing, in a curricular activity will be granted if the principal, Superintendent, and the local Board of Education approve participation in the activity as an extension of a course(s) requirement(s) and it is an event sanctioned by a state/national subject matter association. *Code of Alabama (1975) 290-3-1-.02(19)*

## **FOOD SERVICE**

### **General**

Each school in the School District shall maintain a quality Child Nutrition Program as a service to students. All meals served shall meet the standards as provided in federal, state, and local laws and/or rules and regulations.

The supervisor of the Child Nutrition Program and local school officials shall always seek to provide students with a nutritious and well balanced meal at a nominal charge. The school Child Nutrition Program shall be operated in an economically sound manner, but shall not seek to make a profit at students' expense.

Students' participation in the Child Nutrition Program shall be subject to Board policy, and such rules and regulations as may be developed by local schools.

### **Responsibility**

The local school principal shall work with the CNP Director in order for the lunchroom of his/her school to operate within state and federal guidelines.

### **Free and Reduced Price Meals**

Students may be eligible for free or reduced priced meals in accordance with state and federal rules. Free and reduced price meal applications are available at local schools and must be completed annually. If a student qualifies for free lunch, they also qualify for free breakfast.

### **Food from Outside Sources**

Students are permitted to bring and consume home prepared lunches/meals in school cafeterias; however, lunches/meals prepared by commercial fast food establishments are not permitted. Additionally, no food of any type may be sold at any place on the school campus during meal service times (breakfast & lunch).

## **GIFTED STUDENTS**

Gifted students are those who perform at or who have demonstrated the potential to perform at high levels in academic or creative fields when compared to others of their age, experience, or environment. These students require services not ordinarily provided by the regular school program. Students possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor.

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, contact the Guidance Counselor at your child's school.

## **GIFTS BY STUDENTS**

### **Student Gifts to Staff Members**

Employees may accept gifts from students if the gifts are in accordance with the Alabama ethics law or other state laws. Employees may accept gifts or gift cards purchased from pooled donations within a class, team, or other school organization for the employee's personal use provided that the amount that each person gives does not exceed twenty-five dollars (\$25.00) and that the contribution to the pool does not result in the donor's exceeding the aggregate amount of allowable gifts for that year.

### **Student Gifts to the School**

Students may present gifts to a school when they are consistent with the educational goals of the school.

### **Student Gifts to Students**

Students may present gifts to other students, as long as they are given on a voluntary basis.

## **HEALTH**

### **ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)/HUMAN IMMUNODEFICIENCY VIRUS (HIV)**

Fayette County Schools shall strive to protect the health and safety of children and youth in our care, as well as their families, and our employees. Employees shall cooperate with public health authorities to promote these goals. The presence of a person living with HIV or diagnosed with AIDS poses no significant risk to others in school, daycare, or school athletic settings.

### **School Attendance**

A student with HIV 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 infection shall not factor decisions concerning classroom assignments, privileges or participation in any school-sponsored activity.

School authorities shall determine the educational placement of a student known to be infected with HIV following established policies and procedures for students with disabilities. Decision-makers must consult with a student's physician and parent/guardian, respect the student and family's rights, and reassess the placement if there is a change in the student's needs for accommodations or services.

## **COMMUNICABLE DISEASES AND PARASITES**

A student with a communicable or contagious disease or a parasite, (i.e. scabies, ringworm, impetigo, etc.), shall be ineligible to attend schools in the School District for a period of time as may be prescribed by the Alabama Department of Public Health, a physician, or school personnel.



### **Parasite-Head Lice**

The School District's policy on head lice requires the appropriate treatment of lice eggs (nits) and the examination of children returning to school after proper treatment.

### **Removal from School**

Provided a student is determined to have an infestation of head lice, the student's parents/guardians should be notified to take the student home for appropriate lice treatment as approved by the Alabama Department of Public Health. Care must be taken not to embarrass the student and to insure that no stigma is attached to him/her.

### **Return to School**

After evidence of appropriate lice treatment has been determined, the student may return to school. Monitoring for signs of reinfestation will be conducted at school. When signs of reinfestation are evident, the student's parent/guardian will be notified to take the student home for appropriate lice treatment as approved by the Alabama Department of Public Health.

No more than three (3) absences should be considered excused due to head lice for each infestation. No more than three (3) days should be required for effective and appropriate lice treatment.

## **COMMUNICABLE/INFECTIOUS DISEASES** *(FCBOE Policy 6.14)*

All principals and teachers shall cooperate with the Superintendent and with the State Board of Health Rules and Regulation in carrying out laws and regulations designed to protect and promote health, safety, and general welfare of school children.

### **Communicable/Infectious Diseases or Conditions**

Students in the School District, including children wishing to enroll in the District, who have communicable diseases, will be dealt with on an individual basis. It is the desire of the Board to protect any student who has a disease or disabling condition whether it is communicable or not, while at the same time, protecting all other students in the system.

While it is not possible to list all diseases or conditions that might be affected by this policy, the school district will follow guidelines established by the State Board of Health Rules and Regulation concerning communicable infectious diseases.

## **FIRST-AID SUPPLIES AND TREATMENT**

All schools of the School District shall store reasonable first aid supplies **in the nurse's office**. **The school nurse will** administer common first aid to students, faculty, and staff injured while at school following the guidelines of the American Red Cross.

## **HIV AND ATHLETICS**

The privilege of participating in physical education classes, athletic programs, competitive sports and recess is not conditional on a person's HIV status. School authorities shall make reasonable accommodations to allow students living with HIV infection to participation in school-sponsored physical activities.

## **STUDENT HEALTH SERVICES**

The Board shall endeavor to provide necessary health services for all students of the School District. The School District shall cooperate with all local and State Health Agencies to provide the most comprehensive student health services possible.

### **Examinations - Vision and Hearing**

The School District shall provide vision and hearing screening examinations for students when requested by school personnel when parent permission is obtained or upon a parent/guardian request. If a student fails two screenings, the parent/guardian will be notified. If an entire grade or school screening is provided, parental permission will not be required.

## **Health Screenings**

The School District may provide dental and medical screenings for specified students upon referral of school personnel and by obtaining parental consent. If an entire grade or school screening is provided, parental permission will not be required.

## **Examinations - Scoliosis**

The School District shall provide scoliosis screenings for students following the Alabama State Department of Alabama guidelines and requirements. **Written parental consent will be obtained before a student is screened.**

## **Medication**

**All medications administered during the school day or at a school event will be under the direction of the school nurse following the regulations set forth by the Alabama Board of Nursing and the ALSDE regarding the storage, handling, and documentation of all medications. Only nurses or trained unlicensed assistive personnel may administer medicines.**

## **STUDENT IMMUNIZATIONS**

### **General Requirements**

A Certificate of Immunization (IMM50) against diseases designated by the State Health Department shall be required before a student can be enrolled initially in kindergarten or first grade in any school of the School District. The certificate requires “5 doses of diphtheria and tetanus toxoids and acellular pertussis vaccine (DTaP). Only 4 doses are needed if the fourth dose was administered on or after the 4<sup>th</sup> birthday. Booster doses of tetanus and diphtheria toxoids vaccine must be given 5 – 10 years after the preschool booster. However, effective for students entering 6<sup>th</sup> grade beginning 2010, a booster of tetanus and diphtheria toxoids and acellular pertussis vaccine (Tdap) must be given at 11 or 12 years of age. This requirement will escalate by one successive grade each year for the following 6 years to include 6<sup>th</sup> – 12<sup>th</sup> grades, beginning fall of 2016. The certificate requires 4 doses of inactivated polio vaccine. Only 3 doses are needed if the 3<sup>rd</sup> dose was administered on or after the 4<sup>th</sup> birthday. Also, required is immunization against mumps and rubella, 2 doses of measles containing vaccine, 1 dose of varicella vaccine (2 doses separated by at least 28 days for people 13 years of age or older beginning the vaccination series.) Four doses of the Hib vaccine are required.”

Transfers -- Provided a student transfers into the School District from another school district within or outside the state, Certificates of Immunization as defined above shall be required before the student can be enrolled in any grade in the schools of the School District.

### **Parent/Guardian Responsibility**

It shall be the responsibility of the Parent(s) or guardian(s) to have such immunizations performed and to present the proper certificate of immunization.

### **Immunization Form Storage and Transfer Procedures**

The immunization form(s) is to be kept in the student's record file. If a student transfers to another school within the School District, the immunization forms (Blue or other) shall be forwarded with the cumulative folder to the receiving school. When a student transfers to a school outside the School District, the original copy of the immunization form(s) (the sending school should make a copy for file purposes) shall be given to the parent, guardian, or student at the time of withdrawal or forwarded to the receiving school upon request.

### **Exemptions**

The only exemptions to the above policy are based on belief in selected religious doctrines and medical exemptions. Parent(s) or guardian(s) seeking an exemption based on religious belief must secure a Religious Exemption Form from the State Health Department. The issuance of the Religious Exemption Form shall be



based on the information presented to State Health Department officials. “Medical Exemptions, either temporary or permanent must be authorized by a licensed medical doctor.”

### **Legal Action**

Parent(s) or guardian(s) in noncompliance with the provisions of this policy may be subject to legal action.

### **USE OF EXTERNAL/INTERNAL MEDICATIONS**

\*Over-the Counter (OTC) medications supplied by the parent/guardian may be administered with a *School Medication Prescriber/Parent Authorization - OTC* form (see appendix p.79) completed and signed by the parent/guardian..

\*Prescription medications supplied by the parent/guardian may be administered with a *School Medication Prescriber/Parent Authorization - Prescription* form (see appendix p. 80) completed by the prescribing physician and parent/guardian.

\*Self-medication by a student is permitted for certain chronic/emergency health conditions with written authorization by the prescribing physician and parent/guardian. Self-medication by a student will be assessed by the school nurse on a case-by-case basis following the regulations set forth by the Alabama Board of Nursing and the ALSDE.

### **External/Internal Medication in Schools**

If a student is required to use external/internal medications during school hours the parent, school nurse or unlicensed personnel who have completed the mandatory medication delivery course by the ALSDE, shall administer the medication in compliance with the regulations that follow:

1. Written authorization signed by the parent (guardian) and/or physician will be required and shall include:
  - a. child's name;
  - b. name of medication;
  - c. specific purpose of medication;
  - d. specific time to be administered;
  - e. dosage;
  - f. possible side effects, and
  - g. initial date/termination date for administering the medication.
2. The school nurse or unlicensed assistive personnel will:
  - a. inform appropriate school personnel of the medication;
  - b. keep a record of administration of the medication and all other information as stated above in #1;
  - c. keep medication in a locked cabinet/drawer in a safe area and/or dispose of the medications following the guidelines in medication delivery course by the ALSDE; and
  - d. return unused medication to the parent/guardian *OR dispose of medication following the ALSDE guidelines covered in the medication delivery course.*
3. The parents (or guardians) of the student must assume responsibility for informing the school nurse or unlicensed assistive personnel of any change in the student's health or change in medication.
4. The School District retains the discretion to reject requests for administration of medicine.
5. A copy of this regulation shall be provided to parents upon their request for administration of medication in the schools.

**Illness: Students should be fever-free, vomit-free, and diarrhea-free for 24 hours without the use of medication before returning to school.**

### **HOMEWORK**

The Board recognizes that homework serves to extend learning beyond the classroom setting and that all homework assignments should be meaningful and reasonable. It should not be a substitute for teaching but should be reinforcement, a practical application, or enrichment of what has already been taught.

Each school faculty should cooperatively develop a policy relative to homework which meets the following broad rules:

1. homework is recommended when used to reinforce skills in each subject area whose content is prescribed by the State Course of Study;
2. time required to complete homework assignments should be reasonable;
3. homework assignments shall be coordinated in order to prevent students from being overburdened with too much homework at any given time;
4. homework assignments shall be varied to accommodate individual differences when appropriate (varied assignment lengths should be equal for all students in a class);
5. all homework shall be evaluated;
6. homework is not to be used as punishment;
7. when appropriate, homework assignments shall include practice in higher order intellectual skills;
8. homework assignments should be commensurate with the resources available; and
9. each classroom teacher shall be left with the authority to determine actual homework assignments which are consistent with this policy and the local school's policy.

### **Student Responsibilities**

Students will be expected to assume the following responsibilities when homework is assigned:

1. complete the assignment in the specified time periods;
2. return the assignment on time; and
3. do the best work possible when completing assignments.

### **Teacher Responsibilities**

Teachers will be expected to assume the following responsibilities when homework is assigned:

1. assign homework on a regular but reasonable basis, keeping in mind the nature of the assignment, the age of the students, and demands that may be placed on students by other teachers;
2. assign homework that is related to instructional activities;
3. grade/check the homework and return it to students on a timely basis;
4. utilize homework as an important part of student evaluation; and
5. expect all students to complete assignments.

## **INTERROGATIONS BY PUBLIC OFFICIALS**

### **Law Enforcement Officials at the Request of School Officials**

When the school principal or designee has evidence and/or reasonable cause to believe that a crime has been committed on-campus by one or more students, law enforcement officials, to include juvenile authorities, may be requested to come to the school to investigate the incident. Such investigations may include interrogation of students. In the event a student is to be interrogated, the school principal or designee shall make every effort to notify the parent or guardian.

### **At the Request of Law Enforcement Officials**

#### **Interrogations/Interviews**

When law enforcement officers make it known that they wish to talk to a student while under supervision of the school, the following procedure will be used:

1. the student will be called to the office of the principal;
2. the principal shall attempt to notify the student's parent or guardian by telephone of the situation;
3. if the principal is able to contact the student's parent or guardian, the parent or guardian shall be advised of his/her right to be present when law enforcement officers question his/her child provided that he/she is able to come to the school within a reasonable period of time. Provided the parent or guardian is unable to come to the school within a reasonable period of time, the principal must permit law enforcement officials to proceed with the interview in the absence of the parent or guardian

(*Alabama Attorney General's Opinion, Dec. 9, 1974*). Provided the parent or guardian is unable or unavailable to attend the interview and to determine the conditions of the interview, the principal or certified designee shall attend the interview on behalf of the student in an "In Loco Parentis" capacity; and

4. if the principal is unable to contact the student's parent or guardian within a reasonable period of time, the principal shall permit law enforcement officials to proceed with the interview in the absence of the parent or guardian (*Alabama Attorney General's Opinion, Dec. 9, 1974*). However, the principal or certified designee shall attend the interview on behalf of the student in an "In Loco Parentis" capacity.

### **Arrest Warrants**

The following regulations shall be in effect relative to arrest of students:

1. students may not be arrested while attending a school of the School District except upon presentation of an arrest warrant; juveniles may be removed only by the duly signed and authorized petition issued by the juvenile court or its designee;
2. no law enforcement authority or other person shall take a student from school premises without such authorization or its equivalent; court order, subpoena, etc;
3. in all cases involving arrest of students by warrant or, in the case of juveniles, by court ordered petition, the principal shall inform the Superintendent as promptly as possible of such action;
4. in all cases where any attempt is made to remove a student without proper authorization as defined above, the principal shall so advise the Superintendent. Specify persons or agency involved, principal's action, and any recommendations; and
5. in case an arrest warrant is presented by law enforcement officers, the school principal or designee shall make every effort to notify the parent or guardian of the student in question prior to the student's removal from the school premises.

### **Department of Human Services Officials**

The school principal or designee may request personnel from the Department of Human Services to come to the school to assist in providing related services for students, provided at least one of the following criteria is met:

1. the student is an active client with the Department;
2. the student is in the legal custody of the Department;
3. the school principal or designee believes that the Department can provide services that will help the student; and
4. there is evidence of child abuse/neglect or suspected child abuse/neglect. At the request of Department Officials or when Department Officials make it known they wish to talk with a student while under the supervision of the school, the principal or designee shall comply with all laws related to interviews by the Department of Human Services.

## **INTERSCHOLASTIC ATHLETICS**

### **General**

The Board is committed to the belief that for the learning process to be complete, additional student activities, such as athletics, must be an integral part of the educational curriculum.

### **Availability**

Interscholastic athletics shall be made available for students in the high schools (grades 9-12) and may be available to students in the junior high/middle schools (grades 7-8) of the School District. The Superintendent or designee shall develop and maintain an athletic program in the School District that emphasizes participation of the maximum number of students and conforms to the guidelines of the Alabama High School

Athletic Association and Title IX. Students shall at all times adhere to the regulations and procedures of the athletic program.

### **Responsibility**

The principal of each high school and junior high/middle school shall be responsible for the school's overall interscholastic athletic program, including the behavior of the school team, students, and spectators at all athletic functions held at home and away. Further, it shall be the responsibility of the principal to insure that the school's athletic program conforms to the rules of the Alabama High School Athletic Association, to approve all expenditures of funds related to athletic programs, to approve athletic schedules, and to insure that reasonable safety precautions are taken when transporting students to athletic events sponsored by the school.

### **Parental Consent and Physical Examinations**

It shall also be the policy of the Board that whenever a student engages in an interscholastic athletic program sponsored by the School District, he/she shall have written parental consent on file and shall have successfully passed a physical examination by a licensed physician. The physical examination form signed by the licensed physician shall state that the student is in appropriate cardiovascular condition to participate in the respective sport.

## **INSURANCE REQUIREMENT**

### **Athletic Programs**

All athletes participating in junior or varsity athletic programs (including football) shall be required to purchase school accident insurance or provide school officials with a parental certification that coverage is provided by family insurance policies(y).

### **Responsibility**

The principal and the athletic director/coach shall assure the Board, through the Superintendent or designee, that the provisions of this policy are met annually before a student shall be allowed to participate in any interscholastic athletic activity, including tryouts.

### **Catastrophic Insurance**

All students participating in varsity athletic activities must be insured under a catastrophic student accident policy or provide school officials with a parental statement that sufficient coverage is otherwise provided by the parent.

### **Insurance Disclaimer Statement**

The Board hereby notifies students and parents/guardians that insurance coverage for injuries associated with School District athletic programs is the sole responsibility of the parent(s)/guardian(s) of each respective student athlete. Further, the Board hereby declares that it will not assume any financial responsibility for medical treatment associated with student athletic injuries while participating in School District athletic events.

### **Number of Activities**

The Board permits students to participate in as many athletic activities and academic activities as he/she is capable while maintaining eligibility.

## **LEAVING SCHOOL CAMPUS**

A student is not permitted to leave the school campus during regular school hours except in accordance with the provisions below. A principal may use one or more of the following methods:

1. A student's parent or guardian may come to the school in person and check his/her child out of school. A student may not be checked out of school by persons other than his/her parent or guardian or someone specifically designated by the student's parent or legal guardian.

2. A student may bring a written statement signed by the student's parent or guardian and upon approval of the local school principal or designee may be permitted to leave the school campus. All written parental requests shall be verified for authenticity and remain on file in the principal's office for the remainder of the school year.
  3. In emergency situations, the school principal or designee may permit a student to leave the school campus based upon a telephone request from the student's parent or guardian. Under questionable circumstances, the principal or designee shall attempt to re-contact the student's parent or guardian by telephone to confirm the request.
  4. Students shall not check out of school for the sole purpose of eating lunch off campus.
  5. Seniors who are part of a co-op or who are enrolled in dual enrollment classes may check out early.
- Students leaving school for any reason must check out through the school office in accordance with such procedures as may be established by the school principal/staff.

A student shall be under the jurisdiction of the school from the time the student arrives at school each day until he/she leaves the school campus in the afternoon. In case a student rides a school district owned or operated bus, he/she shall be under the jurisdiction of the school from the time he/she boards the bus until the student exits the bus in the afternoon. In addition, a student shall be under the jurisdiction of the school while attending any school-sponsored activity either at school or away from school. This shall apply to all students, including members of athletic teams, pep clubs, band, and other student organizations.

Any student violating this policy shall be subject to disciplinary action by the local school principal.

## **LIBRARY MEDIA**

For policies regarding the use of the Library Media Program offered in each school, please refer to the *Fayette County School District - Library Media Program Manual* located on the district website: [fayette.k12.al.us](http://fayette.k12.al.us). Some of the policies included in this manual include: "Library Bill of Rights"; "Copyright/Fair Use; and "Collection Guidelines".

## **PARENT'S RESPONSIBILITY FOR THEIR CHILD'S CONDUCT**

### **School Attendance**

The Board hereby advises parents/guardians of their responsibility for the conduct of their child(ren) based on *Legislative Act No. 93-672* which amends *The Code of Alabama (1975) 16-28-12*. The Act has important implications for parents and students of the School District. Applicable sections of *The Code of Alabama (1975)* now reads as follows:

1. Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or to have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, denominational school, or parochial school or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with a written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100) and may also be sentenced to hard labor for the county for not more than 90 days. The absence of a child without the consent of the principal teacher of the school he or she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.

2. Any parent, guardian, or other person having control or custody of any child enrolled in public school who fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with a written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the superintendent of education of the School District in which the suspected violation occurred. The superintendent of education or his/her designee shall report such suspected violations to the district attorney within 10 days. Any principal or superintendent of education or his/her designee intentionally failing to report such a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in the public schools."

In an effort to implement and communicate the basic principles of the Act, the Board endorses the following operational procedures:

1. Parents/guardians and students shall be informed of the intent of *Act 93-672 and The Code of Alabama (1975) Title 16-28-12*, through the printing of the basic principles in student handbooks, school folders, and/or in school newsletters. Such information should be communicated at the beginning of each school year.

The basic principles are as follows: (a.) Parents/guardians must enroll their child(ren), i.e. all children between the ages of 6 and 17 shall be required to attend school. (b.) Parents/guardians are responsible for the regular attendance of their children. (c.) Parents/guardians are to compel their children to properly conduct themselves in accordance with the policies of the Board related to student behavior. (d.) Parents/guardians should be informed that inappropriate conduct or behavior on the part of their child(ren) may result in suspension from school and such suspensions will be reported to the Superintendent and District Attorney by school administrators. (e.) Parents/guardians will be subject to prosecution by the District Attorney on the third suspension of their child pursuant to *The Code of Alabama (1975)16-28-12*. (f.) Parents/guardians may be referred to the District Attorney's Office on the first or second suspension if, in the opinion of the principal, the offense committed by their child warrants such action.

2. School principals and/or the Superintendent are responsible for reporting violations of this Act to the District Attorney's Office. School principals and/or the Superintendent are hereby informed that the intentional failing to report a suspected violation of this Act could result in being declared guilty of a Class C misdemeanor.

### **Responsibility for Damage to School Property**

The Board hereby advises parents/guardians of their responsibility for the conduct of their child(ren) based on *The Code of Alabama (1975), 6-5-380*. The Act has important implications for parents and students of the School District. Applicable sections of *The Code of Alabama* now read as follows:

*Section I -- Section 6-5-380, Code of Alabama, 1975, is amended to read as follows:*

The parent, guardian, or other person having care or custody of any minor under the age of 18 years with whom the minor is living and who has custody of the minor shall be liable for the actual damages sustained, but not exceeding the sum of \$1,000.00, plus the court costs of the action, to any person, firm, association, corporation, and the State of Alabama and its political subdivision for all damages approximately caused by the injury to, or destruction of, any property, real, personal, or mixed, by the intentional, willful or malicious act or acts of the minor.; except, approved foster parents of the Department of Human Resources shall not be liable for damages caused by foster children.



## **PARENTAL INVOLVEMENT - CONFERENCES**

The Board of Education encourages parental involvement through PTO's, other parent support groups, parental conferences, and written correspondence between parents and teachers and parents and principal.

The Board encourages parent-school personnel conferences. All certified school personnel shall provide time (within reason) for conferences with parents when the parent indicates a desire to have one. Teachers are encouraged to contact and schedule parent conferences concerning the academic achievement of students.

Parent-school personnel conferences should be scheduled in such a way that will not interfere with said personnel's teaching responsibilities, preferably at the close of the school day or during preparation period.

## **PARENT- TEACHER CONFERENCES**

### **General**

The Board requires that parents or guardians of all students in the School District must be afforded the opportunity to participate in at least one annual parent-teacher-student conference and any additional conferences needed to insure the understanding and cooperation among the parents, the student, and the respective school officials necessary for the student to profit fully from all school experiences.

### **Danger of Failing Notification and Conference**

Parents/Guardians of students in grades one through eight (1-8) in danger of being retained shall be notified of that possibility in writing no later than the time of the progress report of the third grading period. The written notification shall invite the parents to a conference as soon as one can be scheduled to assess the student's academic problems.

### **Diploma Selection Conference**

As students approach the end of the eighth grade, the school counselor must give written explanation to each student and his/her parents/guardians concerning the requirements for earning a diploma, a diploma with advanced academic endorsement, a diploma with career and technical endorsement, and a diploma with advanced career and technical endorsement. Each student and/or his/her parents/guardians shall then be given the opportunity to sit down with school officials and outline a program of studies for the student's high school academic work. Each spring thereafter, the student and/or his/her parents/guardians shall have the opportunity to evaluate the program of studies and make necessary adjustments as needed.

The principal and/or designee shall coordinate the planning of all conferences. Documentation of all efforts to hold annual conferences and other needed conferences with parents or guardians of all students in the School District must be maintained in the permanent records of the students.

## **PERIOD OF QUIET REFLECTION**

At the opening of school each day in every classroom, the school will conduct a brief period of quiet reflection for not more than 60 seconds with the participation of every pupil in the classroom (*Act 98-381 - 2016*).

## **PERSONNEL/STUDENT RELATIONSHIPS AND CONDUCT**

The Board strictly prohibits unlawful discrimination in all of its programs, offices, departments and facilities. Sexual harassment, as defined by law, is a form of unlawful discrimination and will not be tolerated from employees or other persons associated with the *Fayette County Board of Education (FCBOE Policy 5.15)*.

## **POLICY REVISION PROCEDURE FOR CODE OF STUDENT CONDUCT**

The development of sound education policies is a complex and continuous process. The Board, Administration, and policy development committee members fully realize the need for continuous input from school district personnel, students, and community stakeholders. It is realized by all concerned that the policy



statements contained in this manual may contain inconsistencies and/or errors and will need to be revised and updated periodically. We solicit your help in making the policy manual both functional and informative.

To insure orderly policy revision and to inform all interested persons of the policy revision process, the following procedures will be utilized:

### **Procedures**

When it becomes apparent that a need exists for revising, deleting, or adding a policy statement, the person(s) involved should:

1. make this need known, in writing, to their immediate supervisor - the written statement should identify the discrepancy in the policy statement and their suggested alternative(s) for correction;
2. the supervisor involved will transmit the written statement through his/her supervisor(s) to the Superintendent of Schools;
3. the Superintendent of Schools will submit the recommended policy change to the appropriate policy committee for consideration and advice. The policy committees will meet for action on such matters during the month of April each year.

After review and consideration, the Superintendent of Schools will submit the policy committee's recommendation to the Board for consideration.

### **POSSESSION OF WEAPONS AND FIREARMS**

The possession of dangerous weapons by students on school grounds, school buses, or at school sponsored events, during or after regular school hours, is prohibited.

#### **Weapons and Firearms Defined**

Items forbidden shall include, but are not limited to, the following: knives of any kind and any length, razors or razor blades, box openers, firearms, explosive devices, including fireworks of any description, any items which may be used as clubs, and all sharp or pointed objects designed for use as weapons. For purposes of this policy, the term firearm is defined in *section 921 of title 18, United States Code* and in accordance with statutes of *The Code of Alabama*.

#### **Discipline Measures**

If a student is found to be in possession of a real weapon or firearm or a reasonable facsimile of a firearm and presents it as a real firearm:

1. the student shall be reported to the appropriate law enforcement agency;
2. the parents or guardian shall be notified;
3. the student shall be suspended from school immediately pending an investigation by the LEA; and
4. the investigation shall be conducted as quickly as possible and the results documented in writing.

If the investigation reveals that the student was in possession of a real firearm on school property, to include property not owned by the School District but where an official school sponsored activity is held, the student shall be expelled from school for not less than one (1) academic year. Such expulsion is in compliance with the requirements of the *Public Law 107-110; "No Child Left Behind Act of 2001"*; *Subpart 3, Section 4141, Gun-Free Requirements and Alabama Legislative Acts*.

#### **Suspension of Driver's License**

Suspension of Driver's License for Pistol Possession - In accordance with *Legislative Act 94-820*, a student under 19 years of age may have his/her driver's license suspended for the possession of a pistol on school premises.

### **Alabama Law**

Possession of Weapon a Class C Felony - In accordance with *Legislative Act 94-817*, the possession of a deadly weapon on school premises with intent to do bodily harm is a Class C felony.

## **PROTECTION OF PUPIL RIGHTS AMENDMENT** (*FCBOE Policy 6.11*)

### **Consent**

The Board will obtain parental consent before students are required to participate in a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):

1. political affiliations or beliefs of the student or student's parent(s);
2. mental or psychological problems of the student or student's family;
3. sexual behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of others with whom respondents have close family relationships;
6. legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. religious practices, affiliations, or beliefs of the student or parent(s); or
8. income, other than as required by law to determine program eligibility.

For more options and policies, please refer to the *Board of Education - Policy Manual*.

## **RELEASE TIME**

Students may receive released time from school during the regularly scheduled school day for the purpose of participating in instructional activities cosponsored by the school and outside agencies, for participating in educational activities not offered by the school, and for hardship employment.

A student must submit written requests for released time activities signed by the parent or guardian to the local school principal for approval. Such requests shall remain on file in the principal's office and shall relieve the school of all responsibility for the student during released time.

## **SCHOOL ENTRANCE**

### **1. Kindergarten:**

A child whose fifth (5<sup>th</sup>) birthday is on or before September second (2<sup>nd</sup>) shall be entitled, based on age, to admission to kindergarten classes.

### **2. First Grade:**

Beginning with the 2016-2017 school year, Act 2016-294 entitles any child that turns six years old on or before December 31 to start first grade.

### **3. Age Requirements - Kindergarten and Grade 1 Transfers:**

#### **Out-Of-State - Authority: Ala. Code SS16-28-4(1975)**

- a. An underage child who transfers from the first grade of a school in another state may be admitted, but must have the approval of the local board of education.
- b. An underage child who has moved into this state and has completed a mandated kindergarten program in another state shall be entitled to admission to the public elementary school regardless of age.
- c. An underage child who transfers to Alabama from the public school Kindergarten in another state may be admitted, but must have prior approval of the local board of education.

**In-State**--A child who has attended a private or parochial school in Alabama must meet the age

requirements as noted above in order to be admitted to kindergarten or first grade classes.

**4. Enrollment Ages - Students Over Twenty-One:**

If a person's twenty-first birthday is on or before September second (2<sup>nd</sup>) in any given school year, he/she shall not be admitted to a school within the School District without the written approval of the principal and the superintendent. A person applying for enrollment who would not be able to graduate before his/her twenty-second (22<sup>nd</sup>) birthday, must have the written approval of the principal and the Superintendent.

**5. Enrollment Ages - Adult Education Classes:**

The School District may operate adult education classes as a service to citizens of the community when federal or state funds are available. All citizens are eligible, based on age, to attend said classes provided they are at least seventeen (17) years old.

## **SCHOOL SPIRIT**

School spirit is something more than enthusiasm that prompts us to yell at athletic contests or stimulates us to defend our school when it is being attacked. School spirit is that atmosphere that is present every day in every phase of the school program.

We hope that it represents honesty, courtesy, genuine pride, good sportsmanship, and a sense of fair play among students and faculty.

## **SCHOOL VISITORS** *(FCBOE Policy 4.1.2)*

### **General**

In order to maintain a safe and organized learning environment within the schools of the School District, ALL visitors are required to report immediately to the principal's office upon arrival at a school campus. The principal shall be required to post a notice to this effect at each school entrance. Such notices shall inform all visitors to report to the principal's office prior to entering other parts of the schools. Students are encouraged to notify their parents of this policy.

### **Student Visitors**

Students enrolled in the schools of the School District are not permitted to bring student visitors to school during regular school hours without prior approval by the principal.

### **Students Being Checked Out of School**

All parents, guardians or other authorized persons coming to school to check a student out must do so through the principal's office via the school's approved check-out plan. Such persons are not to go directly to classrooms for this purpose.

### **Trespassing**

Refusal to register through the principal's office or to identify one's self to school authorities may constitute trespassing and constitute grounds for prosecution.

## **Disruptive Visitors** *(FCBOE Policy 4.1.3)*

Visitors are required to observe appropriate decorum at all times and to respect administrative requirements and restrictions regarding their activities and interaction with faculty, staff, and students while on Board property. School officials are authorized to revoke permission to be on school property to noncompliant visitors; to limit, condition, or prohibit their future access to school property as deemed necessary to ensure safety and order; and to enlist the assistance of law enforcement agencies if and as necessary to accomplish these objectives.

## SECLUSION AND RESTRAINT - DEFINITIONS/PROCEDURES/NOTIFICATION

In order to protect the safety of students and staff, the Fayette County School District will adhere to the Alabama State Board of Education's (SBE) *Alabama Administrative Code* (AAC) Rule 290-3-1-.02, **Seclusion and Restraint for ALL Students**. Physical restraint, as defined by the state rule, may be used in situations in which a student is an immediate danger to himself or others. Designated faculty and staff are provided with training in the appropriate use of physical restraint. In each instance that physical restraint is used, the student's parents will be contacted.

### 1. DEFINITIONS:

- a. **Chemical Restraint** - Any medication that is used to control violent physical behavior or restrict the student's freedom of movement that is not a prescribed treatment for the student's medical or psychiatric condition. Use of chemical restraint is prohibited in Alabama public schools and educational programs.
- b. **Mechanical Restraint** - The use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation. Use of mechanical restraint is prohibited in Alabama public schools and educational programs.
- c. **Physical Restraint** - Direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include providing limited physical contact and/or redirection to promote student safety or prevent self-injurious behavior, providing physical guidance or prompting when teaching a skill, redirecting attention providing guidance to a location, providing comfort, or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.
- d. **Physical Restraint that restricts the flow of air to the student's lungs** - Any method (face-down, face-up, or on your side) of physical restraint in which physical pressure is applied to the student's body that restrict the flow of air into the student's lungs. Use of this type of restraint is prohibited in Alabama public schools and educational programs.
- e. **Seclusion** - A procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student, time-out as defined in paragraph (1.(vi) of this rule, in-school suspension, detention, or a student-requested break in a different location in the room or in a separate room. Use of seclusion is prohibited in Alabama public schools and educational programs.
- f. **Time-out** - A behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used when:
  - \* The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.

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

## 2. PROHIBITION ON THE USE OF SECLUSION

State Board Rule 290-3-1-.0 Seclusion and Restraint for ALL Students prohibits the use of seclusion in all public Alabama schools and educational programs.

## 3. LIMITATION ON THE USE OF RESTRAINT

- a. The use of chemical restraints is prohibited in the Fayette County School District and educational programs. School or educational program staff cannot administer any medication that is used to control behavior or restrict the student's freedom of movement when it is not a prescribed treatment for the student's medical or psychiatric condition. Trained staff must provide medication exactly as prescribed including the appropriate dosage and frequency as prescribed.
- b. The use of mechanical restraints is prohibited in the Fayette County School District and educational programs. Mechanical restraints include devices or materials attached to or adjacent to student's body to restrict the normal freedom of movement and cannot be easily removed by the student. Adaptive or protective devices recommended by a physician or therapist are not considered to be mechanical restraints and are allowed when used to promote normative body positioning and physical functioning.
- c. Seatbelts and other safety equipment such as safety harnesses are not considered to be mechanical restraints and are permitted when used as recommended to secure students during transportation.
- d. Prone physical restraints are prohibited in Fayette County School District and educational programs.

## 4. STUDENT AND STAFF SAFETY

When using physical restraint to protect students who are a danger to themselves or others, the following procedures are recommended:

- \* Less restrictive interventions should first be used to de-escalate the behavior and the student should only be restrained when these less intensive interventions prove unsuccessful.
- \* Restraints should be conducted by staff who are trained in the restraint procedures that have been adopted by the school or program. Staff must know and utilize the prescribed procedures for requesting assistance.
- \* Staff should carefully observe the student throughout the restraint to observe the student's physical status and to determine when the child is no longer a danger to himself/herself or others. Restraint should be immediately terminated if the child is observed to be in severe distress. The student's breathing should be carefully monitored, and the restraint should be immediately terminated if the student is exhibiting any respiratory distress.
- \* Potentially dangerous materials such as pencils, pens, or other sharp objects should be removed to ensure the student's safety.
- \* The restraint should be removed as soon as the student is no longer a danger to himself/herself or others. Students should be restrained for very short periods of time. The incident form should be used to document restraints that last for longer periods of time.

- \* As soon as appropriate after the restraint is removed, the staff should discuss the incident leading up to the restraint with the student and discuss alternative behaviors that could have been utilized.
- \* When the student is no longer a danger to himself/herself or others, he/she should be returned to the instructional activity, if appropriate, or to a less restrictive environment.
- \* The restraint should be documented on the *Seclusion and Restraint Incident Form* by the school principal and turned into the LEA Prevention and Support supervisor by the end of the month.

## 5. STAFF TRAINING

- \* Principals will inform all staff on this Seclusion and Restraint For ALL Students policy (definitions - procedures - notification).
- \* Schools and educational programs that use physical restraint must ensure that staff and faculty are trained in the use of physical restraint. This training shall be provided as part of a program which addresses crisis intervention, de-escalation techniques, and positive behavioral intervention strategies. Multiple people at each school should be trained in order to respond quickly to a crisis situation. This is especially important in schools that have multiple buildings.
- \* Schools and educational programs must maintain written or electronic documentation on training provided and the list of participants in each training. Records of these trainings must be made available to the Alabama Department of Education.

### SUPP. NO. 03-2 INSTRUCTIONAL SERVICES 290-3-1-.02(2.)(ix-xiv)

Schools and programs must maintain written or electronic documentation on training provided and the list of participants in each training. Records of such training must be made available to the Alabama Department of Education or any member of the public upon request.

- (ix) Nothing in this rule shall be construed to interfere with a school system, school or program, or school or program employee's authority to utilize time-out as defined in paragraph (1.)(vi) of this rule or any other classroom management technique or approach, including a student's removal from the classroom, that is not specifically addressed in this rule.
- (x) Nothing in this rule modifies the rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28-12.
- (xi) Nothing in this rule shall be construed to prohibit a school system, school, or program employee from taking reasonable action to diffuse or break up a student fight or altercation.
- (xii) Nothing in this rule shall be construed to prohibit a school system, school, or program employee from taking reasonable action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student.
- (xiii) Nothing in this rule shall be construed to eliminate or restrict the ability of an employee of a school system, school or program to use his/her discretion in the use of physical restraint to protect students or others from imminent harm or bodily injury. Nothing in this rule shall be construed to create a criminal offense or a private cause of action against any local board of education or program or its agents or employees.
- (xiv) In some instances in which a student is an immediate danger to himself/herself or others, the school or program must determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in these rules shall be construed to interfere with the duties of law enforcement or emergency medical personnel.



Parents must be promptly informed when students are removed from the school or program setting by emergency medical or law enforcement personnel.

#### 6. DOCUMENTATION OF THE USE OF RESTRAINT

- \* When the use of restraint is utilized by school staff, the incident should be reported to the principal (or designee) immediately. The principal will then complete the *Seclusion and Restraint Incident Form* with input from the staff involved.

- \* Principals should send all incident forms to the LEA Prevention and Support Supervisor at the end of each month. The supervisor will complete the annual incidents report (including reports of prohibited uses) and submit it to the Alabama State Department of Education

- \* Information from the individual incident forms as well as the summary reports should be used to regularly assess the effectiveness of the use of physical restraint techniques. When the student repeatedly must be restrained the staff should determine if the interventions are effectively meeting the student's needs.

#### 7. PARENTAL NOTIFICATION

- \* Parent(s) will be notified, as soon as possible after the incident, by phone or a conference AND receive a paper copy of the completed *Seclusion and Restraint Incident Form* within **ONE** day of the incident. Parents will be asked to sign that they received the *Seclusion and Restraint Form*.

- \* Parents and school staff may mutually agree that notification may be provided via email or handwritten communication.

- \* Staff should promptly notify parents when their child is injured in a restrained situation and/or is removed from the school setting by law enforcement or medical personnel.

### **SEXUAL HARASSMENT – STUDENT**

A student who believes that he or she has been or is being subjected to any form of sexual harassment shall immediately report either verbally or in writing the matter to a teacher, the school counselor, assistant principal, or principal (**COMPLAINT OF SEXUAL HARASSMENT FORM** – located in the Appendix). Any student who suspects that another student is being sexually harassed shall immediately report the information to a teacher, school counselor, assistant principal, or principal. A student's request to make his or her report to someone of the same sex will be granted. When an individual believes their complaint cannot be effectively communicated at the local school level, they may report it directly to the Superintendent. *Code of Alabama (1975) 26-14-3*

### **SOLICITATIONS BY STUDENTS**

Local school officials are encouraged to keep school sponsored activities that require solicitation by students to the absolute minimum. Said school officials shall not permit students to sell goods or services, in places other than the school campus, during regular school hours.

All fundraising or charity drives sponsored by a school must receive the approval of the principal and the Superintendent. Each school principal, staff members, and appropriate students shall compile annually a tentative list of all fundraising or charity drives to be sponsored by the school and submit said list, no later than the month of October, to the Superintendent for approval.



## **SOLICITATIONS OF STUDENTS**

The School District shall strive to safeguard students and parents from undue solicitations. Outside organizations shall not be permitted to solicit, advertise, or sell goods or services through the schools of the School District unless authorized by the Superintendent.

Participation in any fundraising or charity drive sponsored by the school or outside agency shall be entirely voluntary as far as each student is concerned. There shall be no cause for embarrassment to those who do not or cannot participate or contribute.

All fundraising and charity drives sponsored by a school must receive the approval of the principal and the Superintendent.

## **STUDENT ACCIDENTS** *(FCBOE Policy 6.14)*

The school principal shall make a written report to the Superintendent concerning any accident requiring the services of a doctor which occurs on Board property. This report must be given to the Superintendent within forty-eight hours after the accident. In the event of a serious accident, the Superintendent shall be notified at once.

Further developments pertaining to any accident should be also submitted to the Superintendent in order that a complete file may be kept on each accident.

In the event of an athletic injury, the school principal is to use his/her own judgment as to whether or not the Superintendent is to be advised. If the injury is of a serious or permanent nature, the principal should report the matter to the Superintendent.

In all school accidents, parents shall be notified immediately by school officials. If the accident is of such a nature as to require immediate medical attention or the services of a doctor when the parent cannot be reached, school officials shall act in loco parentis and do whatever the situation demands. As most parents have indicated the name of the family physician to be called in such an emergency, school officials shall make every effort to contact this person in the event of an accident. At all times; however, every effort shall be made to contact the parents.

## **STUDENT ACTIVITIES**

### **General**

School sponsored student activities are a vital part of student lives and of the total school program. Therefore, the Board encourages the certified staff and students of the schools of the School District to cooperatively plan and implement appropriate student activities to meet the needs of all students.

### **Approvals**

All school sponsored student activities must have prior approval by the local school principal, activity sponsor, and the Superintendent.

### **Responsibility**

All school sponsored student activities shall be under the control of the local school principal or his/ her designated representative.

### **Supervision**

All school sponsored activities shall be adequately supervised by a member or members of the school certified staff.

### **Approvals for Out-of-State and Overnight Trips**

All out-of-state and overnight school sponsored activities involving students must have prior approval by the principal, and the Superintendent. All other rules and regulations for in-state field trips apply to out-of-state trips and overnight trips.

### **STUDENT CLUBS AND ORGANIZATIONS**

The Superintendent, local school principals, school staff members, and students shall establish regulations for the operation of school sponsored clubs and organizations that operate for the welfare and the best interest of the students and the school. School sponsored clubs and organizations shall be under the direct control of school officials. Such clubs and organizations shall not be affiliated or associated with any political or religious organization or any organization which denies membership on the basis of race, creed, color, or political beliefs.

All school sponsored clubs and organizations shall be under the control of the local school principal. All school sponsored clubs and organizations must follow the following rules:

1. Every school club or organization shall be sponsored by a member of the faculty or staff approved by the principal of the school. Every organization must have the approval of the sponsor in advance for the time and place of all meetings and all social and athletic events and other activities of the organization. All meetings shall be held on campus, and the sponsor shall be present throughout such meetings. All other activities held outside the school or off campus must have the approval of the principal. A sponsor, or substitute sponsor approved by the principal, shall be present throughout all activities.
2. Every school sponsored club shall have a constitution approved by the Student Council and by the principal of the school. Such constitution shall be kept on file in the school office.
  - a. The constitution shall contain a statement that all members must be students who are presently enrolled in the school of sponsorship.
  - b. The constitution shall contain qualifications for membership. Such qualifications shall not deny membership because of race, color, creed, gender, or political beliefs.
  - c. The constitution shall contain a statement of the purposes of the club. The purposes shall not be contrary to the welfare or best interest of the students or the school, or in conflict with the authority or responsibilities of the Board and its employees.
  - d. The constitution shall contain a statement that there is no affiliation with any non-school club, any political or religious organization, or with any organization which denies members on the basis of race, color, creed, or political belief.
  - e. The constitution shall provide that the collection or dispersal of school sponsored club funds shall be in accordance with the regulations set forth by the school and School District.
  - f. The constitution shall provide that speakers who are either members of the student body, faculty, or administration of the school must have the approval of the sponsor and the principal.
  - g. Every club shall act only in accordance with its constitution and shall abide by all rules and regulations of the School District and the school.
3. Every school club, organization, or activity formed to foster the values inherent in ethnic cultures in an effort to recognize ethnic contributions to the American way of life shall promote a policy of open membership.
4. Authorization to conduct activities as an organization recognized by the school administration may be denied or revoked if:
  - a. The organization participates in, advocates, aids, or knowingly permits conduct by its members or others subject to its direction or control, which is contrary to the welfare or best interests of the students or the school, or which is in conflict with the authority or responsibility of the Board or any of its officials or employees.

- b. The organization participates in, advocates, aids, or knowingly permits activities, by its members or others subject to its direction or control, which is not authorized by the constitution of the organization which has been approved by the Student Council and the principal of the school.
- c. The organization fails to comply with any Board policy or such rules and regulations as may be developed by local schools.

### **STUDENT DUE PROCESS - (CORPORAL PUNISHMENT/SUSPENSIONS/EXPULSIONS)**

All students are entitled to and shall receive due process in discipline cases related to corporal punishment, suspension, and expulsion.

#### **PROCEDURES:**

##### **Short-Term Suspension- (10 School Days or less) and/or Corporal Punishment**

Where the alleged misconduct of a student would, if proved, warrant either corporal punishment or short term suspension of ten (10) school days or less, the following informal due process procedure shall be provided prior to corporal punishment or suspension:

1. The principal or designee shall advise the student orally or in writing of the charges.
2. If the student denies the charges, the principal or assistant principal shall explain the evidence against the student and give the student an opportunity to present the student's side of the occurrence.
3. If, on the basis of this discussion, the official believes the student is guilty of the misconduct charged, and that stated punishment is the appropriate punishment under the circumstances, the principal or designee may carry out the stated punishment.

##### **Long-Term Suspension (More Than 10 School Days) or Expulsion**

Where the alleged misconduct of a student would, if proved, warrant a suspension of more than ten school days, or expulsion for a certain period of time or permanently, the following procedure shall be provided prior to the suspension/expulsion:

1. **PRIOR TO THE HEARING:** The student may be suspended for up to 10 days if the procedures for a short-term suspension are followed.
2. **NOTICE OF CHARGES:** The student and the student's parent or guardian shall be notified in writing of the specific charges against the student. These charges must be stated clearly enough for the student and the parent to understand the grounds of the charges and to be able to prepare a defense.
3. **NOTICE OF NATURE OF TESTIMONY AND WITNESSES:** If a hearing is requested, the student and the student's parent or guardian shall be advised of the nature of the evidence against the student and be provided the names of any witnesses whose testimony may be used against the student.
4. **NOTICE OF HEARING:** If a hearing is requested, the student and the student's parent or guardian shall be notified of the date of a hearing to be held before the Board, or Superintendent or principal or their designee within a reasonable time after notice. The date of the hearing may be advanced at the request of the student or postponed on the showing of reasonable grounds.
5. **NOTICE OF RIGHT TO PRESENT EVIDENCE:** At the time notice of the hearing is given to the student and the student's parent or guardian, they may present witnesses or documentary evidence to rebut the charges against the student.
6. **IMPARTIAL HEARING:** The student is entitled to a hearing before an impartial Administrator. The Board or Superintendent shall conduct the hearing. If either the Board or the Superintendent have had such involvement in the case that either feels they cannot be fair and impartial, the Superintendent shall appoint another Administrator to conduct the hearing.
7. **ADULT REPRESENTATION:** The student, or his/her parent or guardian may be represented and/or assisted at the hearing by a lawyer or other adult. A parent or guardian who is unable to attend the

hearing may designate another adult to assist the student in the parent's absence. Notification of the representative's identity shall be given in advance of the hearing, or the representative shall furnish evidence of appointment at the time of the hearing.

8. **RIGHT TO PRESENT EVIDENCE:** At the hearing the student, parent, attorney or adult representative shall have the right to present witnesses and documentary evidence to refute the charges.
9. **SUSPENSION ORDER:** The decision shall be based exclusively on evidence presented at the hearing. If the evidence supports the charges against the student, a suspension or expulsion order appropriate to the charges and the facts established may be issued. Written notice of the decision shall be sent promptly to the student.
10. **RECORD:** The hearing shall be tape recorded by the superintendent or principal or their designee.
11. **REPORTING TO THE SUPERINTENDENT:** In the event any student is suspended from the School District for more than 10 days, the principal shall make a written report to the Superintendent outlining the facts established at the hearing and the action taken.
12. **APPEALS TO THE SUPERINTENDENT:** The student and his/her parents or guardian shall have the right to appeal his/her suspension to the Superintendent or his/her designee. The Superintendent must be notified of the desire to appeal within five school days after the principal has rendered a decision. The appeal to the Superintendent or his/her designee will be based upon the record made before the principal (the tape recording of the hearing, correspondence and any other documents used at the hearing). That is, no new evidence shall be presented to the Superintendent unless good cause can be shown why it was not presented to the principal. The Superintendent shall render a decision within five school days after he or she receives the notice of appeal.
13. **APPEALS TO THE BOARD:** The student or his/her parent or guardian has the right to appeal the Superintendent's decision to the Board. The Superintendent must be notified of the desire to appeal within five school days after his/her decision. The hearing before the Board shall be conducted as a new hearing in which any evidence may be presented. The hearing shall be conducted in the same manner as the hearing before the principal. The student and the Administration may agree to present the case to the Board on the basis of the record developed before the principal and/or Superintendent. The Board shall render its decision by a majority vote of those members in attendance.

**\* ACTION BY BOARD WHEN NO APPEAL**

If a student who is suspended for more than 10 school days does not appeal the suspension to the Superintendent or the Board, the Superintendent shall recommend to the Board that it enter an order suspending the student in accordance with the order of the principal or Superintendent.

**\* SUMMARY SUSPENSION**

Immediate suspension of a student may be imposed by the principal or the Superintendent without prior notice and hearing when the student's continued presence in school poses a continuing danger to the student or to other persons or property, or academic process. In such cases the necessary notice of the date and place of the subsequent hearing shall be given to the student and to the parents or guardian of the student. Such hearing shall be held within ten days after the student's removal from school by the principal or Superintendent. The Board may continue the principal's or Superintendent's summary suspension or take other action as the facts warrant.

**STUDENT FEES, FINES, AND CHARGES** *(FCBOE Policy 6.3)*

Reasonable fees, fines, and charges not prohibited by law may be established by the Superintendent. All such fees, fines, and charges will be collected and accounted for in accordance with the procedures, rules, and

regulations to be developed by the Chief School Financial Officer or as provided in the Board finance or local school finance manual(s).

## **STUDENT GOVERNMENT**

Local school personnel are encouraged to provide the opportunity for students to experience and understand the functional and theoretical aspects of representative government. Through representative government, students are provided the opportunity to take part in and influence the many aspects of student life and school functions and activities. The student government association is a good means of providing students with such experience.

Local schools may and are encouraged to permit local school officials and students to cooperatively organize and operate a student government association provided it is affiliated with and operates in accordance to the constitution, bylaws and/or rules and regulations of the National Association of Student Councils of the National Association of Secondary School Principals.

## **STUDENT GRIEVANCE PROCEDURE**

### **General**

Students have both the right and the responsibility to express school-related concerns and grievances to the teachers and school administrators.

### **Procedure**

The normal procedure followed by any student regarding a personal grievance is to discuss the matter with the teacher involved. When the nature of the grievance dictates otherwise, the student upon notifying the teacher directly involved may request a meeting with the school principal. Such meetings should be granted within two (2) school days at a reasonable time and place. One faculty member of the student's choice or his/her parent(s) or guardian(s) may be present at such meeting. For the purpose of this policy, a grievance is defined as written claim submitted by a student of a violation, misinterpretation, or inequitable application of local board policy, local school rules and regulations, or local administrative procedure.

### **Grievance Defined**

The term "grievance" shall apply to matters which fall within the discretionary powers of the principal, Superintendent, and/or Board, but shall not apply to areas where the principal, Superintendent, and/or Board has no authority to act.

### **Appeal**

It is expected that most student grievances will be resolved satisfactorily at this level. However, in the event that the grievance cannot be settled by this procedure, then the student through his/her parent(s) or guardian(s) may pursue the grievance to the Superintendent and then to the Board.

## **STUDENT GUIDANCE PROGRAM**

The Board feels that all students within the School District should have the benefit of a functional guidance program. The academic years of students are critical ones and are a time when proper guidance by the home and school are vital to the development of individuals.

Therefore, the School District and local schools shall cooperatively develop a program of guidance to meet the needs of the students of the School District. The guidance program shall encompass the areas of educational guidance, personal guidance, and career guidance.

The guidance program shall utilize professionally trained counselors and teachers and shall provide the following:

1. counseling services for all students on an individual and/or group basis;
2. necessary information for students to make wise decisions concerning educational, career, or personal planning;
3. counseling services for students concerning achievement and aptitude;
4. testing programs that will assist students to better understand themselves and assist teachers to better understand the students with whom they are working;
5. referrals for students needing more intensive diagnosis;
6. assistance for students and teachers to help improve communications between the school and home;
7. in addition, when possible, follow-up studies of former students to facilitate evaluation of the total school program;
8. all activities and procedures outlined in the State and local counseling and guidance plans;

### **STUDENT INSURANCE PROGRAMS**

The Board shall contract or authorize the local school to contract with a reputable insurance company to provide low-cost student accident insurance for the students enrolled in the schools of the School District. The insurance program is a service to all students of the School District in which they may participate on a voluntary basis.

The Board may require a student in certain curricular or extracurricular areas to participate in the school accident insurance program or file with the school principal a statement from the student's parent or guardian that said student is adequately protected against accidents that may occur while participating in said activities.

### **STUDENT PUBLICATIONS** *(FCBOE Policy 6.7)*

Local schools may permit student publications, provided they are approved by the local school principal. A duly employed staff member shall serve as an advisor and consultant to students in the preparation of all student publications. In accordance with current Supreme Court precedent, student publication staff members and other appropriate school staff members may work with student publication leaders to insure that the school does not receive undue direct and negative impact as a result of student publications.

### **STUDENT RECORDS** *(FCBOE Policy 6.13)*

Educational records as defined by law or board policy will be available for examination and review by authorized persons in the manner prescribed and to the extent required by law. Except where the context requires otherwise, the term "educational records" has the meaning given in 20 U.S.C. §1232g(a)(4). Copies of such records may likewise be provided to the extent required and under circumstances specified by applicable law or regulation. The Superintendent is authorized to establish administrative standards and for the reproduction thereof. Parents will be provided required annual notification regarding educational records through the student handbook or by other appropriate means. *[Reference: 20 U.S.C. §1232g(a)(4); 34 CFR 99.3](FCBOE 6.12)*

### **FERPA**

The *Family Educational Rights and Privacy Act (FERPA)* (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. This law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. **The Fayette County Board of Education adheres to federal guidelines regarding FERPA.**

*FERPA* gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons



such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, *FERPA* allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- \*school officials with legitimate educational interest;
- \*other schools to which a student is transferring;
- \*specified officials for audit or evaluation purposes;
- \*appropriate parties in connection with financial aid to a student;
- \*organizations conducting certain studies for or on behalf of the school;
- \*accrediting organizations;
- \*to comply with a judicial order or lawfully issued subpoena;
- \*appropriate officials in cases of health and safety emergencies; and
- \*state and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

Original Source: U.S. Department of Education - *FERPA*

## **STUDENT RIGHTS AND RESPONSIBILITIES**

**FREEDOM OF EXPRESSION** - Freedom of speech is a constitutional right guaranteed to all citizens. The School District shall make every effort to provide for the free expression of ideas by students unless this interferes with the educational process. No student shall have the right to interfere with the educational process of other students. All students shall be free to express their points of view in an orderly manner in keeping with democratic ideals. All students shall have the freedom to exercise the right of free speech and to protest deprivation thereof, through proper channels, providing that such protest does not interfere with the educational program of the School District or result in harm to other individuals. All students shall have the responsibility to grant the same rights and responsibilities to other individuals and to develop tolerance for the viewpoints and opinions of others and to recognize the right of other individuals to form and hold different points of view.

## **STUDENT SEARCHES** (*FBOE Policy 6.16*)

### **1. Board Property**

All school system property, facilities, and grounds may be entered, inspected, and searched for any lawful purpose by Board officials or their designees at any time, without prior notice and to the fullest



extent permitted by law. The right to enter, inspect, and search includes and extends to (but is not limited to) Board owned or controlled offices, desks, file cabinets, lockers, computers, files, documents, data, and devices however and wherever kept, stored, or maintained.

## **2. Personal Property**

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

## **3. Personal Searches**

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

## **4. Use of Recovered Items**

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

## **STUDENT SOCIAL EVENTS**

All student social events sponsored by the school shall be under the control of the local school principal and/or his/her designated representative. All such events shall be approved by the local school principal and the Superintendent of Schools. All such events shall be held in accordance with such rules and regulations as may be developed by local school officials, the Superintendent and the Board.

## **SUPERVISION OF LOW-RISK JUVENILE SEX OFFENDERS**

Pursuant to Annalyn’s Law (Ala. *Act No. 2018-472*, Ala. Code ss 16-1-51.1 -- 1975), the Superintendent shall be notified by local law enforcement when a low risk juvenile sex offender is enrolled or attending school within the board’s jurisdiction for the purpose of appropriate supervision during the school day and during school activities.

### **Section 1. Definitions**

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

“Plan” refers to the “individualized student safety plan” developed following the Student’s adjudication and/or enrollment in the school to serve as a behavior contract between contract between the Student and the School.

- (a) “School” refers to “all school property and school-sponsored functions including, but not limited to, classroom instructional time, assemblies, athletic events, extracurricular activities, and school bus transportation” related to the Student’s current school of record.
- (b) “Student” refers to “the low risk juvenile sex offender” designated by a juvenile court judge as having a low risk of re-offense.

- (c) “Teachers and staff with supervision over the student” or “Supervision team” refers to school officials or staff who have a specific responsibility for the Student, including the school principal, the Student’s assigned teachers and/or coaches, the Student’s counselor, and if applicable, the Student’s bus driver, during the subject school year and who will be privy to information regarding the Student’s status. Teachers and staff with only passing and/or general contact with the Student shall not be privy to information regarding the Student’s status.
- (d) “Victim” refers to the victim, if known by and attending the same school as the Student, of the offense for which the Student was adjudicated delinquent.

## **Section 2. Notification (a) Current Students**

In the event a currently enrolled Student is adjudicated delinquent and designated “low risk” by the juvenile court, local law enforcement is expected to notify the local Superintendent and principal of the Student’s school in writing.

### **(b) Newly Enrolled Students**

In the event a Student seeks to enroll in the district as a new student, and that Student has been previously designated as a low risk juvenile sex offender, local law enforcement is expected to notify the local Superintendent and principal of the Student’s school in writing.

### **(c) Students That Change Schools Within the District**

In the event a currently enrolled Student transfers to another school in the district or is promoted to another school in the district, the principal of the original school should notify designated law enforcement of the change as soon as practicable.

Following that notification, the principal of the original school should orally or in writing brief the principal of the new school regarding the original Plan and the transferring

Student’s status and circumstances. Regardless, the principal of the prior school must provide the Student’s records and Safety Plan to the principal of the new school as soon as practicable.

The new principal should review the Plan and meet with the Student, the Student’s parent or guardian, and the anticipated new Supervision Team to determine whether the current terms are sufficient or should be adjusted based on the Student’s circumstances.

### **(d) School Staff Changes**

In the event the principal or a member of the Supervision Team leaves his position or is no longer responsible for supervising the Student, a replacement team member should be named, if necessary and appropriate, and briefed by the principal or the most senior member of the Supervision Team regarding the Student’s status and Plan.

The Student, his parent or guardian, and other members of the Supervision Team should be notified of changes to the Supervision Team within a reasonable timeframe.

## **Section 3. Plan Development and Maintenance**

Upon proper notification from law enforcement, the Student’s principal or designee will call together the anticipated Supervision Team to meet with the Student and/or the Student’s parent or guardian to develop an appropriate Plan. This meeting should take place within 10 school days or as soon as practicable. In the event the Student’s parent or guardian is unable or unwilling to meet, the principal or designee and the Supervision Team should meet with the Student within a reasonable timeframe to develop an appropriate Plan.

In the event the Victim attends the same school as the Student, the plan should include measures to reduce the likelihood of Victim and Student interaction.

The terms of the Plan and any updates to it must be memorialized in writing and approved by the principal or designee before being distributed to the Student and the Student’s parent or guardian, as well as the Supervision Team.

The principal or designee should meet with the Student, the Student's parent or guardian, and the Supervision Team at least annually, but as often as deemed necessary by the principal or designee to assess the Student's status and to determine whether adjustments should be made to the Plan.

#### **Section 4. Supervision**

The Student will be subject to the general *Code of Student Conduct* and any other conditions deemed necessary by the principal or designee as incorporated in the Student's Plan.

Members of the Supervision Team should report any suspected violations of the Plan to the principal or designee.

The school officials and staff responsible for supervising the Student on a daily basis should do so in a manner that is discrete and unobtrusive.

#### **Section 5. Students with Disabilities**

Discipline of Students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act and/or Section 504 of the Rehabilitation Act and implementing regulations.

#### **Section 6. Violations of the Plan**

In the event the Student violates the *Code of Student Conduct* or the Plan, the Student may be subject to discipline pursuant to board policy and/or reassessment of the Plan's conditions.

#### **Section 7. Challenges to the Plan**

In the event the Student and/or his parent or guardian object to conditions of the Plan or the application of a sanction, a challenge must be submitted in writing to the Superintendent or his designee to consider whether adjustment of the Plan or response modification is warranted. The Superintendent's decision shall be final. A response that constitutes disciplinary action will adhere to the applicable School disciplinary policies and procedures and the Student will be afforded process due there under.

#### **Section 8. Confidentiality**

Information received by school officials or staff related to the Student's delinquent status must be treated as confidential from other students, staff members, officials and stakeholders. Any document identifying the Student's status should be safeguarded from unintentional disclosure by the members of the Supervision Team. Any school official or school employee who improperly discloses the Student's status to any other person may be subject to school discipline and/or criminal charges as provided by law.

#### **Section 9. Retaliation**

Members of the Supervision Team should make every effort to treat the Student with the same respect and courtesy to which every student is entitled. The Team is reminded that the Student has been deemed by the juvenile court as not likely to reoffend and should be encouraged to fully integrate into the student body as a successful student. Mistreatment of any student may be cause for discipline.

#### **Section 10. Procedures**

The Superintendent shall have the authority to develop appropriate training and additional procedures for staff members in furtherance of this policy.

### **SUICIDE PREVENTION POLICY (FCBOE Policy 6.25.6)**

To the extent that the legislature appropriates funds or the Board provides funds from other sources, the School District will implement the following statutory requirements of the *Jason Flatt Act* (Act #2016-310) which amends the Code of Alabama (1975) Section 16-28B-8 in an effort to prevent student suicide:

1. Foster individual, family, and group counseling services related to suicide prevention.
2. Make referral, crisis intervention, and other related information available for students, parents, and school personnel.

3. Foster training for school personnel who are responsible for counseling and supervising students.
4. Increase student awareness of the relationship between drug and alcohol use and suicide.
5. Educate students in recognizing signs of suicidal tendencies and other facts and warning signs of suicide.
6. Inform students of available community suicide prevention services.
7. Promote cooperative efforts between school personnel and community suicide prevention program personnel.
8. Foster school-based or community-based, or both, alternative programs outside of the classroom.
9. Develop a strategy to assist survivors of attempted suicide, students, and school personnel in coping with the issues relating to attempted suicide, suicide, the death of a student, and healing.
10. Engage in any other program or activity which the Board determines is appropriate and prudent in the efforts of the school system to prevent student suicide.
11. Provide training for school employees and volunteers who have significant contact with students on the Board policies to prevent harassment, intimidation, and threats of violence.
12. Develop a process for discussing with students local board policies relating to the prevention of student suicide and to the prevention of harassment, intimidation, violence, and threats of violence.
13. Provide annual training for all certificated school employees in suicide awareness and prevention. This training may be provided within the framework of existing inservice training programs or as a part of required professional development offered by the school system.

Students may be required to participate in curricular activities developed to implement the statutory requirements of the *Jason Flatt Act* and are encouraged to participate in any other activities or strategies developed by the Board for that purpose.

## **SUPERVISION BEFORE AND AFTER SCHOOL HOURS**

### **General**

It is apparent that a high percentage of parents of school-aged children are of necessity members of the community's workforce. Statistics support the rapid growth in the number of instances where both parents are working outside the home. Our community is directly impacted as are most other cities and towns across the country. As a result, our School District is directly affected in many ways, especially by the increased incidents of students' early arrivals at school each morning and late departures in the afternoons. School personnel should attempt to assist and remain sensitive to the needs of both students and parents in this matter; however, School District personnel should not and cannot be expected to assume supervisory responsibility for students on school premises at unreasonable times.

### **School District Responsibility Before and After School**

School personnel will not assume responsibility for such students more than twenty (20) minutes before the time set for opening classes/homeroom each morning and twenty (20) minutes after the time set for closing the normal school day's classes. In all cases, responsibility shall be accepted and supervision provided for students who arrive at school via School District buses.

### **School District Responsibility Before and After School Sponsored Events**

School District personnel cannot assume responsibility for students for more than thirty (30) minutes before and thirty (30) minutes after special events sponsored by the school, i.e. athletic events, plays, etc.

## **DISMISSAL PRECAUTIONS (SAFETY)**

Each school principal and staff shall develop a plan for the orderly and safe dismissal of all students. The plan shall encompass the following:

1. Provisions for proper supervision of students who must remain in the school building after regular school hours.

2. Provisions for safe loading of students who utilize school transportation.
3. Provisions for safety of students when school buses are departing from the school campus.
4. Provisions for the safety of students when automobiles and other motorized vehicles are departing school campus.
5. Provisions for safety of students when school is dismissed early and/or closed for emergency reasons.

Said plan shall be filed with the Superintendent at the beginning of each school year.

## **SUSPENSIONS** *(FCBOE Policy 6.19)*

### **Grounds**

A student may be suspended from school when the student:

1. violates Board policies or school rules or regulations; (Note: these policies, rules, and regulations apply to any student who is on school property, who is in attendance at school or at any school sponsored activity, or whose conduct at any time or any place interferes with or obstructs the missions or operations of the School District or the safety or welfare of students or employees;
2. is guilty of conduct which interferes with the maintenance of school discipline;
3. is guilty of conduct that, in the judgment of school officials, warrants the reasonable belief that disruption of school operations will likely result; and
4. is guilty of incorrigible conduct, including insubordination, disorderliness, viciousness, immorality, persistent violation of school rules, or persistent misbehavior.

### **Extension to Next School Year**

A suspension may extend beyond the current school year. "Beyond a current school year" means that a student suspension assigned at or near the end of the current school year may be extended to the beginning of the next school year in order that the full length of such suspension is served.

### **Enrollment of Suspended or Expelled Students**

Any student who has been suspended from a school of the School District is not eligible to attend any other school within the School District until eligible to return to his/her regular school. Any student who has been suspended or expelled or is pending a suspension or expulsion from another district will not be permitted to enroll in the School District, except that a suspended or expelled student whose parent(s) or guardian(s) establishes residence in an area served by the School District may make a written request outlining the specifics of the suspension or expulsion to the Superintendent for review and consideration by the Board. In such instances, the Board will, based on the facts of the case, make decisions on a case by case basis.

### **Principal's Responsibility to Maintain Order**

Principals are charged with the responsibility of general student conduct and behavior regulations. Such discipline may include suspension from school. The principal or designee shall notify the parent prior to sending the student home during the school day. If the parent cannot be contacted, the student shall be kept at school until the end of the school day. A letter explaining the suspension will be sent home with the student at the end of the school day. A letter shall also be sent to the parent or guardian by mail. (Exception: If the student's continued presence in the school presents a danger to the student or to other persons or property, the student may be summarily suspended from the campus without parent notification).

**SEE STUDENT DUE PROCESS PROCEDURES ON PAGE 56 IN THIS DOCUMENT**

## **TEXTBOOKS**

All textbooks furnished free of charge to pupils shall remain the property of the State of Alabama and the Fayette County Board of Education. The parent or guardian of the student to whom the textbooks are issued shall be held liable for any loss, abuse, or damage to state owned textbooks.

The amount of payment to the School District shall be determined by the following schedule:

- 1<sup>st</sup> year - Original cost
- 2<sup>nd</sup> year - 75% of original cost
- 3<sup>rd</sup> year - 50% of original cost
- 4<sup>th</sup> year - 50% of original cost
- 5<sup>th</sup> and 6<sup>th</sup> years - 50% of original cost

Reimbursement will be made to students who relocate textbooks after payment is made to the School District and upon representation of payment receipt.

#### **TITLE IX** (*FCBOE Policy 6.9*)

Prohibition – In accordance with Title IX (20 U.S.C. §1681, et seq.), the Board strictly prohibits discrimination on the basis of sex or gender in its programs or activities, including sexual harassment, as defined by law and Board policy. Sexual harassment complaints should be filed and reviewed under the Board’s student sexual harassment policy. All other complaints under Title IX will be filed and reviewed according to the Board’s general complaint and grievance procedures.

Title IX Supervisor – The Superintendent is authorized and directed to designate a Title IX Supervisor, whose duties will include but not be limited to receiving and responding to Title IX inquiries and complaints.

#### **TOBACCO PRODUCTS** (*FCBOE Policy 4.2.4*)

The Fayette County Board of Education, because of the high degree of evidence available, views smoking and other uses of tobacco and tobacco products as being detrimental to health and a significant contributor to lung, heart, and other associated diseases. The Board considers knowledge and understanding of good health practices as being a primary objective of education.

Therefore, it is the policy of the Board that the use of tobacco products and the illegal possession, distribution and sale of tobacco products on school property is prohibited. For the purposes of this policy, “tobacco product” is defined to include cigarettes, electronic cigarettes, vape pens, hookah pens, e-hookahs, vape pipes and any similar type of device designed to deliver nicotine, flavor, and other chemicals via inhalation, cigars, blunts, bidis, pipes, chewing tobacco, snuff and any other items containing or reasonably resembling tobacco or tobacco products. “Tobacco use” includes smoking, vaping, chewing, dipping, or any other use of tobacco products. Students who violate this policy will be disciplined in accordance with the Board’s *Code of Student Conduct*. Other persons who violate the tobacco prohibition may be denied re-entry to school property. Parents and guardians may be notified of actual or suspected violations of the tobacco prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

#### **TRANSFER GUIDELINES** (*FCBOE Policy 6.2*)

The following guidelines are taken from the *Accreditation Standards for Alabama Elementary and Secondary Schools*, Supp. No. 91-2, CH 290-030-010, and shall serve as rules and regulations governing the withdrawal and transfer of students within all schools of the School District:

1. student transferring to another school or to an institution of higher learning which the student desires to enter;
2. students transferring from other schools accredited by the Alabama State Department of Education and from schools accredited by other state or regional accrediting agencies should be admitted upon official transcripts sent directly to the principals of the schools to which the students are applying for admission;
3. students in good standing, transferring to any school in Grades 9, 10, 11, and 12, should be enrolled in the required grade courses and the available elective courses which correspond as nearly as possible to those taken at the previous school;



4. required subjects on the grade levels below his/her entrance level do not apply to the transferring student and upon satisfactory completion of the work, the student should be promoted or graduated;
5. when a student transfers to a school at the twelfth grade level, it is the responsibility of the principal to have a letter submitted from the principal of the accredited school from which the student transfers indicating the student's status; and
6. credits for career/technical subjects earned at any accredited career/technical center must be honored by any other state accredited secondary school and full credit granted for graduation as evaluated by the career/technical center and recorded on the student's transcripts. The amount of credit earned in any course will be determined on the basis of the number of minutes spent in class per week.

## **TRANSFERS INTO AND WITHIN THE SCHOOL DISTRICT**

### **Transfer Eligibility**

Students transferring to any school within the School District must meet all eligibility requirements related to age, residence, immunizations, etc. In addition, the student must not be suspended or expelled or pending suspension or expulsion from the school previously attended, except that a suspended or expelled student whose parent(s) or guardians(s) establishes residence in an area served by the School District may make a written request outlining the specifics of the suspension or expulsion to the Superintendent for review and consideration by the Board.

### **Placement of Transfer Students**

The following placement procedures shall apply to all students transferring into the School District:

1. Normally students will be placed in the same grade they were in at the school from which they are transferring based on official records and transcripts.
2. Students shall be placed in compliance with following *Alabama Accreditation Standards guidelines, Supp. No. 91-2, CH 290-030-010*:

“Each state accredited school must accept complete transcripts of credits from other state accredited schools and from schools accredited by other states. The student being transferred shall be classified and accepted by the school as he/she was in the previous school. Example: a student meeting the requirements for graduation and in good standing in school "X" who is classified in the 11th grade and transfers during the school year, or at the conclusion of the year, to school "Y" must be given full credit toward graduation, even though school "X" has additional requirements over and above school "Y." This student must not be required to take additional credit but must meet the remaining requirements for graduation. School "Y" is required to classify the student as school "X" indicated on the transcript. School "Y" must schedule the student in subjects which are required for graduation for the remaining portion of the student's enrollment.”

"Admissions and classification of students transferring from non-accredited (defined as accreditation by a state or a nationally recognized regional accreditation agency) elementary, junior/middle, and senior high schools should be on the basis of demonstrated ability and records of attendance and work done in schools previously attended. Credit for such courses pursued in a non-accredited school must be validated by the principal with an appropriate faculty committee. A student may also be admitted by successfully passing an entrance examination."

### **Transfers Within the School District (FCBOE Policy 6.2.1)**

The Board may permit transfers between schools within the school system for good cause. Transfer requests must be submitted in writing and must include detailed reasons for the request. The Superintendent may approve or deny a transfer request in light of the stated reasons for the request, the capacity and resources of



the schools, the student's record (including behavior, grades, attendance, and other factors), and the best interests of the student and of the school system. The existence or availability of a transfer process does not create or give rise to any right to attend a particular school, and school assignment remains wholly with the discretion of the Board.

### **ALL TRANSFER STUDENTS MUST MEET BOARD OF EDUCATION REQUIREMENTS RELATING TO GRADUATION.**

#### **Withdrawals (FCBOE Policy 6.2.2)**

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

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

#### **Rules and Regulations for Withdrawing Students**

The local school principal or designee shall be responsible for complying with the following rules and regulations when withdrawing a student from school:

1. the student will be withdrawn from Chalkable;
2. an attempt will be made to determine the name and address of the school in which the student will be enrolling, if applicable;
3. the student's parent/guardian will be requested to come to the school and approve the withdrawal if said student is less than seventeen (17) years of age;
4. all locally and state-owned materials and textbooks must be turned in prior to withdrawal;
5. all legally permissible financial obligations must be paid prior to withdrawal;
6. the student's Immunization Forms will be given to the student or parent/guardian. School personnel should make a copy of the forms to keep in school files; and
7. the student's report card or approved grade report form will be given to the student or parent/guardian. When the parent/guardian or student fails to pick up the report card or grade sheet, the report card or grade sheet will be sent to the parent's/guardian's forwarding address.

#### **Withholding Official Records**

School personnel shall make every attempt to encourage students to withdraw in accordance with Board policy. In the event students do not comply with all procedures related to withdrawing from school, their parent/guardian shall be contacted and requested to comply with all withdrawal procedures; however, official records shall not be withheld.

#### **Transmitting Student's Records**

Based on recent interpretations of Public Law 93-380 (Buckley Amendment), official records (including special education records) of students transferring to other schools may be released without the written consent of parents to the following:

1. other local school officials who have legitimate educational interest; and
2. officials of another school in which a student intends to enroll.

## **TRANSPORTATION**

### **EDUCATIONAL TRIPS AND EXCURSIONS**

Educational field trips taken as a part of or as a culmination to a unit of study may be authorized in accordance with the following rules and regulations. Please see the Fayette County Board of Education's website at [fayette.k12.al.us](http://fayette.k12.al.us) to view the *Field Trip Manual* updated June 2019.

#### **In-State Field Trips**

1. A Field Trip Planning and Request Form should be completed by all teachers who plan to take field trips during the school year.
2. The Field Trip Planning and Request Form should be completed during the first two weeks of school each year. Early completion of said forms will facilitate the coordination of such activities and the countywide transportation needs.
3. The Field Trip Planning and Request Form must be submitted to the school principal for approval and submitted to the Superintendent of Schools for review and approval. All forms must be approved prior to the date of the planned activity.
4. Teachers directing a field trip must file a signed parental permission slip for each student participating in the activity with the school principal prior to departure. The completed parental permission slips must be turned in to the principal prior to the date of the field trip.
5. Prior to the date of the field trip, teachers may be asked to collect transportation fees from the students.
6. Teachers are responsible for adequate supervision for all field trips. When necessary, the teacher must secure additional chaperones which must be approved by the principal.

### **Out-of-State Field Trips**

All out-of-state, as well as overnight field trips, must have prior approval by the principal and Superintendent of Education. All other rules and regulations for in-state field trips apply to out-of-state field trips.

The Board of Education has authorized the use of school buses for educational trips provided the following rules are met:

1. The principal must notify the Transportation Supervisor as to the number of buses needed for approved educational trip.
2. The bus must not be stopped on the highway to let passengers on or off after 5:00 p.m. When a stop is necessary after 5:00 p.m. the driver should stop at a safe place on the side of the highway.
3. At least one Board employee must ride the bus and accept responsibility for seeing that all rules and regulations governing school buses are carried out.
4. The schools must employ a certified school bus driver or a contract teacher who has been approved by the Transportation Supervisor. The local school will be responsible for driver's pay for all education trips.
5. No one except the principal (or designee) of the school should request buses for educational trips. The request should be made not less than three (3) days prior to the trip and the driver must be furnished a copy of the request.
6. All passengers must be enrolled in school, be an employee of the school system, or be designated as chaperones by the school principal.
7. The charge for extra-curricular trips will be the cost of gasoline at the current prices based on buses at seven miles per gallon, plus the cost of the driver.
8. The Transportation Supervisor will designate buses for all educational trips.

### **ELIGIBLE BUS RIDERS**

Only students enrolled in the schools, school officials, designated chaperones, and school employees may ride school buses operated by the Board.

### **REGULATIONS GOVERNING BUS ROUTING**

The Board recognizes that adding new school bus routes or changing the established ones can seriously affect the family schedule of the children and parents involved. In an attempt to provide as near equal school bus service to everyone in Fayette County, with the limited number of buses and limited financial resources to operate them, the following points will be considered on every proposed route and all established routes:

1. A school bus will not be routed over a road that is not maintained by federal, state, county or city government, and not open to public traffic. Such roads must be maintained on a continuous basis to insure safe passage of the bus.
2. A bus shall not be routed over roads or bridges which are hazardous to the lives of children and driver.
3. If a road, or section of a road, or bridge becomes unsafe for a school bus to operate over it, the Supervisor of Transportation shall immediately reroute that bus. If a road permanently becomes unsafe or unfit for safe school bus operation, the Board shall terminate bus service on that road.
4. All bridges on school bus routes must be rated for sufficient tonnage to assure the safety of the bus to cross loaded with students. When a question arises as to the safety of a bridge, the decision will be governed by recommendation of the county engineer.
5. Roads over which a bus is routed must be wide enough for bus and car to meet and pass in a safe manner and of such a nature that a school bus can maintain a safe speed. School bus stops shall be located so that vehicle traffic will have a clear unobstructed view for a minimum distance of one hundred yards in both directions. Bus stops shall not be made less than one-tenth (.1) mile apart, and farther apart if necessary for the safety of the pupils. Stops shall be so located as to serve all pupils as nearly alike as safety, convenience, economy, and consideration for the motoring public will allow.
6. A bus route cannot be extended to accommodate students unless they live more than two-tenths (.2) mile apart from an established route. Bus service will depend then on roads which meet the conditions specified in Board policy.
7. Students with physical disabilities may be entitled to a special school bus stop provided the Board is furnished a written certificate from a physician designated by the Board stating why unusual hardships would be encountered in walking to a regular bus stop. The certificate provided by the physician shall terminate the end of each school year or when the disabling condition no longer exists.
8. Backing a school bus is hazardous. Each bus turnaround site will be of sufficient area and condition to require only one backing.
9. The driver must adhere strictly to designated and approved routes and make no changes without permission from the office of the Superintendent of Schools and Supervisor of Transportation. All concerned must be notified when a change is to be made.
10. No change in bus routes will be made to accommodate a child who lives within two (2) miles of the school which he/she attends.
11. Buses shall be routed as near as possible, equal mileage and equal load for all routes.
12. All school bus routes shall be carefully planned by the Supervisor of Transportation in consultation with the school principal.

## **ROAD REQUIREMENTS**

The road a bus will be expected to travel must meet the following requirements:

1. All bridges must be inspected by the Supervisor of Transportation or by the County Engineer and approved by the Supervisor of Transportation.
2. All bridges must have a tonnage rate sufficient to assure safety for the bus.
3. The road must be wide enough for a bus and car to meet and pass in a safe manner.
  - a. Be maintained by the State or County Commission.
  - b. Be of such a nature that a bus can maintain a safe speed.
  - c. Have right-of-way cut back sufficiently so that limbs or brush will not injure children through window or cause damage to the bus.
4. All "Turnarounds" must be approved by the Supervisor of Transportation and must be kept free of all vehicles or other objects which will interfere with safe transportation.
5. If a road temporarily becomes unsafe or unfit for school bus operation, the Supervisor of Transportation shall terminate bus service.

6. If a road permanently becomes unsafe or unfit for school bus operation, the Board shall terminate bus service on that road.

## **TRANSPORTATION GUIDELINES**

(also located on the system website under Departments - Transportation)

This information is to help students, parents, teachers, and bus drivers be aware of procedures, rules, and disciplinary procedures pertaining to riding school buses. Most importantly, it is to teach safety habits and promote good bus riding attitudes. Parents should take time to review the information contained in this pamphlet with your children. Please make sure they understand the importance of safety on the school bus as well as the consequences misbehavior could cause while riding the school bus. First and foremost, riding a school bus is a privilege, not a right. This privilege should never be abused. If a student abuses this privilege, they are at-risk of losing this privilege.

It is the parent's responsibility to insure their child(ren) are at the stop and ready to board the bus. Students should ALWAYS be at their bus stop and ready to board the bus at least 5 minutes prior to the normal arrival time of the bus. Once a driver pulls up to a stop and opens the door, if there are no students at the stop, the driver will continue on the route. If a driver has to sit and wait on students to come out of their house and perhaps walk slowly down a long driveway to board the bus, the schedule is off by a minute or two. If this happens with several pick-ups in one morning, there is a good chance the students on that bus will be late for school. A serious problem for drivers in the afternoon is reaching a young student's stop and no one being home to meet the student. The parent is responsible to make sure someone is at home.

A child in kindergarten, first, second or even third grade may be too young to leave alone. Currently, when a driver runs into a situation like this, he/she will radio into the office for instructions. At that point, someone must be located to determine what to do with that student. During this time, the other students on the bus are delayed from reaching their stops on time. Many times, other parents are calling to try to find out why the bus is late. We try to assure the safety of all students. Any students under the age of 10 who do not have parents home to receive them will either be brought back to their school or to the Fayette County Bus Shop. The parent/guardian will then be notified of their location, and will be required to pick them up. With fuel cost rising daily, buses will be routed to save as much fuel as possible. Students who live off the main road will be required to contact their bus driver or the bus shop if they do not intend to ride the bus. If a student fails to ride the bus for 3 days in a row and does not contact either the driver or the bus shop, bus service will be discontinued. In order for a bus to leave the main route, students must live more than .2 of a mile off the main road and the road they live on must be maintained by the state, county or city.

### **ONLY RIDE YOUR ASSIGNED SCHOOL BUS**

A student should always get permission to ride a different bus. A note signed by a parent and verified by the school administrator is required to get a bus pass to ride a different bus. If a student does not have a bus pass from the office, they cannot ride a different bus. This applies every time a student needs to ride a different bus.

### **ALWAYS GET OFF THE BUS AT YOUR DESIGNATED STOP**

If a student needs to get off the bus at a different location, a note from a parent is required to be verified by the school administrator in order to obtain a bus pass from the office indicating a different location to get off the bus.

### **GET TO THE BUS STOP SAFELY AND ON-TIME**

A student should be at the bus stop 5 minutes before the bus arrival time. Students should walk on the LEFT shoulder of the road if there are no sidewalks. Students should look carefully before crossing streets or roads. Watch for cars and trucks! Be alert! Students should always wait for the Stop Sign to come out on the bus before getting on board.

### **BOARD THE BUS CAREFULLY**

Stay in single file-without crowding or pushing. Hold the handrail - steps may be slippery. Go directly to your seat.

### **LEAVE THE BUS CAREFULLY**

Students should always walk in single file and move away from the bus door as soon as you are off the bus. Never play in the bus loading zone.

### **CROSS ROADS VERY CAREFULLY**

When the bus is using flashing lights, wait for the driver's signal to cross the road. Be alert to possible dangers. When crossing streets, after the bus has left, always use the crosswalk. Look both directions before crossing the road. never run in front of a car.

### **BUS BEHAVIOR**

Be considerate of other students. Help keep the bus clean. Keep belongings out of the aisle. Stay on the seat. Do not throw items about. Avoid too much noise, as this may distract the driver and cause an accident. *\*The bus driver has the authorization to assign seats.*

### **SCHOOL BUS RULES**

1. Observe the same conduct as in the classroom. Be respectful and courteous.
2. Do not use profane language.
3. Do not eat, drink or chew gum on the bus.
4. Help keep the bus clean. Pick up your trash.
5. Cooperate with the driver.
6. No tobacco products on the bus.
7. Respect property.
8. Stay in your seat.
9. Keep head, hands and feet inside the bus.

### **ITEMS NOT PERMITTED ON SCHOOL BUSES**

\*Aerosol sprays; including air fresheners, spray colognes, de-icer

\*Baseball bats, unless on an athletic trip and only then if they are in bags or cases

\*Flammable materials such as: insect repellants, road flares, gasoline cans, oils starter fluids, lighters, paint, bleach

\*Tobacco products, including ecig or other vapor devices

- \*Non-spec trash cans
- \*Clutter in the driver area
- \*Brooms above mirrors or in hazardous locations
- \*Anything blocking an aisle or emergency exit
- \*Anything on the exterior of the bus not necessary for identification of the school system or school bus
- \*Radio, stereo speakers, headphones
- \*Fishing rods
- \*Coolers
- \*Seat coverings not meeting Alabama DOT specs
- \*Knives of ANY kind, martial arts paraphernalia, iron pipes, hammers, ice-scrappers
- \*Cup holders, glass items (jars, etc.)
- \*Food or drinks, unless in a backpack or lunch box
- \*Animals
- \*Skateboards
- \*Cell phones in use

*Items pertinent to the school curriculum, such as band instruments in cases, school projects, such as science project boards, are permitted on school buses; however they must be kept in the seat with the student.*

## **SCHOOL BUS DISCIPLINE**

1. Bus drivers will give verbal warnings to students that break school bus rules. If a student continues to break the rules or the behavior is severe in nature, the driver will fill out a ***School Bus Incident Report*** form and give it to the school administrator (principal or assistant principal).
2. The school administrator will meet with the student, discuss the incident and complete the incident report - noting the disciplinary action taken. The parent will be sent a copy of the incident report (yellow copy) via mail or by the student. If the behavior is consistent or serious, a student may be suspended from the bus. If a student is suspended from the bus, the school administrator will notify the parent and transportation supervisor/assistant immediately.
3. If a student accumulates 8 days bus suspension OR the school administrator deems the behavior as dangerous in nature, the student will lose his/her bus riding privileges for the remainder of the semester and/or year .
4. When a child loses his/her bus privileges, the parents assume the responsibility for transportation to and from school. (Revised June 2019)

## **UNANNOUNCED VISITS BY LAW ENFORCEMENT AGENCIES**

Law enforcement officers have the right without giving prior notice to come on a school campus under the jurisdiction of the Fayette County Board of Education for the purpose of detecting the presence of illegal drugs. Law enforcement officers have the right to come on campus to interview students as suspects or witnesses. School officials will not delay, hinder or obstruct law officers from the performance of their duties. Before any such interview, the principal or designee will carefully ascertain the officer's identity, official capacity, and the authority under which he/she acts.

The Fayette County Board of Education authorizes site administrators to release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest or to remove a student from school premises if the officer or school administrator has reason to believe that the student has violated the law. The principal or designees will immediately notify the parent/guardian or responsible relative of the student's release and location, except in cases of suspected child abuse.

Whenever a student is suspected of being a victim of child abuse and is being removed from the school premises, the superintendent or designee must give the telephone number and address of the student's parent/guardian to the law enforcement officer. The officer then has the responsibility of immediately notifying the parent/guardian.

Except in cases of child abuse or neglect, the principal or designee will attempt to contact the student's parent/guardian and solicit his/her consent when a law enforcement officer requests an interview on school premises.

Personnel responsible for releasing a student from school custody will exercise extreme diligence to prevent such release to any unauthorized or unidentified person.

At the law officer's discretion and with the student's approval, the principal or designee may be present during the interview.



# ***APPENDIX*** **(FORMS)**

**BULLYING COMPLAINT**

**COMPLAINT OF HARASSMENT**

**FAYETTE COUNTY SCHOOL DISTRICT DRUG  
TESTING CONSENT**

**SCHOOL MEDICATION  
PRESCRIBER/PARENT AUTHORIZATION  
OTC**

**SCHOOL MEDICATION  
PRESCRIBER/PARENT AUTHORIZATION  
PRESCRIPTION**

# FAYETTE COUNTY SCHOOLS

## Bullying Complaint Form

Student Name: \_\_\_\_\_ School Name: \_\_\_\_\_  
 Grade: \_\_\_\_\_

INFRACTION REPORTED BY (circle one):      STUDENT      PARENT/GUARDIAN			
<i>Date of Incident</i>		<i>Time</i>	
<i>Specific Location of Incident</i>			
<b>DESCRIPTION of INCIDENT</b>			
<b>OTHER INFORMATION</b>			

The *Jamari Terrell Williams Student Bullying Prevention Act*, No. 2018-472, defines bullying as a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal, or physical acts 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 the policy adopted by the local board. To constitute bullying, a pattern of behavior may do any of the following:

- a. Place a student in reasonable fear of harm to his or her person or damage to his or her property.
- b. Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
- c. Have the effect of substantially disrupting or interfering with the orderly operation of the school.
- d. Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
- e. Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment or a student.

Student: \_\_\_\_\_ Date: \_\_\_\_\_  
 OR  
 Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Submit this form to the principal.

\*Please note that the submission of a complaint does not automatically substantiate that misconduct has occurred. The school administration has the prerogative to investigate any allegations of wrongdoing or false allegations.

June 2019

# COMPLAINT OF SEXUAL HARASSMENT

*To be delivered by hand or mailed to the principal or assistant principal of the school.*

Student name \_\_\_\_\_ School \_\_\_\_\_

Grade \_\_\_\_\_ Date \_\_\_\_\_

This is to report an incident or repeated incidents of: (check appropriate space)

\_\_\_\_\_ violence                      \_\_\_\_\_ threat of violence                      \_\_\_\_\_ harassment

\_\_\_\_\_ intimidation                      \_\_\_\_\_ sexual harassment

\_\_\_\_\_ threat of suicide (parent/guardian will be notified)

Name of alleged perpetrator of the incident(s) \_\_\_\_\_

Explain briefly why you think this should be investigated:

Signature of student or parent/guardian \_\_\_\_\_

*\*\*\* A student who deliberately, recklessly, and falsely accuses another student of a violation will be subject to disciplinary sanctions.*

**This form must be signed and returned before receiving parking pass or participating in Extracurricular Activities.**

## **Fayette County School District Drug Testing Consent Form**

I have read the above statement of policy and agree to abide by the School's drug rules. I agree to submit to drug tests at any time as a condition for my initial or continued participation in extracurricular activities. I authorize any laboratory or medical provider to release test results to the Fayette County Board of Education and its Medical Review Officer (MRO). I authorize the MRO to release final test results to the school.

I also expressly authorize the School 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; and
- b) To my decision maker in a lawsuit, grievance, or other proceeding initiated by me or on my behalf.

I understand that this agreement in no way limits my right to terminate or to be terminated from participation in extracurricular activities.

\_\_\_\_\_  
Extracurricular Activity Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent or Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

**ALABAMA STATE DEPARTMENT OF EDUCATION**

**SCHOOL MEDICATION PRESCRIBER/PARENT AUTHORIZATION**

School Year: \_\_\_\_\_ - \_\_\_\_\_

**STUDENT INFORMATION**

Student's Name: \_\_\_\_\_ School: \_\_\_\_\_  
 Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Age: \_\_\_\_\_ Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_  
☐ No known drug allergies---if drug allergies list: \_\_\_\_\_ Weight: \_\_\_\_\_ pounds

**OVER THE COUNTER PRESCRIBER AUTHORIZATION**

Medication Name: \_\_\_\_\_ Dosage: \_\_\_\_\_ Route: \_\_\_\_\_  
 Frequency/Time(s) to be given: \_\_\_\_\_ Start Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Stop Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 PHYSICIAN ORDER REQUIRED by LEA : YES \_\_\_\_\_ NO \_\_\_\_\_  
 Reason for taking medication: \_\_\_\_\_  
 Potential side effects/contraindications/adverse reactions: \_\_\_\_\_  
 Treatment order in the event of an adverse reaction: \_\_\_\_\_  
**SPECIAL INSTRUCTIONS:**  
 Is the medication a controlled substance? Yes ☐ No ☐  
 Is self-medication permitted and recommended? Yes ☐ No ☐  
 If "yes" I hereby affirm this student has been instructed  
 On proper self-administration of the prescribe medication.  
 Do you recommend this medication be kept "on person" by student? Yes ☐ No ☐  
 Printed Name of Licensed Healthcare Provider: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_ - \_\_\_\_\_ Fax: \_\_\_\_\_ - \_\_\_\_\_  
 Signature of Licensed Healthcare Provider: \_\_\_\_\_ Date: \_\_\_\_\_

**PARENT AUTHORIZATION**

I authorize the School Nurse, the registered nurse (RN) or licensed practical nurse (LPN) to administer or to delegate to unlicensed school personnel the task of assisting my child in taking the above medication in accordance with the administrative code practice rules. I understand that additional parent/prescriber signed statements will be necessary if the dosage of medication is changed. I also authorize the School Nurse to talk with the prescriber or pharmacist should a question come up with the medication.  
**Prescription Medication** must be registered with School Nurse or trained Medication Assistants. Prescription medication must be properly labeled with student's name, prescriber's name, name of medication, dosage, time intervals, route of administration and the date of drug's expiration when appropriate.  
**Over the Counter Medication** must be registered with the School Nurse or Trained Medication Assistant, OTC's in the original, unopened and sealed container. Local Education Agency Policy for OTC medication to be followed:  
 Parent's/Guardian's Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Phone: ( ) \_\_\_\_\_ - \_\_\_\_\_

**SELF-ADMINISTRATION AUTHORIZATION**

**(To be completed ONLY if student is authorized to complete self-care by licensed healthcare provider.)**

I authorize and recommend self-medication by my child for the above medication. I also affirm that he/she has been instructed in the proper self-administration of the prescribed medication by his/her attending physician. I shall indemnify and hold harmless the school, the agents of the school, and the local board of education against any claims that may arise relating to my child's self-administration of prescribed medication(s).

Signature of Parent: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Phone: ( ) \_\_\_\_\_ - \_\_\_\_\_

Revised 5/2016

**ALABAMA STATE DEPARTMENT OF EDUCATION**

**SCHOOL MEDICATION PRESCRIBER/PARENT AUTHORIZATION**

School Year: \_\_\_\_\_ - \_\_\_\_\_

**STUDENT INFORMATION**

Student's Name: \_\_\_\_\_ School: \_\_\_\_\_  
 Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Age: \_\_\_\_\_ Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_  
☐ No known drug allergies---if drug allergies list: \_\_\_\_\_ Weight: \_\_\_\_\_ pounds

**PRESCRIBER AUTHORIZATION** (To be completed by licensed healthcare provider)

Medication Name: \_\_\_\_\_ Dosage: \_\_\_\_\_ Route: \_\_\_\_\_  
 Frequency/Time(s) to be given: \_\_\_\_\_ Start Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Stop Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Reason for taking medication: \_\_\_\_\_  
 Potential side effects/contraindications/adverse reactions: \_\_\_\_\_  
 Treatment order in the event of an adverse reaction: \_\_\_\_\_  
**SPECIAL INSTRUCTIONS:**  
 Is the medication a controlled substance? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Is self-medication permitted and recommended? Yes \_\_\_\_\_ No \_\_\_\_\_  
 If "yes" I hereby affirm this student has been instructed  
 On proper self-administration of the prescribe medication.  
 Do you recommend this medication be kept "on person" by student? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Emergency Drug required during Bus Transportation Yes \_\_\_\_\_ No \_\_\_\_\_  
 Cake Icing Gel **ONLY** for Diabetic Student during Bus Transportation Yes \_\_\_\_\_ No \_\_\_\_\_  
 Printed Name of Licensed Healthcare Provider: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_ - \_\_\_\_\_ Fax: \_\_\_\_\_ - \_\_\_\_\_  
 Signature of Licensed Healthcare Provider: \_\_\_\_\_ Date: \_\_\_\_\_

**PARENT AUTHORIZATION**

I authorize the School Nurse, the registered nurse (RN) or licensed practical nurse (LPN) to administer or to delegate to unlicensed school personnel the task of assisting my child in taking the above medication in accordance with the administrative code practice rules. I understand that additional parent/prescriber signed statements will be necessary if the dosage of medication is changed.  
**Prescription Medication** must be registered with School Nurse or trained Medication Assistants. Prescription medication must be properly labeled with student's name, prescriber's name, name of medication, dosage, time intervals, route of administration and the date of drug's expiration when appropriate.  
**Over the Counter Medication** must be registered with the School Nurse or Trained Medication Assistant, OTC's in the original, unopened and sealed container. Local Education Agency Policy for OTC medication to be followed:  
 Parent's/Guardian's Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Phone: ( ) \_\_\_\_\_ - \_\_\_\_\_

**SELF-ADMINISTRATION AUTHORIZATION**

**(To be completed ONLY if student is authorized to complete self-care by licensed healthcare provider.)**

I authorize and recommend self-medication by my child for the above medication. I also affirm that he/she has been instructed in the proper self-administration of the prescribed medication by his/her attending physician. I shall indemnify and hold harmless the school, the agents of the school, and the local board of education against any claims that may arise relating to my child's self-administration of prescribed medication(s).

Signature of Parent: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Phone: ( ) \_\_\_\_\_ - \_\_\_\_\_