ORANGE BEACH CITY SCHOOLS BOARD POLICY MANUAL

Revised on October 7, 2025

Revised Policy: Qualifications of Board Members - Policy 2.11
Rescinded Policy: Corporal Punishment - 5.30.1

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CHAPTER 1.0 - PHILOSOPHY

1.10 SYSTEM VISION STATEMENT

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

1.11 SYSTEM MISSION

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

Orange Beach City School System recognizes that the following four pillars are the foundational framework to accomplish the system's mission:

1. Academics
    - Orange Beach City Schools will afford each student a challenging curriculum that will empower all students to achieve their highest potential.
2. Skills Acquisition
    - Using cross curriculum concepts, Orange Beach City Schools will offer, through a combination of career and technical training, internships, apprenticeships and/or project-based learning, work and career experiences.
3. Character
    - All school employees will model behaviors that foster growth of student character (i.e., respect, trust, integrity, honesty and caring).

4. Citizenship
    - Students will demonstrate an understanding of their role in establishing and maintaining a respectful community that values liberty, personal responsibility, and compassion for others.

Reference(s): Code of Alabama 16-11-1, 16-11-2

1.12 SCHOOL SYSTEM LEGAL STATUS

The public schools of the City of Orange Beach are under the direction of the Orange Beach City Board of Education. The board was created by adoption of Resolution No. 22-053 of the Orange Beach City Council on March 15, 2022. The school system encompasses the entire city of Orange Beach and is operated and administered in accordance with the applicable federal law, the Alabama Constitution of 1901, state laws, Alabama State Board of Education regulations, and board-approved policies.

References: Code of Alabama 16-11-1, 16-11-2, Alabama Constitution of 1901 §256 Amendment III

1.15 COMMUNITY INVOLVEMENT IN DECISION MAKING

The Board encourages community participation in establishing system goals and initiatives. The citizens of Orange Beach are encouraged to express ideas, concerns, and judgments about the schools to the school administration, the staff, to advisory bodies, and the Board.

References: Code of Alabama 16-11-1, 16-11-2, Alabama Constitution of 1901 §256 Amendment III

2.10 SCOPE OF THE SCHOOL SYSTEM

The Orange Beach Board of Education is the governing body of the system and is responsible for the control, operation, organization, management, and administration of public schools in the system pursuant to the provisions and minimum standards prescribed by Alabama statutes and State Board of Education rules.

References: Code of Alabama 16-11-1, 16-11-2, Alabama Constitution of 1901 §256 Amendment III

2.11 QUALIFICATIONS OF BOARD MEMBERS

The purpose of this policy is to establish the qualifications of members of the Orange Beach Board of Education, consistent with the Constitution and laws of the State of Alabama.

The Orange Beach City School Board is composed of five (5) members appointed by the Orange Beach City Council. The original members were appointed by the Orange Beach City Council Resolution No. 22-064 on April 5, 2022.

Many desirable characteristics are needed to be a Orange Beach Board of Education member, such as a willingness to give time and effort; a belief in the spirit and need for public education; the ability to motivate other people; the capacity to understand people; the insight which is needed to work as a part of a cooperative body; and a devotion to the concept of a better society through education.

The following qualifications are legally required to become one of the members of the Orange Beach Board of Education:

- The individual must be a resident of Orange Beach, Alabama, and not a member of the Orange Beach City Council;
- The individual shall not be employed by the Orange Beach School System or any public school K-12 system during the term in office;
- The individual must be of good moral character;
- The individual must be a high school graduate or possess a high school equivalency diploma;
- The individual must not be a registered sex offender;
- The individual must not be a convicted felon; and,

- The individual must not be serving on the governing board of a private elementary or secondary school.

Before taking office, each member shall publicly affirm in writing the following principles, as required by Alabama law:

- Decisions shall be made solely in the best interest of students and the school system, free from personal or political gain.
- Board actions shall follow recommendations and consultation with the superintendent.
- Members shall respect the roles and responsibilities of the board and superintendent, and shall not interfere in day-to-day operations.

References: Code of Alabama 16-11-2, 16-11-3, 41-16-60, 36-25-1, 36-9-1, Alabama Legislative Acts 91-161, 93-536, 95-258, 98-627, Alabama School Board Governance Act of 2012

2.12 BOARD MEMBER ORIENTATION AND TRAINING

Orange Beach Board of Education members will pursue ongoing training to develop and enhance their knowledge and effectiveness as Board members and to improve Board governance and operations.

Training will include at a minimum the requirements of the Alabama School Board Governance Act of 2012:

- Orientation for newly elected or appointed Board members;
- Training or consulting workshop for the local Board as a whole;
- State or national school Board association events addressing Board governance or operation, or other Board member development opportunities relating to leadership development, Board governance, or Board operations.

Beginning July 1, 2013, members must complete six (6) hours of annual training between July 1 and June 30, two (2) hours of which must be interactive training and encompass the entire Board of Education.

After a member's initial appointment to the Orange Beach Board of Education, the Board recommends that he/she has twelve (12) months to complete the Alabama Association of School Boards' (AASB's) two (2) segments of orientation. Orientation is required once, but refresher training is encouraged.

As soon as possible after the appointment of a new Orange Beach Board of Education member, the Superintendent should provide him/her with copies of Alabama school laws, the system's policy manual, current budget of the school system, Code of Student Conduct, strategic or other long-range plan, and other materials as deemed appropriate by the Superintendent. New members shall be encouraged to attend orientation sessions and other training arranged at the local school system level and by the AASB.

The Superintendent shall include an amount in each proposed annual budget to cover expenses to support the participation of the Board in activities and programs conducted by the State and other organizations as the Board chooses. Board member travel outside of the state of Alabama must be approved in advance by the Orange Beach Board of Education in order for a member to receive reimbursement.

The Orange Beach Board of Education may maintain membership in AASB. Board members shall participate when possible in AASB development opportunities and training programs.

References:Code of Alabama 16-1-6, 16-11-9, Alabama School Board Governance Improvement Act of 2012

2.13 APPOINTED BOARD

The Board will elect, from its members, a president and vice-president at its annual meeting in May of each year. In the event of a vacancy in the office of the president, the vice-president shall fill that office for the remainder of that term until the designated election time for officers. The Board may fill the office of vice-president at any meeting after the vacancy occurs.

The President shall sign, with the Superintendent, the minutes and other official documents which require the signature of the President. He/she shall perform other duties as prescribed by law or specified in the policies of the Orange Beach City School System.

The President shall preside at all board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the board. The Vice-President shall preside in the absence of the President and shall perform such other duties of the President as required by circumstances.

If the President and Vice-President are absent from a meeting at which a quorum is present, the Superintendent may conduct an election to select a President Pro-Tem

for that respective meeting. The Superintendent shall have no nominating authority or voting rights.

The President of the Board shall have all the following duties:

1. Preside over all board meetings.
2. Set the meeting dates and times of all board meetings consistent with state law. The President shall endeavor to set meeting times which will afford residents of the city the best opportunity to attend.
3. Set the agenda of the board meetings in consultation with the city superintendent of education.
4. Ensure proper and adequate notice to the public for public hearings on the budget of the school system.
5. Maintain order at all board meetings.
6. Assist the superintendent in seeking public input into the operations and support of the city school system.
7. Vote on all matters which come before the board.
8. Ensure due process for the employees of the city school system according to duly adopted written policies and applicable state laws.
9. Promote the city school system as authorized by the board.

2.14 TERMS OF BOARD MEMBERS

The five (5) members of the Orange Beach City Board of Education shall be appointed by the Orange Beach City Council at the first regular meeting of the Council in April. Terms of the office of member of the board shall be five (5) years. The newly appointed board member will assume office at the first regularly scheduled board meeting following the appointment. Members shall serve on the board until their successor assumes office.

The original Board in 2022 was appointed as follows:

- Randy McKinney - Term Expires April 4, 2023
- Tracie Stark - Term Expires April 4, 2024
- Shannon Robinson - Term Expires April 4, 2025
- Nelson Bauer - Term Expires April 4, 2026
- Robert Stuart - Term Expires April 4, 2027

The Orange Beach City Council shall make appointments to fill unexpired vacancies on the board of Education. The Council may set any time to fill the vacancy of an unexpired term.

Any board member shall be considered resigned when he or she permanently establishes residence outside the city or becomes an employee of the Orange Beach City Board of Education.

Members of the Orange Beach City Board of Education are officers of the State and may be removed from office only through impeachment proceedings in Circuit Court or other court of like jurisdiction as stipulated in the Alabama Constitution of 1901.

Causes for impeachment of any board member shall be those applicable to all public officers, namely: willful neglect of duty, corruption in office, incompetence, intemperance in the use of intoxicating liquors or narcotics to such an extent that it renders the officer unfit to discharge duties of the office; or any offense involving moral turpitude while in office, or connected therewith.

Reference(s): Code of Alabama 16-11-2, 16-11-3, 36-9-2, Alabama Legislative Acts 91-161, 93-536, 95-258, 98-627, Alabama Constitution of 1901 Article VII

2.19 BOARD CODE OF CONDUCT

The Orange Beach Board of Education desires to operate with the highest standards of stewardship and principles of public service possible and to that end the Board adopts this Board Code of Conduct.

Conduct of Individuals

- Attends and participates in regularly scheduled and called Board meetings.
- Reads and prepares in advance to discuss issues to be considered on the Board agenda.
- Recognizes the authority of the Board rests only with the Board as a whole and not with individual Board members.
- Upholds and enforces applicable laws, rules and regulations of the local Board, and the Alabama State Board of Education, and court orders pertaining specifically to the school system.
- Renders all decisions based on available facts by exercising independent judgment instead of the opinion of individuals or special interest groups.
- Works with other Board members and the Superintendent to establish effective policies to further the educational goals of the school system.
- Makes decisions on policy matters only after full consideration at public Board meetings.

- Complies with the requirements of the School Board Governance Improvement Act.
- Communicates in a respectful, professional manner with and about fellow Board members and the Superintendent.
- Takes no action that will compromise the Board or school system administration.
- Refrains from using the position of school Board member for personal or partisan gain or to benefit any person or entity over the interests of the school system.
- Informs the Superintendent and fellow Board members of business relationships or family members or close associates or private interests.
- Abstains from voting on or seeking to influence personnel or other actions involving family members or close associates or private interests.
- Communicates to the Board and the Superintendent public reaction to Board policies and school programs.
- Advocates for the needs, resources, and interests of the public school students and the school system.
- Safeguards the confidentiality of nonpublic information.
- Shows respect and courtesy to staff members.

Conduct of Individuals at Board Meetings

- Work with other Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during the discussion and resolution of issues at Board meetings.
- Take actions that reflect the first and foremost concern for the educational welfare of all students attending system schools.
- Make decisions in accordance with the interests of the school system as a whole based on system finances available to accomplish education goals and comply with the School Fiscal Accountability Act.
- Abide by and support all majority decisions of the Board.
- Act on personnel recommendations of the Superintendent in a timely manner, particularly when there are financial implications of such decisions.
- Approve operating budgets and budget amendments that are aligned with system goals and objectives and are fiscally responsible.
- Honor and protect the confidentiality of all discussions during executive sessions of the Board.

Conduct of the Board as a Whole

- Recognize that the Superintendent serves as the chief executive officer and secretary to the Board and should be present at all meetings of the Board except when his or her contract, salary or performance is under consideration.
- Honor the Superintendent's authority for the day-to-day administration of the school system.
- In concert with the Superintendent, regularly and systematically communicate Board actions and decisions to students, staff, and the community.
- Review and evaluate the effectiveness of policies and programs to improve system performance.
- Develop, in concert with the Superintendent, the vision and goals for the school system to address student needs, advance student performance, and monitor the implementation of policies and programs.
- Provide opportunities for all members to express opinions prior to Board action.

References: Code of Alabama 16-1-14.1, Alabama Open Meetings Act, Alabama School Board Governance Improvement Act of 2012

2.20 BOARD RESPONSIBILITIES AND DUTIES

The Orange Beach Board of Education is responsible for the organization and control of the public schools of the system and is empowered to determine the policies necessary for the effective operation and general improvement of the school system. The Board is a public corporate entity and may take action only when the Board is meeting in an official public session and a quorum is present.

The Orange Beach Board of Education shall limit its action to establishing policy and to meeting the requirements prescribed by federal and state law and rules of the State Board of Education. Individual members of the Orange Beach Board of Education have authority to take official action only when sitting as a member of the Board in public session, except when the Board specifically authorizes the member to act. The Orange Beach Board of Education shall not be bound in any way by any action on the part of an individual Board member or an employee, except when such statement or action is in compliance with the public action of the Orange Beach Board of Education.

The specific duties of the Board shall include, but not be limited to the following:

- Work with the Superintendent to establish a vision for the school system by adopting goals that address student needs, advance student performance, and review data to monitor implementation of policies and programs.
- Adopt policies and programs to meet the adopted goals and respond to system needs recommended by the Superintendent.
- Address personnel recommendations submitted by the Superintendent in a timely manner and take personnel actions based on student needs and system finances without regard to personal preferences or political interests.
- Approve operating budgets aligned with the adopted goals as recommended by the Superintendent.
- Advocate for the needs, resources, and interests of students and allow the Superintendent to address constituent issues.

The duties and obligations of an individual Orange Beach Board of Education member shall include, but not be limited to the following:

- To attend all meetings;
- To become familiar with selected federal and state school laws, State Department of Education rules and regulations, and local Board policies, rules and regulations;
- To assist in establishing the highest goals and objectives for the Orange Beach School System which realistically can be achieved;
- To vote and act in the Board meetings for the total good of the school system;
- To accept the will of the majority vote and give support to the resultant policy;
- To represent the Orange Beach Board of Education in such a way as to promote public interest in and support for Board-related activities;
- To refer complaints and inquiries to the proper school authorities and to abstain from individual counsel and action;
- To recognize that candid discussions based on objective rationale are vital to the ultimate success of the school system;
- To comply with statutory requirements, state and Orange Beach Board of Education policies, and regulations of duly authorized administrative agencies;
- To act ethically in all matters at all times, thereby representing the school system to the best of one's ability; and,
- To receive no financial interest or personal benefit, either directly or indirectly, in the purchase of or contract for real or personal property or contractual service with the Orange Beach Board of Education.

References: Code of Alabama 16-11-9, 16-11-5, 16-11-17, 16-11-24, 36-25-1, 36-26-100, 41-16-50, 41-16-57, Alabama Legislative Act 2005-40 (Alabama Open Meetings Act), Alabama School Board Governance, Improvement Act of 2012

2.21 ORGANIZATION AND OFFICERS OF THE BOARD

The Orange Beach Board of Education shall elect, at its annual meeting in May of each year, one of its members as President and one (1) as Vice-President. The President shall preside at all meetings of the Board and he/she shall call special meetings when circumstances require such meetings.

The President shall sign, with the Superintendent, the minutes and other official documents which require the signature of the President. He/she shall perform other duties as prescribed by law or specified in the policies of the Orange Beach School System.

The President shall preside at all Board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the Board. The Vice President shall preside in the absence of the President and shall perform such other duties of the President as required by circumstances.

If the President and Vice President are absent from a meeting at which a quorum is present, the Superintendent may assume the President to conduct an election to select a President Pro-Tem for that respective meeting. The Superintendent shall have no nominating authority or voting rights.

The Superintendent, as provided by law, shall be the secretary and chief executive officer of the school Board.

References: Code of Alabama 16-11-3, 16-11-5, 16-12-1, 16-12-3, Alabama Legislative Act 91-161 § 4 and §8

2.22 BOARD MEETINGS

All Orange Beach Board of Education meetings shall be open to the public, and all informal meetings and conferences involving Board members shall be conducted as public meetings unless specifically exempted by Alabama Statutes. The Orange Beach Board of Education may take no official action at any time other than at an open meeting.

Regular, special, and emergency meetings of the Orange Beach Board of Education shall be held in the regular Board meeting room, unless changed in the manner prescribed herein. Dates, times, and locations of regular meetings shall be approved at the Board's annual organizational meeting. Any regular or special meeting may be held at any other appropriate public place within the system by giving prior public notice.

Special meetings shall be held at the time designated by the Superintendent, President, or when requested by two (2) Board members in written notice.

Emergency meetings may be held at any time by the Superintendent, either upon his/her initiative or upon the President's request. An emergency meeting may be called, and the public shall be notified. Orange Beach Board of Education members shall be given a tentative agenda during the notification.

Board members shall receive notice of each regularly scheduled Board meeting, including an unapproved agenda, at least twenty-four (24) hours prior to regular Board meetings. The Superintendent shall, whenever possible, notify or cause to be notified, all Board members at least twenty-four (24) hours prior to special meetings.

All Orange Beach Board of Education meetings shall be conducted in accordance with the latest edition of Roberts' *Standard Rules of Order*. A majority of the Board shall constitute a quorum for the transaction of business. An official act of the Board shall require a majority vote of the total membership. The President may discuss, make motions, second motions, and have a vote on all matters before the Board.

Order of Business: The Board shall adhere to the following order of business when conducting regular meetings:

- Call to order, welcome of visitors
- Roll call, establishment of a quorum
- Approval of Agenda
- Disposition of minutes and payroll or bills and accounts
- Communications and/or hearing of delegations
- Unfinished business
- New business
- Superintendent's reports, information items, Board discussion items
- Adjournment

Participation Procedure: All citizens are encouraged to attend open meetings of the Orange Beach Board of Education.

Addressing the Board: Delegates desiring to address the Board may be permitted to address the Board at all regular Board meetings according to established procedures. No delegations shall be permitted during special meetings, unless the Board votes to suspend the rules to allow them. Individuals or delegations who wish to appear before the Board shall submit such a request to the Superintendent at least three (3) working days prior to the meeting date, stating what matters are to be presented to the Board, and the approximate time such matters should consume

at the meeting. Each delegation appearing before the Board shall select one (1) person in advance as spokesperson. The President of the Board may recognize persons at the meetings for the purpose of introducing such persons. However, a person is not entitled to take up business before the Board unless the item in which he is interested has been placed on the agenda of the meeting or unless a motion to permit such a person to take up business before the Board is approved by two-thirds of the Board members present. Such persons shall neither engage in debate with the Board nor address questions to any member of the Board. Comments will be limited to five (5) minutes or less in length. The Board, in its discretion, may address questions to persons who address the Board after the presentation is completed. The Board shall have authority to terminate the remarks of or remove any person when such remarks become personal in nature or such person disrupts, becomes boisterous, or interferes in any manner with the orderly process of the meeting. (See Policy 9.90 Public Comments.)

Resolution Factors: All school community residents are urged first to seek resolution with school employees directly involved and/or school administrators before requesting to be on the Board agenda. If a concern or concerns stated are not specific or resolution has not been attempted, the resident seeking resolution shall be referred back to school personnel before the Board can take action. To facilitate resolution delegations are encouraged to meet with the Superintendent and President to outline problems. The Board may determine they do not have the means or authority to legislate or attempt resolution for a given concern and may vote to dismiss a given item as a valid Board business item.

Quorum: A majority shall constitute a quorum for any Orange Beach Board of Education meeting. Unless a majority is present, no meeting can be convened. There shall be no representation by proxy of any Orange Beach Board of Education member.

Minutes: The official minutes of the Orange Beach Board of Education shall be kept as prescribed by Alabama statutes. The minutes shall be kept in a safe place by the Superintendent and shall be made available by the Superintendent during the time the office is open to any citizen desiring to examine the minutes.

Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the name of the person who seconds the motion; and the vote or action thereon must be recorded. Other relevant information as determined by the Superintendent may be recorded.

Executive Session: The Orange Beach Board of Education may vote in a legally called meeting and, upon approval of the majority of the whole Board, may hold executive sessions for specific purposes. Such purposes shall be limited to those involving the character or good name of a person or pending litigation in which the Board is a party. Executive sessions shall be attended only by members of the Orange Beach Board of Education, the Superintendent, counsel if necessary, and persons necessary to ensure due process. All matters discussed by the Board in executive session shall be regarded as confidential by all persons in attendance and shall not be divulged to the public. No minutes shall be kept of executive session discussions. Nothing having the effect of regulation, policy, or official action of any kind shall be decided in an executive session.

Notification of Meetings: Public notice shall include the time, date, and place of Orange Beach Board of Education meetings. Persons wishing to receive individual notice by email must notify the Superintendent in writing of their request. Persons requesting such notice shall be responsible for having a valid email address and are responsible for informing the Superintendent of any changes of address. The Board is not responsible for email that is not deliverable for whatever reason. The Superintendent may remove any address for which email is undeliverable via the Internet. The Superintendent shall establish a notification system for members of the public.

References: Code of Alabama 16-11-5, Alabama Legislative Acts 91-161, 93-536, and 2005-40 (Alabama Open Meetings Act)

2.24 STUDENT CODE OF CONDUCT

The Superintendent will prepare and present to the Board for adoption and periodic revision of a Code of Student Conduct ("CSC"), with input from stakeholders. The CSC will comprehensively describe the rules and standards of conduct and discipline that will be maintained and enforced within Orange Beach City Schools. The CSC will set forth the specific grounds for disciplinary action, the penalties, sanctions, or consequences that may be imposed for a violation of the CSC, the methods and procedures by which violations of the CSC will be determined, and any appeal or review procedures that are available to students. The CSC will incorporate applicable statutory and regulatory requirements, and the hearing and appeal procedures specified in the CSC will conform to applicable statutory and constitutional standards and requirements. The CSC may be incorporated into a student handbook and will be made available to all teachers, school personnel,

students, parents, and guardians at the beginning of each school year. The CSC will be deemed an extension of Board policy and will have the force and effect thereof.

[Reference: Ala. Code §§16-28-12, 16-28A-1 to 3 (1975); Ala. Admin. Code 290-3-1-.02, 290-8-9-.09], Adopted: September 12, 2024

2.23 POLICY ADOPTION, DISSEMINATION AND SUSPENSION

Policy Adoption: The Orange Beach Board of Education shall formulate policies by which its schools shall be managed.

No Orange Beach Board of Education policy shall be construed to create or confer any contractual right, property right, entitlement of, expectancy of, or other legal cognizable interest in employment or continuing employment. Nothing in any policy shall be construed to create or grant employment rights greater than or in addition to those expressed in law or written contract.

Before adopting written policies, the Board shall directly or indirectly, through the Superintendent, consult with the local employees' professional organization whose parent organization represents the majority of school employees statewide. Input by the applicable professional organization shall be made in writing to the Superintendent. The Superintendent may also consult professional assistants, principals, employees and interested citizens. All policies shall be made available to all persons affected and employed by the Orange Beach Board of Education.

Policy Dissemination: Board policies and administrative rules and regulations shall also be made accessible to all members of the Orange Beach Board of Education, students and members of the community served by the school system. Board policies shall be available to employees, parents, students, and the public on the school system website.

Any amendments to the policies, rules and regulations of the Orange Beach Board of Education shall be furnished to the affected persons employed by the Board. The Orange Beach Board of Education is aware a preliminary requirement for demanding certain standards of performance is adequate notification of such requirements. The Board is also aware that the responsibility of familiarization with specific aspects of policies rests with the employee following fair and reasonable attempts by administrative personnel to provide such information.

Policy Suspension: All policies established at any time by the Orange Beach Board of Education are implemented with the expectation that they will apply under routine circumstances. No policy is intended to restrict the Board's general authority to

exercise all powers necessary and proper for the administration and management of the schools. Therefore, whenever in the Board's opinion it would be in the best interest of the system to suspend one or more policies, the Board may acknowledge that fact, suspend the application of the policies, and take whatever action it deems appropriate. Any such action taken by the Board under this policy shall not be a violation of any suspended policy, provided the minutes of the Board reflect the Board's determination that the best interest of the system justified the suspension of the policy.

Administration in the Absence of Policy: The Board authorizes the Superintendent to take reasonable and prudent action when the Board has provided no guidelines for administrative action. The Superintendent shall have the power to act unless the power to take such action is invested solely in the Board by law.

References: Code of Alabama 16-12-5, 16-11-9, 16-11-2, Alabama Administrative Code §290-3-1-.02

2.25 SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY

The Orange Beach Board of Education shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to Alabama statutes and State Board of Education rules. The system shall establish the individual school as the unit for education accountability and shall conform to the provisions of planning and budgeting as required by Alabama statutes and State Board of Education rules.

References: Code of Alabama 16-6b-3, 16-6b-7, 16-11-9, Alabama Administrative Code § 290-4-1-.01, Every Student Succeeds Act of 2015

2.26 SPECIAL COMMITTEES OF THE SCHOOL BOARD

When necessary, special committees may be appointed by the Orange Beach Board of Education President. The duties of any such committee shall be outlined at the time of appointment; the committee shall be automatically dissolved when the Board accepts the committee's final report. Each Orange Beach Board of Education member shall be notified of all committee meetings, but shall have no vote unless the member is serving as a committee member. All meetings of Board committees shall be open to the public.

Special committees or individuals who serve on special committees shall take no action that is binding upon the Orange Beach Board of Education.

Reference: Code of Alabama 16-11-9

2.30 LEGAL COUNSEL

The Orange Beach Board of Education attorney, obtained from outside the Board's membership, shall act as legal advisor to the Orange Beach Board of Education and the Superintendent. When approved by the Board, special counsel may be retained to assist in any litigation or other matter.

Reference(s): Code of Alabama 16-11-9

2.31 BOARD AND SUPERINTENDENT RELATIONS

The operation of a public school system is a complex undertaking. Important to success is the quality of relationship that exists between the Board and the Superintendent and his/her staff. In some cases, the duties and prerogatives of each can be clearly defined; while in others, functions necessarily overlap. Often complicated questions that cannot be anticipated will arise; faith, understanding, and patience are essential to teamwork. Advance knowledge that certain codes of conduct and principles will be observed by the Superintendent and Board members promotes confidence, trust, and provides for understanding and cooperation.

The Orange Beach Board of Education considers the formulation and adoption of policies as its most important function. The execution and implementation of adopted policies shall be the function of the Superintendent.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy-making and judicial and evaluative functions.

The Board shall hold the Superintendent responsible for carrying out its policies within established guidelines and for keeping the Board informed about school operations. In an effort to keep the Board informed, the Superintendent shall promptly notify Board members of any happenings of an emergency nature that occur in the schools.

References: Code of Alabama 16-1-30, 16-11-9

3.10 ADMINISTRATIVE ORGANIZATION

The Superintendent shall prepare and submit for Board approval an organizational chart that shall serve as a guideline for organizing administrative responsibilities within the Orange Beach School System. A current organizational chart shall be published and disseminated upon adoption by the Orange Beach Board of Education.

References: Code of Alabama 16-11-9, 16-12-3

3.12 CALENDAR, LENGTH OF SCHOOL DAY AND SCHOOL YEAR

The Orange Beach Board of Education shall approve a school calendar as prepared by the Superintendent to be released to the various schools in the system prescribing or announcing the opening and closing dates of all schools, legal holidays, reporting periods, and due dates of official reports. The annual school calendar for the upcoming school year should be announced from the Superintendent's office prior to the April Board meeting.

The length of the school day and of the school year for students will be in keeping with the intent of State laws and Alabama State Board of Education rules and regulations. They are as follows:

- School Day – shall not be less than the minimum numbers of instructional minutes as designated by the Alabama State Board of Education. Class periods shall be planned to allow for this amount of instructional time.
- School Year – shall provide for at least the minimum number of hours/days of classroom instruction established by the Alabama State Department of Education.

The school principal shall ensure the school's schedule meets Alabama State Department of Education (ALSDE) requirements.

The Board has discretionary power to establish holidays to be observed during the school year with the exception of Veterans' Day. The Board shall extend the school year when necessary to meet the minimum requirements set regarding the number of days that school shall be in session.

References: Code of Alabama 16-1-1, 16-11-9, Alabama Administrative Code §290-3-1-.02(2)(A)

3.13 SUPERINTENDENT SELECTION

The Orange Beach Board of Education shall appoint the Superintendent as provided by the policies of the Orange Beach Board of Education.

The Superintendent may delegate, with the approval of the Board, certain administrative authority and responsibilities to his/her staff and principals. The Superintendent shall, with the approval of the Board, organize the system staff and schools, create and fill positions, and assign duties and responsibilities.

All personnel who work in the Orange Beach School System shall be responsible directly to the Superintendent.

References: Code of Alabama 16-9-1, 16-9-2, 16-12-3, 16-11-9

3.20 QUALIFICATIONS OF THE SUPERINTENDENT

The Superintendent of the Orange Beach Board of Education shall possess the following qualifications as minimum requirements:

- Hold a degree from an accredited four-year college or university;
- Three (3) years of successful educational experience as a teacher, principal, supervisor or Superintendent during the five (5) years immediately preceding his/her appointment or election;
- Not less than five (5) years of experience in public school work;
- Prior years administrative experience, preferably a broad range of elementary and secondary experience;
- Demonstrated ability in group dynamics and in working with people who have varying backgrounds and interests;
- Ability to view all aspects of issues and deal fairly when views differ from his/her own;
- Demonstrated knowledge of school finance;
- Demonstrated knowledge of educational research and methods of research;
- Ability to delegate authority;
- Hold an Alabama certificate in administration and supervision;
- Possess good character, high moral standing and integrity; and,
- Any other qualifications the Board deems necessary and proper.

Any candidate selected must satisfactorily complete the State Department of Education's training as required on school finance, education law and curriculum/instruction.

References: Code of Alabama 16-1-38, 16-11-9, 16-12-2

3.21 CONTRACT OF THE SUPERINTENDENT

The Orange Beach Board of Education shall contract with the duly selected Superintendent, subject to such conditions and limitations as are prescribed by law or by contract with the Board. The Superintendent shall be evaluated each year as prescribed by the Board and according to legislative acts and regulations of the State Department of Education.

The Board shall determine the salary, additional benefits, vacation entitlement and other leave of the Superintendent. Additional considerations, benefits, and privileges may be negotiated by the Board and Superintendent.

Additional benefits such as health and other forms of insurance, annual vacation, holidays, and temporary and extended leaves and absences shall be at least equal to those granted to other professional Orange Beach School System staff members.

The Superintendent may also be provided, as determined by the Board, with an annual travel allowance.

References: Code of Alabama 16-1-38, 16-11-9, 16-12-1, 16-12-3, 16-25-1, 16-25-3

3.22 RESPONSIBILITIES OF THE SUPERINTENDENT

The Superintendent shall be responsible for the administration of the entire school system as provided by law, State Board of Education, and Orange Beach Board of Education rules. The Superintendent shall keep the Orange Beach Board of Education informed regarding all facets of the school system.

The Superintendent serves as the secretary and chief executive officer of the Orange Beach Board of Education. He/she shall be responsible for keeping such minutes and records as may be necessary to set forth clearly all actions and proceedings of the Board. The Superintendent shall inform the Orange Beach School System employees of any Board action relating to them.

All members of the instructional and non-instructional staff shall be under the general supervision of and subject to the direction of the Superintendent.

The Superintendent shall have the authority to issue directives and to prescribe such procedures as may be necessary to carry out the purpose of Orange Beach Board of Education policy.

References: Code of Alabama 16-11-8, 16-11-9, 16-12-3, 36-5-1

3.24 OPENING AND CLOSING OF SCHOOLS

The time set for the opening and closing of the schools of the Orange Beach School System are thirty (30) minutes prior to the time students are to report to homeroom/first class and thirty (30) minutes after the last class period each day. Between these times and throughout the school day, school personnel will be on duty and available to supervise care for students. However, school system personnel should not and are not expected to assume responsibility for students whose parents permit their child(ren) to arrive at school before the time noted above and/or to remain at school after the time noted above.

References: Code of Alabama 16-1-1, 16-11-9, 16-12-3

3.25 EMERGENCY CLOSINGS

In case of emergency, the Superintendent may close any or all schools. The members of the Orange Beach Board of Education shall be informed of any event or condition that requires the closing of any Orange Beach school.

In the event of a declared state of emergency, school personnel shall retain control of pupils until they are released from school or, in the case of transported pupils, until the students depart from the school bus. School administrators in affected schools will take necessary precautions to ensure the safety and well being of students.

The Superintendent shall establish and disseminate procedures to be followed in emergency school closings that include means of notifying students, parents, and employees.

The school officials shall cooperate with emergency management authorities in the event of a natural or man-made disaster. In the event of a violent act, riot, or similar condition, the principal shall cooperate with law enforcement.

References: Code of Alabama 16-11-9, 16-12-3

3.26 CARE OF STUDENTS BEFORE AND AFTER SCHOOL

Parents/guardians are expected to take responsibility for seeing their child arrives before the beginning of school and is picked up after the end of school within the time frames stated in Policy 3.24 Opening and Closing of Schools. If for any reason parents are not able to comply with the times noted, a conference should be scheduled with the principal to discuss the matter.

Students Not Picked Up Promptly After School: Due to the necessity of having to supervise young students closely and the fact that teachers and other school personnel have many responsibilities after the regular school day, parents/guardians must assume the responsibility for picking up their child(ren) promptly after the school day ends. In situations where parents do not abide by the school dismissal schedule and fail to pick up their child(ren) within the specified time frame, approved procedures will be used to ensure compliance.

Before and After-School Supervision Plan: Each school principal is directed to develop a plan for supervising students who arrive prior to the time set for the opening of school and for students who remain after the time set for the closing of school. Such a plan should incorporate the following minimal requirements:

- The written plan shall be submitted annually to the Superintendent.
- The plan should direct students arriving early to report immediately to a designated room/location/site, etc. The room/location/site should be properly supervised by an appropriate number of staff members.
- The plan should direct students remaining on the school premises after school closes for any extended length of time to report to a designated room/location/site, etc.
- The room/location/site should be supervised by an appropriate number of staff members.

Notification: School principals are directed to give notice to the parents/guardians of all students in their respective schools of the content and intent of this policy. The notification shall be given in written form (newsletters, student handbooks, newspaper articles, etc.) at the beginning of each school year.

References: Code of Alabama 16-1-1, 16-11-9, 16-12-3

3.30 RESPONSIBILITIES OF PRINCIPALS

The principal is assigned direct and primary responsibility for his/her school and serves as the administrative and supervisory head of the school. Each principal is responsible for the enforcing of Alabama statutes, State Board of Education rules, Orange Beach Board of Education rules, and directives of the Superintendent. Each principal shall carry out all duties as reflected in the Board-adopted job description and state law relating to making advisory recommendations regarding the appointment, assignment, promotion, transfer and cancellation of contracts.

References: Code of Alabama 16-11-9, 16-24b-4

3.40 SAFE AND SECURE SCHOOLS

The Orange Beach Board of Education has as its first obligation to provide a safe, secure, and orderly learning environment in all schools and at all school-sponsored activities.

An orderly environment can only be achieved by developing procedures to control students, personnel, and other persons on school property and attending Orange Beach Board of Education or school-sponsored events or activities. All procedures shall reflect the following provisions:

- No persons other than Orange Beach School System students and employees shall be on a school campus during school hours unless they have been approved by the principal's office.
- A student who is suspended or expelled is not in good standing and is not permitted on an Orange Beach school campus or school grounds. The student may not participate in any Orange Beach School activity.
- Any person on an Orange Beach school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. Each principal shall keep a written record of such incidents that shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify a building administrator.
- Individuals who enter Orange Beach School System property, a Orange Beach Board of Education meeting, or attend a school-sponsored activity without a legitimate reason and create a disturbance or refuse to leave the property or activity when asked by the Board President, Superintendent or designee, principal or person in charge are subject to criminal penalty as provided in Alabama statutes. The person in charge shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school property or activity and take appropriate actions to have the offender punished as prescribed by law. The Superintendent shall be notified of any such action at Orange Beach School System schools or school activities.

Emergency Preparedness Plans: The Orange Beach Board of Education directs the Superintendent to develop a safety program for the school system that meets the standards set forth by the Alabama State Department of Education.

The Superintendent shall establish a uniform format for the development of the schools' emergency management and preparedness plans. Each Orange Beach

school shall develop and maintain an up-to-date plan based upon the uniform guidelines and including the provisions of Alabama law, State Board of Education rules, and other applicable regulations. Each school safety plan shall include provisions for training of school personnel and procedures for monitoring the school's procedures for preventing, managing, reporting and addressing issues of disruptive and/or dangerous student behavior in accordance with applicable rules and regulations.

School alarms shall be monitored, and malfunctions shall be reported for immediate repair.

Emergency evacuation drills (fire, bomb threat, terrorist, tornado, other disaster, and school bus) shall be held in compliance with state requirements. (See Policy 3.41 Emergency Drills.)

School Safety Communication and Emergency Media Plan: The primary objective for effective media use by the school system is to inform the public of all relevant information in the event of a school emergency. The School System Media Communications Plan for emergency situations includes the following guidelines:

- The designated communications coordinator and/or the Superintendent shall communicate with the media. All media requests shall be directed through these individuals. The Superintendent shall serve as the spokesperson for the school system and each principal shall serve as spokesperson for his/her school.
- The principals or Superintendent shall assign a location for the media that is convenient for them and meets the requirements of the media and school system personnel.
- The communication coordinator will provide the media personnel with media guidelines established by the school system.
- The communication coordinator will prepare notes for speakers involved in news conferences and will prepare written official statements and fact sheets for the press as appropriate.
- Students shall not be interviewed without parent approval. When requests for student interviews are granted, the interview will be completed with minimum loss of instructional time, and minimum disruption of the learning environment.
- Teachers and/or other employees may agree to be interviewed by the media when the interview will not interrupt the performance of the employee's responsibilities. Such interviews shall be reported to the Superintendent.

Violence Prevention: Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to designated personnel of the Orange Beach School System. Professional development shall include training appropriate school personnel in positive behavioral support and management of disruptive or dangerous student behavior in order to limit and reduce the use of seclusion and restraint to protect students. (See Policy 5.30.2 Physical Restraint and Seclusion and Policy 3.46 Prohibition of Violence and Threats of Violence.)

Security: The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions. The principal shall conduct an annual review of each school's security provisions and submit a written report to the Superintendent or designee. All personnel, including, but not limited to substitute teachers, shall be made aware of safety protocols and procedures.

Each Orange Beach school's emergency plan shall include security provisions including emergency lockdown procedures.

All doors and exits shall remain unlocked from the interior during school hours and shall meet the required codes.

The Superintendent shall require all state statutes regarding safety, security and discipline be carried out.

References: Code of Alabama 16-1-24, 16-1-24.1, 16-6b-7, 16-11-9, 16-12-3, 36-19-10, 36-19-11, Alabama Administrative Code §290-3-1-.02(1)(E); Alabama Administrative Code §290-3-1-.02-301(F)

3.41 EMERGENCY DRILLS

The Orange Beach Board of Education requires at least one (1) emergency drill be held at each school during each month school is in session, including summer school session(s). Emergency drills include fire drills, severe weather drills, and lock down drills as described in the school and system safety plans. Each Orange Beach School System principal, site administrator or transportation official is responsible for the following:

- Developing and posting emergency evacuation routes and procedures;
- Assigning and training staff members in specific responsibilities to ensure prompt, safe and orderly evacuation and re-entry; and,
- Identifying and reporting hazardous areas requiring corrective measures.

A fire drill shall require complete evacuation of the building. A lockdown drill for safety and security emergencies is to be scheduled during the first six weeks of each semester. Additional lockdown drills, fire drills, and weather drills may be scheduled at any time to complete the requirement of one (1) drill per month.

Training for faculty and staff on procedures for all emergency drills as well as information in the school safety plan shall be conducted at least annually.

The principal shall report the dates of annual safety training as well as dates of all safety drills in the manner prescribed by the State Department of Education and the Superintendent. Failure of a principal to conduct and report safety drills and training according to prescribed rules shall result in appropriate disciplinary action.

References: Code of Alabama 16-1-44, Alabama Legislative Act 2013-329

3.42 PROHIBITION OF ALCOHOL AND ILLEGAL DRUGS AT SYSTEM ACTIVITIES

No person shall be in possession of or be under the influence of an intoxicating beverage or an illegal drug, as defined by Alabama law, while on Orange Beach School System property, at school-sponsored activities, or while on school trips involving students.

Principals must notify local law enforcement when this policy has been violated. Persons in violation of this policy are subject to disciplinary actions as described in the Code of Student Conduct, personnel policies, and federal and state law.

Any person having purchased an admission ticket to an Orange Beach School System event shall forfeit his/her rights under this rule by having an alcoholic beverage/illegal drugs in his/her possession at the event or be under the influence of an intoxicating beverage or illegal drug.

References: Code of Alabama 16-1-10, 16-1-24.1, 16-41-2, Alabama Administrative Code §290-3-1-.02

3.425 STUDENT DRUG TESTING PROGRAM

The Orange Beach City Schools Board of Education (OBBOE) values students and their participation in extracurricular and non-mandatory co-curricular activities. OBBOE will promote the health and safety of its students, and it is the desire of the OBBOE and staff that every student in Orange Beach City Schools refrains from using or possessing illegal drugs; however, school officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited.

In an effort to protect students from controlled substance and illegal drug use and abuse, the Orange Beach City Schools Board of Education adopts the following policy for drug testing students participating in extracurricular and non-mandatory co-curricular activities and driving or parking on campus, as well as driving to school-related events.

Justification

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

Policy Objectives

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

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

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

In order to promote the safety and welfare of students who participate in athletics or extracurricular activities, to ensure such participation is neither impaired nor any risk of injury exacerbated to provide incentives to students to maintain safe and healthful practices, and to promote a school environment that is free of alcohol and illegal drugs or controlled substances, the OBBOE reserves the right to require any student who participates in athletics, extracurricular or non-mandatory co-curricular

activities to submit to sobriety tests or screening for illegal drugs or controlled substances prior to, during, or following the event, practice, competition, or any other time while the student is under the supervision of the school system. Such testing or screening will be conducted through a random selection process. All such testing or screening will be performed in accordance with local, state, and federal laws and procedures that are developed by the Superintendent for approval by the Board.

Student Parking/Driving on Campus Privileges - Substance Abuse Policy

In order to promote the safety and welfare of students and others who work on or visit school campuses, to encourage the development of safe and responsible driving practices, and to serve the general purposes of maintaining a drug and alcohol-free school environment, students will be granted the privilege of driving and parking on school property only if they are free of the effects of alcohol or other illegal or controlled substances. Accordingly, any student who desires to drive a vehicle on school property or park on school property may be required to submit to periodically or randomly administered sobriety or drug tests as a condition of the issuance of a permit authorizing the operation or parking of a motor vehicle on school grounds.

The OBBOE reserves the right to require that sobriety or drug tests or screenings be passed as a condition for maintaining parking or vehicle permits or privileges relating to the use of a motor vehicle. Such testing or screening will be conducted through a random selection process. Testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the OBBOE substance abuse policies. All such testing or screening will be performed in accordance with local, state, and federal laws and procedures that are developed by the Superintendent for approval by the OBBOE.

Substance Screening

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

Reasonable Suspicion

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

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

The adult requesting testing shall prepare and sign written documents explaining the circumstances and evidence upon which they relied within 24 hours of the testing, or before the results of the tests are released, whichever is earlier. While a coach, assistant coach, faculty sponsor or school officials may request a reasonable cause test, when feasible, he or she is encouraged to obtain a second adult's opinion as a witness.

Random Testing

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

Return to Participation Testing

All students referred through administrative channels who undergo a counseling or rehabilitation program or who are suspended for abuse of substances covered under this policy may be subject to unannounced testing following a return to any activity noted in the section entitled "Random Testing," for no less than 12 months and no more than 60 months.

Substances Tested For

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

Testing Procedure

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

Collection Sites

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

Collection Procedures

OBBOE, the drug testing agency, and the laboratory, will develop and will maintain a documented procedure for collecting, shipping, and accessing specimens. OBBOE, the drug testing agency, and laboratory, will utilize a standard Custody and Control Form for all student testing. OBBOE, the drug testing agency and the laboratory will utilize a standard Breath Alcohol Testing Form for alcohol testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will also be used for specimen transportation.

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

Evaluation and Return of Results

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

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

Release of Test Results

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

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

Discipline

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

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

No student may be returned to regular activities after any rehabilitation or testing positive unless certified as safe and not using drugs by having a negative result on a return-to-participation screen. Any student returned to participation after violating

the policy or testing positive will be subject to aftercare and random testing as set out in a written Probation Agreement which he or she will be required to execute.

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

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

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

First Violation

Upon the first violation, the student shall be suspended from game participation in the sport or athletic activity in which he/she is currently participating for a minimum of 14 consecutive days to begin immediately following the violation, or 20% of a total number of games in the regular season, (not to exceed 20% of the total number of sporting events in that particular season) beginning no earlier than the opening game or event for that sport or activity. Students who drive to school will have a loss of driving/parking privileges on school property for 10 school days. For all non-athletic extracurricular activities, the student shall be suspended from participating in 20% of regularly scheduled competitions or performances, or, where 20% of regularly scheduled competitions is not readily apparent, a comparable restriction of participation as determined by the principal and faculty sponsor for the activity. If an athlete is not participating in an in-season sport or activity, he/she will have a two-week suspension at the beginning of the next extracurricular activity in which he/she participates. Further disciplinary actions may be implemented by the coach or sponsor.

If the violation relates to the consumption or use of a prohibited substance to the extent the substance is capable of being detected by a drug test, the student cannot

be reinstated to the competitive group until he/she tests negative for that prohibited substance as a result of an approved drug test.

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

Second Violation

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

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

Third Violation

Upon the third violation, the student may be suspended from participating in any extracurricular activities, non-mandatory co-curricular activities, and prohibited from driving/parking on campus for a minimum of one semester and up to a full calendar year.

Before he/she can be reinstated to the extracurricular group, non-mandatory co-curricular activities, or drive/park on school property, the following may apply: (i) he/she must test negative for that prohibited substance as a result of an approved drug test if the violation related to the consumption or use of a prohibited substance and the substance is capable of being detected by a drug test, and (ii) he/she shall have undergone mandatory counseling with the school counseling staff as may be reasonably necessitated by the circumstances in the discretion of an appropriate

school official and (iii) the student will be required to complete a substance abuse awareness program. Further disciplinary actions may be implemented by the coach or sponsor.

Fourth Violation

Upon the fourth violation, the student may be indefinitely or permanently suspended from participating in any extracurricular activity, or non-mandatory co-curricular activities, or driving/parking on school property in the Orange Beach City School System.

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

Investigation/Searches

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

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

Voluntary Drug Testing Program

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

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

- The student's parent or guardian shall be notified and asked to confer with appropriate school professional personnel.
- During the conference, the parent or guardian shall be given all relevant information concerning the student's substance abuse.

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

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

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

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

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

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

3.43 PROHIBITION OF SEXUAL HARASSMENT

The Orange Beach Board of Education prohibits harassment against any employee, applicant for employment, student, or student applicant based upon race, color, religion, gender, age, ethnicity, national origin, marital status, disability, political or religious beliefs, or social and family background. This policy also applies to non-employment volunteers who work subject to the control of school authorities.

The Superintendent shall develop procedures which shall be used by persons alleging harassment.

Sexual Harassment by Students: Sexual harassment is specifically prohibited by state and federal law and instances of harassment may result in both civil and criminal liability on the part of the individual harasser as well as the Orange Beach Board of Education.

> **Definition**: Sexual harassment consists of unwelcomed sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature, wherever such harassment occurs on school property or at a school-sponsored event, that is aimed at coercing an unwilling person into a sexual relationship whether or not it involves physical contact, or that substantially interferes with a student's academic performance, or creates an intimidating, hostile, or offensive school environment.
>
> Examples of sexual harassment may include but are not limited to the following:
>
> - Verbal harassment or abuse of a sexual nature;
> - Subtle pressure for sexual activity;
> - Repeated remarks to a person with sexual or demeaning implications, e.g., a person's body, clothes, or sexual activity;
> - Unwelcome or inappropriate physical contact such as patting, pinching, or unnecessary touching;
> - Suggesting or demanding sexual involvement accompanied by implied or explicit threats;
> - Display of sexually suggestive objects, pictures, or written materials;
>
> Sexual harassment does not refer to occasional compliments or welcomed interactions of a socially acceptable nature.

Specific Prohibition: It is sexual harassment for a student to subject another student or a school employee to any unwelcome conduct of a sexual nature on school property or at a school-sponsored event. Students who engage in such conduct shall be subject to disciplinary consequences described in the Code of Student Conduct and/or consequences prescribed by law.

Procedures: Any student who alleges sexual harassment by an employee or another student should report the harassment to the building principal, assistant principal(s), guidance counselors, or school system Title IX Coordinator. Filing a complaint or otherwise reporting sexual harassment will not affect the student's status, extracurricular activities, grade or any other assignments. The complaint should be in writing, state the act or acts, state the date(s), state the names of witnesses, and be signed by the complainant.

The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, nature of the conduct and the context in which the alleged conduct occurred will be investigated. The Superintendent or designee has the responsibility of investigating and resolving complaints of sexual harassment.

Penalties: A substantiated sexual harassment charge against a student shall subject that student to disciplinary action consistent with the Code of Student Conduct. When appropriate, law enforcement or Department of Human Resources (DHR) referrals shall be made.

Sexual Harassment by Employees: Sexual harassment is specifically prohibited by state and federal law and instances of harassment may result in both civil and criminal liability on the part of the individual harasser as well as the Orange Beach Board of Education.

Definition: Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, non-verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made (explicitly or implicitly) a term or condition of an individual's employment or a student's education;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual;

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or student's educational performance, or creating an intimidating, hostile or offensive work or school environment.

Examples of sexual harassment may include, but are not limited to, the following:

- Verbal harassment or abuse of a sexual nature;
- Subtle pressure for sexual activity;
- Repeated remarks to a person with sexual or demeaning implications, e.g., a person's body, clothes or sexual activity;
- Unwelcome or inappropriate physical contact such as patting, pinching, or unnecessary touching;
- Suggesting or demanding sexual involvement accompanied by implied or explicit threats;
- Display of sexually suggestive objects, pictures, or written materials.

Sexual harassment does not refer to occasional compliments or welcomed interactions of a socially acceptable nature.

Specific Prohibition: Sexual harassment in any form is prohibited. All claims of sexual harassment will be subject to prompt and thorough investigation.

It is sexual harassment for an administrator or supervisor to use his/her authority to solicit sexual favors or attention from subordinates, including, but not limited to, incidents when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.

It is sexual harassment for a non-administrator and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature.

It is sexual harassment for a Orange Beach Board of Education employee to use his or her authority to solicit sexual favors or attention from students. Board employees who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to penalties, disciplinary action, and/or consequences established by law.

Procedures: It is the responsibility of any employee to promptly report any occurrence of alleged sexual harassment. This policy on sexual harassment shall be communicated to all employees to inform them a procedure exists for reporting claims of sexual harassment, that administration will promptly investigate all alleged incidents of sexual harassment, and appropriate corrective action will be taken. Complaints should be reported to the Superintendent or designee and should be in

writing, stating the act(s), date(s), name(s) of witnesses, and be signed by the complainant.

Investigations will be conducted with discretion. The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred. Claims found to be factually supported will be promptly acted upon.

No employee or student shall be retaliated against, in any manner, for reporting conduct which is believed to be a violation of this policy or for participating in an investigation of a possible violation of this policy.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, nature of the conduct and the context in which the alleged conduct occurred will be investigated. The Superintendent or designee has the responsibility of investigating and resolving complaints of sexual harassment.

Penalties: Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to penalties, disciplinary action, and/or consequences established by law. Employees who engage in conduct determined to be sexual harassment shall be subject to penalties, disciplinary action up to and including termination, and/or consequences established by law. When appropriate, law enforcement or Department of Human Resources (DHR) referrals shall be made. Any suspected child abuse shall be reported in accordance with state law.

Any employee who makes false allegations of sexual harassment will be subject to appropriate disciplinary action, up to and including termination.

References: Code of Alabama 16-11-9, 16-12-3, 26-14-3, Civil Rights Act of 1991 as amended

3.44 EQUAL OPPORTUNITY

No person shall, on the basis of race, color, religion, gender, age, ethnicity, marital status, disability if otherwise qualified, political or religious beliefs, national origin, social and family background, or on the basis of the use of a language other than English, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this school system except as provided by law.

The Orange Beach Board of Education shall comply with the Americans with Disabilities Act of 1990 (ADA). This law makes it unlawful to discriminate against a qualified individual with a disability who can perform the essential functions of his/her job with reasonable accommodations.

Persons alleging such discrimination shall use the grievance procedure provided elsewhere in these policies as a remedy. The Superintendent shall develop procedures to notify Orange Beach School System employees, applicants for employment, and other affected groups.

The Orange Beach Board of Education shall visibly post any and all Equal Employment Opportunity Commission (EEOC) notices required by law and a notice of the Board's commitment to a discrimination-free workplace in an area frequented by employees and applicants for employment. Further, the Board shall issue this Equal Employment Opportunity policy to all supervisors and administrators employed by the Board.

References: Code of Alabama 16-11-9, 16-12-3, Americans with Disabilities Act of 1990

3.45 PROHIBITION OF TOBACCO USE IN SYSTEM FACILITIES

The Orange Beach Board of Education prohibits the use or possession of tobacco in any form (cigarettes, cigars, pipes, vapor or e-cigarettes, chewing tobacco, snuff, or any other form of tobacco or nicotine) by students, faculty, support personnel, or any other person on school property under the control of the Orange Beach Board of Education. This includes, but is not limited to, a public school building, Orange Beach Board of Education central office, bus maintenance building, bus, campus, recreational area, athletic field, parking, or other areas.

Parents/guardians and other persons are hereby notified they are prohibited from use or possession of tobacco in any form on Orange Beach School System property at any time.

School principals and other work site supervisors as may be designated are directed to post signs at the entrance of all school buildings and on the grounds of Orange Beach School System property designating the school property as a tobacco-free facility.

Orange Beach Board of Education employees found in violation of this policy are subject to disciplinary actions not limited to: reprimand, suspension pending a hearing, and termination of employment.

References: Code of Alabama 16-11-9, 16-12-15, Alabama Administrative Code §290-3-1-.02(1)(B)(2)

3.46 PROHIBITION OF VIOLENCE, THREATS OF VIOLENCE (ANTI-BULLYING)

No student shall engage in or be subjected to harassment (bullying), violence, threats of violence, or intimidation on or off of school property by any other student that is based on any of the specific characteristics identified by the Orange Beach Board of Education in this policy. Students who violate this policy are subject to disciplinary actions described in the Code of Student Conduct and/or consequences established by law.

Definitions: The term "harassment" (bullying) as used in this policy means a continuous pattern of intentional behavior that takes place on school or off of 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 personal characteristics identified in this policy and implemented at each school. To constitute harassment (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, whether the conduct occurs on or off school property, online, or electronically.
- 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.

The term "hostile environment" as used in this policy is the perception by an affected student or victim that the conduct of another student constitutes a threat of violence or harassment (bullying) and the conduct is objectively severe or pervasive enough

that a reasonable person, under the circumstances, would agree the conduct constitutes harassment bullying, threat of assault, or assault.

The term threat as used in this policy is a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.

The term "**violence**" as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

The term "**threat of violence**" as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.

The term "**intimidation**" as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.

The term "**student**" as used in this policy means a student who is enrolled in the Orange Beach School System.

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

Violence, threats of violence, harassment, and intimidation are prohibited and will be subject to disciplinary consequences and 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 victim of such conduct:

- Race;

- Gender;
- Religion;
- National origin; or,
- Disability.

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

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

Upon receipt of the complaint, the principal or the principal's designee will, in his/her sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines the complaint alleges a serious violation, the principal or the designee will undertake an investigation of the complaint. The investigation will be conducted within a reasonably prompt time period, taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary actions/consequences will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.

Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary action that may include any sanction, penalty, or consequence that is available to school officials under the rules governing student behavior. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy is subject to disciplinary action as outlined in the Code of Student Conduct.

A copy of the form shall be prominently posted and accessible on the website of each local board of education and school. A copy shall also 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.

Each school shall develop plans or programs, including, but not limited to, peer mediation teams, in an effort to encourage students to report and address incidents of harassment, bullying, violence, or threats of violence. At the beginning of each school year, each school shall programmatically address the type of bullying and school violence with faculty and students. The program shall include a discussion of available resources and shall encourage the reporting of incidents of bullying. Each school shall also periodically convene a committee of faculty and students to review and discuss the issue of bullying and make recommendations to school administrators regarding school climate, safety, and bullying.

The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee will inform the student's parent or guardian of the report.

This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication in the student handbook and on the school system website.

References: Code of Alabama 16-11-9; Alabama Legislative Act 2009-571, ACT #2018-472

3.47 YOUTH SUICIDE AWARENESS & PREVENTION

Introduction: Suicide is the tenth cause of death in the United States according to the Centers for Disease Control and Prevention. For youth between the ages of 10 and 24, the cause of death rankings are 2nd and 3rd in the nation, and these rankings are higher for youth in the same age brackets in the state of Alabama. The *Jason Flatt Act* was passed in order to equip education institutions and their personnel to recognize and act on signs of suicide risk in order to provide prevention, intervention and postvention with students at risk, their families and the communities who may be affected.

The *Jason Flatt Act* which amends the 16-288-8 of the Code of Alabama 1975, includes several elements listed below which should be interpreted as Policy. "To the extent that the legislature shall appropriate funds, or to the extent that any local board may provide funds from other sources, each school system shall implement the following standards and policies for programs in an effort to prevent student suicide":

Prevention of Suicide: The *Jason Flatt Act* was passed in order to equip Alabama school districts and their personnel to recognize and act on signs of suicide risk in order to provide prevention, intervention, and postvention with students at risk, their families and the communities who may be affected. This act, which amends 16-288-8 of the *Code of Alabama 1975*, includes prevention of harassment and violence.

The Jason Flatt Act includes several elements which should be interpreted as Policy. School systems will:

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

framework of existing in-service training programs or as part of required professional development offered by the local school system.

Description of Behavior Expected of Students: Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are expected and required to (1) comply with the requirements of the law, policy, regulation, and rules prohibiting harassment, violence, or intimidation and (2) to comply with the system's prevention strategies related to suicide prevention, intervention, and postvention support.

Responsibility of Reporting: Any person involved in a cause of action or omission resulting from the implementation of this suicide prevention policy or resulting from any training, or lack thereof, required by this section, shall be subject to state immunity law.

Promulgation of Policy and Related Procedures, Rules, and Forms: This policy and any procedures and rules developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication on the Orange Beach Board of Education's website at https://www.orangebeachboe.org/.

Reference: THE JASON FLATT ACT, State of Alabama SB11, Enacted May 5, 2016, Model Policy on Alabama's Jason Flatt Act

3.48 SUPERVISION OF LOW-RISK JUVENILE SEX OFFENDERS

Pursuant to Annalyn's Law, 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 to ensure appropriate supervision during the school day and school activities.

Section 1. Definitions

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

(a) "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 the Student and the School.

(b) "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.

(c) "Student" refers to "the low-risk juvenile sex offender" designated by a juvenile court judge as having a low risk of re-offense.

(d) "Teachers and staff with supervision over the "student" or "supervision team" refer to school officials or staff who have 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.

(e) "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 - If 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 - If a student seeks to enroll in the district as a new student and 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 Who Change Schools Within the District - If 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 new school's principal regarding the original plan and the transfer student's status and circumstances. Regardless, the principal of the prior school must provide the student's records and safety plan to the new school's principal 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 - If 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 seam 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 occur within ten school days or as soon as practicable. If 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. If the victim attends the same school as the student, the plan should include measures to reduce the likelihood of victim and student interaction. The plan's terms and updates must be memorialized in writing and approved by the principal or designee before being distributed to the student, the

student's parent or guardian, and 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 Student Code of 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 daily should do so discretely and unobtrusively.

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

If the student violates the Student Code of 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

If the student and/or his parent or guardian object to the 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 the process due thereunder.

Section 8. Confidentiality

School officials or staff receiving information about the student's delinquent status

must be treated as confidential by 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 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 re-offend and should be encouraged to integrate into the student body as a successful student fully. Mistreatment of any student may be a 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.

Legal Reference: Ala. Act No. 2018-528, Ala. Code § 16-1-51.1 (1975).

3.50 PUBLIC INFORMATION

All public records pursuant to Alabama statutes shall be available for inspection or copying at reasonable times during normal office hours of the Orange Beach School System office or other offices in which records are maintained, except those involving sensitive personnel records; pending criminal investigations; recorded information received by a public officer in confidence; or, other records for which disclosure would be detrimental to the public's interest.

To maintain appropriate public information about the school system, the Superintendent shall:

- Keep citizens adequately informed through all channels of communication on policies, programs, problems, and planning of the Orange Beach School System and instruct schools to carry out this policy through their efforts and the office of the Superintendent.
- Seek input from community members.
- Encourage Orange Beach School System staff to cooperate in keeping the public informed of newsworthy events which would be of interest or concern to citizens and which would promote the welfare of the school system, provided that any news release be approved by the principal or supervisor and that any adverse information of a serious nature or any release relating to the system as a whole be approved by the Superintendent.

References: Code of Alabama 16-11-9, 16-12-3, 36-12-40, 41-13-1, Alabama Administrative Code §290-1-4-.01

3.51 COPYING OF PUBLIC RECORDS

Copies of Orange Beach School System public records may be obtained by making a request to the lawful custodian of the records. Charges for copies of public records will be based upon a fee schedule set by the Superintendent. Copies shall be made by the appropriate staff members and reproduced at a time that does not interfere with the normal work duty.

References: Code of Alabama 16-11-9, 16-12-3

3.60 FLAG DISPLAY AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag shall be recited at the beginning of each school day in Orange Beach schools. Students shall have the opportunity to voluntarily recite the Pledge of Allegiance each day.

The United States flag and the Alabama state flag shall be displayed appropriately during the school year.

References: Code of Alabama 16-6b-2, 16-11-9, 16-43-1, 16-43-5

3.65 RELIGIOUS LIBERTY

The Orange Beach Board of Education does not discriminate against any student or parent on the basis of a religious viewpoint or religious expression in its public schools.

Student religious expressions and viewpoints are allowed in class assignments, coursework, homework, and artwork in the same manner as any non-religious expression or viewpoint. Students shall not be penalized or rewarded on the basis of the religious views expressed in their schoolwork.

Students may voluntarily pray or engage in religious activities or religious expressions before, during, and after the school day in the same manner and to the same extent that students may engage in nonreligious activities or expressions.

Reference: Alabama Legislative Act 2015-129

3.70 SCHOOL VOLUNTEERS

The Orange Beach Board of Education recognizes volunteers who can make many valuable contributions to the schools and can be used as effective learning resources. Therefore, the Board endorses a volunteer program in the system, subject to suitable regulations and safeguards. These regulations and safeguards shall include volunteers operating within the written authorization of the Board and/or members of its administrative staff and under the supervision of Board employees. (See also Policy 5.84 Non-Faculty Coaches.) These regulations shall be developed and promulgated by the Superintendent or staff in cooperation with the faculty of each school.

Any volunteer (i.e., a person performing services for non-profit organization, a non-profit corporation, a hospital, or a governmental entity without compensation, other than reimbursement for actual expenses incurred) shall be immune from civil liability in any action on the basis of any act or omission of a volunteer resulting in damage or injury if:

- The volunteer was acting in good faith and within the scope of such volunteer's official functions and duties for a non-profit organization, a non-profit corporation, hospital, or a governmental entity; and,
- The damage or injury was not caused by willful or wanton misconduct by such volunteer.

Reference(s): Code of Alabama 16-11-9, 16-12-3

3.80 COMMUNICABLE DISEASES AND CONDITIONS

It is the intent of the Orange Beach Board of Education, in cooperation with county and state agencies, to carry out laws and regulations designed to protect and promote the health, safety, and general welfare of school children and Board employees.

Communicable/Infectious Diseases or Conditions: Students and/or employees having communicable diseases and/or conditions, including students wishing to enroll or potential employees, will be dealt with on an individual basis. Administrators and supervisors shall observe current regulations for the Control of Communicable Diseases in the schools of the Orange Beach School System as required by the State Board of Health. The system's nurse(s) will maintain liaison with the State Board of Health and support the processing of cases.

A student with a communicable or contagious disease or a viable parasite (head lice, etc.) shall be ineligible to attend schools in the school system for a period of time as may be prescribed by the local health department, school nurse, or a physician. In all cases, the school nurse and/or principal may require a statement of clearance from the Department of Health or physician before the student may re-enter schools of the school system.

Infection Control: All employees are required to consistently follow infection control guidelines in all settings and at all times, including playgrounds and school buses. Schools will operate according to the standards promulgated by the U.S. Occupational Health and Safety Administration for the prevention of blood borne infections. Equipment and supplies needed to apply the infection control guidelines will be maintained and kept reasonably accessible. The Superintendent's designee shall implement the precautions and investigate, correct, and report on instances of lapse.

Exposure Control Plan and Staff Development: The Superintendent will direct the preparation of procedures for processing cases and an exposure control plan. Procedures will incorporate appropriate considerations of confidentiality. Employee

training and communication of school system procedures related to student health education, exposure control, communicable diseases and conditions, and standard precautions shall be implemented by the direction of the Superintendent.

References: Code of Alabama 16-11-2, 16-11-9, 16-22-3, Alabama Administrative Code §290-1-4-.01

CHAPTER 4.0 - CURRICULUM AND INSTRUCTION

4.10 THE CURRICULUM

The Orange Beach School System curriculum shall be determined by the following:

- Alabama State Department of Education Courses of Study;
- Student needs and interests;
- Regular evaluation of curriculum effectiveness; and,
- Applicable Alabama statutes, State Board of Education rules, and the Orange Beach Board of Education priorities.

The Superintendent may appoint such committees and special study groups as may be necessary to assist in determining the educational needs of the system. The Superintendent shall designate appropriate staff members who are responsible for the development and coordination of the curriculum of the system.

Teachers shall not present controversial material or issues that are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the question without bias or prejudice and shall permit each student to arrive at his/her own conclusions. When dealing with political issues, the positions of all parties will be presented on a non-partisan basis. (See Policy 4.31 Controversial Issues.)

The Superintendent shall recommend and the Board shall approve standards relating to graduation requirements, dual enrollment, promotion and retention, grading system, and methods of progress reporting.

All course materials and verbal or visual instruction shall conform to the requisites and intent of Alabama law and the state Constitution. All instructional materials, including teachers' manuals, films, tapes, electronic media, or other supplementary instructional material, shall be available for inspection by parents/guardians of the children engaged in such classes.

The Superintendent or designee shall develop procedures to ensure all aspects of curriculum development are implemented. There shall be a systematic and comprehensive evaluation of the instructional program and all related areas.

References: Code of Alabama 16-1-13, 16-1-16, 16-6b-2, 16-11-9, 16-35-1, 16-35-3, 16-35-5, 16-40-1, 16-40-1.1, 16-40-8, 16-40a-2, 3, 16-41-1-2, -3, -6, 16-41-8, Alabama Administrative Code § 290-3-1-.01

4.11 SPECIAL EDUCATION AND PROGRAMS FOR ACADEMICALLY AT-RISK STUDENTS

The Orange Beach Board of Education will provide free and appropriate educational and related services to students with disabilities who qualify under state and federal guidelines. Special education students include students determined by the school's multidisciplinary team, upon review of psychological, educational, and/or physical evaluation results, to have mental retardation, hearing impairments, speech or language impairments, visual impairments, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities, and students who are classified as gifted.

Upon recommendation of the Superintendent, the Board shall adopt a plan for the provision of education programs for all Orange Beach School System students with disabilities and gifted students. The plan for special programs and procedures for exceptional students shall include screening procedures, pre-referral activities, referral procedures, eligibility criteria, program placement, program dismissal, and descriptions of program organization and operations.

The Orange Beach School System special education program shall conform to the provisions adopted by the Board and shall function in accordance with the provisions of state and federal law, State Board of Education rules, and other applicable provisions of Board rules.

The Superintendent or designee shall develop, for the Orange Beach Board of Education's approval, a plan to assist academically at-risk students addressing dropout prevention. Components of the plans for academically at-risk students may include any state, federal, or local initiatives designed to improve academic achievement and prevent dropouts.

References: Code of Alabama 16-11-9, 16-13-231,16-39-1-6, 16-8-10, 16-39-31, IDEA Amendments of 1997, Alabama Act 106

4.12 ASSISTIVE TECHNOLOGY

It is the policy of the Orange Beach Board of Education to ensure that every student with a disability has equal access to the educational program and related services through the timely provision of assistive technology devices and services. In compliance with the Individuals with Disabilities Education Act (IDEA) and applicable state regulations, the system is committed to the assessment, procurement, implementation, and evaluation of assistive technology that meets the unique needs of each eligible student.

Purposes

- **Access and Equity:** To provide students with disabilities the tools necessary to access and benefit from their educational program.
- **Compliance:** To ensure all practices concerning assistive technology meet IDEA requirements and state and federal guidelines.
- **Collaboration:** To promote cooperation among educators, related service providers, families, and students in selecting, implementing, and ongoing evaluation of assistive technology.
- **Professional Development:** To support ongoing training for staff in using and maintaining assistive technology to enhance student outcomes.

Definitions

- **Assistive Technology (AT) is any** item, piece of equipment, or product system, whether acquired commercially, modified, or customized, used to increase, maintain, or improve the functional capabilities of a child with a disability. This definition includes devices (e.g., computers, adaptive keyboards, and communication devices) and services (e.g., training in using the device, maintenance, and technical support).

- **Assistive Technology Services:** Services that assist a student with a disability in selecting, acquiring, or using assistive technology devices. These may include but are not limited to, evaluation, consultation, training, and technical support.

- **Individualized Education Program (IEP):** A written plan developed for each student eligible for special education services that includes, as appropriate, accommodations, modifications, and supports—including assistive technology—to ensure access to the general curriculum.

- **IEP Team:** The group of individuals—including parents/guardians, special and general education personnel, and related service providers—responsible for developing, reviewing, and revising the IEP, including decisions related to assistive technology.

Policy Guidelines

- **Screening & Evaluation:** All students receiving special education services may be evaluated for potential assistive technology needs as part of their comprehensive assessment. The evaluation will include, as appropriate, input from teachers, specialists, and families.

- **IEP Consideration:** When a student's evaluation indicates a need for assistive technology, the IEP Team shall discuss and, if warranted, include assistive technology devices and/or services in the student's IEP under IDEA requirements (e.g., IDEA Section 300.344).

- **Student-Centered Selection:** The IEP Team shall collaborate with the student (when appropriate), family, educators, and assistive technology specialists to determine the most suitable technology that addresses the student's unique needs.

- **Funding and Acquisition:** The district shall identify funding sources and follow procurement procedures to ensure the timely acquisition and delivery of assistive technology devices and related services. All procurements will comply with local, state, and federal guidelines.

- **Training:** Staff, students, and family members shall receive appropriate training to ensure the effective use, maintenance, and integration of assistive

technology into the student's educational program.

- **Integration into the Curriculum:** Once provided, assistive technology may be integrated into the student's daily instruction to facilitate meaningful progress toward IEP goals.

4.13 HOMEWORK

Students will be provided opportunities to enhance and expand their understanding of skills and concepts through appropriate homework assignments. Such assignments should logically relate to classroom activities. Homework may be assigned to individual students within a class and/or to the entire class based on teacher judgment.

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

- Assign homework on a regular but reasonable basis, keeping in mind the nature of the assignment, the age of the student, and demands that may be placed on students by other teachers.
- Assign homework that is related to instructional activities.
- Grade/check the homework and return it to students on a timely basis.
- Utilize homework as an important part of student evaluation.
- Expect all students to complete assignments.
- Refrain from assigning homework as punishment for disciplinary infractions.

References: Code of Alabama 16-11-9, Alabama Administrative Code §290-1-4-.01

4.14 SUMMER PROGRAMS

The Orange Beach Board of Education authorizes summer programs when needed and when funding is available. The Superintendent or designee shall determine the building site(s).

Summer program requirements and extended school year services shall be developed by the Superintendent and approved by the Orange Beach Board of Education in accordance with the rules and regulations of the Alabama State Department of Education and the school system accrediting agency.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-3-1-(6)

4.15 SUPPLEMENTAL SCHOOL DONATIONS

Where school funds are not otherwise available for consumable instructional supplies and personal items to meet the instructional needs of Orange Beach School System students, donations and fees may be solicited from students and parents with such donations and fees to be known as "School Supplemental Instructional Donations," provided that any such solicitation has prior approval of the principal.

Communications to parents and students in any format must clearly indicate that the response to such solicitation on the part of any student or his/her parents/guardians shall be voluntary, and no sanctions shall be imposed against the student or embarrassment caused a student or his/her parents/guardians for failure or refusal to make a donation or pay a fee.

The principal shall keep the Superintendent apprised of such requests.

References: Code of Alabama 16-11-9, 16-11-26, 16-13-13, Alabama Administrative Code §290-2-1-3

4.16 STUDENT FEES, FINES AND CHARGES

The Orange Beach Board of Education shall hold each student responsible for all textbooks and other educational materials issued to him/her. It shall be understood that the parent, guardian, or other person having custody of any student to whom textbooks or other materials are issued shall be held liable for any loss, abuse, or damage in excess of that which would result from the normal use of such materials.

Fees may only be charged in courses that are not required for graduation. Principals shall have the authority to waive fees for students with financial limitations who cannot afford the fee.

The Orange Beach Board of Education maintains that activities for which an admission fee is charged shall be kept to a minimum. The admission charges shall be fixed at amounts permitting the maximum number of pupils to attend and commensurate with the cost of providing such activities. Principals are responsible for setting uniform admission costs for comparable activities.

The principal shall approve all concession sales at school activities. All income from school activities and concession sales shall be deposited in the appropriate account and shall be disbursed in accordance with Board policy, standards of the school system accrediting agency, and State Department of Education regulations.

References: Code of Alabama 16-11-9, 16-11-26, 16-13-13, 16-36-69, Alabama Administrative Code §290-2-1-2

4.17 DUAL ENROLLMENT

The Orange Beach Board of Education authorizes the establishment of dual enrollment programs allowing certain high school students to enroll in postsecondary institutions in order to dually earn credits for a high school diploma and/or a postsecondary degree at both the high school and participating postsecondary levels. The dual enrollment program will strictly follow all State Department of Education regulations and will be open to all students meeting the published requirements.

Eligible Students: Students participating in a dual enrollment program:

- Shall pay normal tuition as required by the postsecondary institution;
- Have at least a B average;
- Have written approval of the student's principal and Superintendent; and,
- Be in grades 10, 11, or 12 or have an exception granted by the participating postsecondary institution upon the recommendation of the student's principal and Superintendent and in accordance with Alabama Administrative Code §290-8-9-.17 regarding gifted and talented students.

Course Offerings: Courses shall be postsecondary/college level. Postsecondary/ college level remedial courses shall not meet the requirements of this program.

Students enrolled in courses offered during the normal high school day on or off the high school campus shall have prior permission from the student's principal, Superintendent, and the participating postsecondary institution president.

The Superintendent or his/her designee shall put into place necessary procedures, forms, etc. as needed to implement a Dual Enrollment program.

Dual Enrollment Credits: One (1) three-hour semester course at the postsecondary level shall equal one (1) credit at the high school level in the same or related subject. Partial credit agreements shall be developed between the Orange Beach Board of Education and participating postsecondary institutions. Articulation agreements with all postsecondary institutions participating in this program shall utilize these guidelines and shall be approved by the Superintendent and the authorizing agent of the postsecondary institution.

References: Code of Alabama 16-11-9, Alabama Administrative Code §290-3-1.02(10) as amended 2015)

4.18 VIRTUAL SCHOOL OPTION

Purpose: To provide motivated, independent learners the opportunity to earn their Alabama High School Diploma through flexible, personalized learning experiences available online - anytime, anywhere.

As part of the mission of Orange Beach City Schools (OBCS) to ensure each student develops into a responsible and productive citizen who is prepared for future challenges, OBCS offers various online courses to meet the academic and career-oriented goals of eligible students. Course offerings, including advanced courses, are designed to address all Alabama high school graduation requirements.

The online courses offered by OBCS have the same level of rigor and adhere to the same standards as the traditional OBCS curriculum. The OBCS online courses provide the additional benefit of preparing students for success in the 21st-century environment. Only courses taken via ACCESS and dual enrollment are approved for virtual students.

The V-School is a viable educational opportunity for:

- Homeschoolers;
- The traveling parent/family;
- Students who are pursuing non-traditional careers (i.e., music and Broadway);
- Students with medical needs or
- Students who are at risk of dropping out for reasons other than lack of credits.

Enrollment

- Meet all other requirements for enrollment in Orange Beach Schools;
- Have consistent, daily access to the Internet (minimum 1.5 Mbs);
- Student must be a rising 9th, 10th, 11th, or 12th grade student;
- Students must be on track to graduate;
- Per the previous academic year, students must have
    - A minimum attendance rate of 90%,
    - A minimum GPA of 2.0,
    - At most, two intermediate or greater office referrals.

Staff and Student Capacity

- Max enrollment- 24 students;
- One designated teacher/coordinator.

Location

- The Virtual School's home base is located on the campus of Orange Beach High School. Students can choose to come to the site where the teacher provides tutoring in English, science, mathematics, and social studies.

Face-to-Face Requirement

- Face-to-face obligations are required for orientation, state-mandated assessments, and Career Preparedness.
- All course tests must be taken on the OBHS campus and will be proctored by OBCS staff.
- Students should expect to report to campus 2-3 times per week.

Transportation

- Upon submitting a signed Transportation Agreement, licensed sophomores, juniors, and seniors may drive themselves to the Virtual School.
- A parent or guardian must drive all other students.

Attendance

- Virtual School students must "attend" class daily in accordance with the OBCS school calendar. Students fulfill attendance requirements when they login to their courses daily.
- Virtual School students are required to abide by OBCS attendance policies and procedures.

Student Support Services

- Orientation—One week of online and face-to-face activities for online learning preparation, including two face-to-face meetings and four days of online experiences.
- Guidance & Counseling - Academic and guidance counseling will include developing a four-year high school plan.
- Monitoring - Tracking student attendance, course progression, grades, and exam proctoring.
- Tutoring - Face-to-face tutoring in addition to the support provided by the online teacher.
- Assessment - All state-mandated tests, except the spring ACT and ACT Workforce Keys, are administered by the OBCS teacher at the Virtual School.
- Digital Resources - Assistance locating and using digital resources provided by staff.

Pace

- Students complete coursework at a pace as established by the dual enrollment or ACCESS teacher of record.

Assessment

- Using the prescribed format of dual enrollment or ACCESS, all assessments are taken in the presence of the teacher on site.
- Only students of military families who have completed junior requirements in the Orange Beach School System and have been relocated out of state:
    - Must arrange a date and time with OBHS for all assessments via Skype and
    - Must take timed assessments.
- All V-School students must meet all ALSDE requirements to receive an OBHS diploma.

Progress Monitoring

- Students must progress through the online course at a comparable rate to traditional courses at a minimum but can work ahead faster.
- Students are expected to maintain a 60% overall average or be placed on academic probation.
- Academic probation requires the student to visit the Virtual school campus twice a week and receive weekly grade counseling.
- Students remain on probation for four weeks. They are removed from academic probation if they achieve an overall 60%. If 60% is not achieved, they are re-enrolled at their base school.

Application Process

- Applicants who are currently enrolled in OBCS
    - If you are currently enrolled in an OBCS, then the OBCS Virtual Application Form should be completed. Please indicate on this form that you request to be transferred to **OBHS's V-School**.
- Applicants who are **NOT** currently enrolled in OBCS
    - If you are not enrolled at OBCS, then a New Student Registration Packet with all supporting documentation should be completed.
    - Additionally, new students should complete the OBCS Virtual Application Form. Please indicate on this form you are requesting to be transferred to **OBHS's V-School**.

Approval of Application

- You will receive an acknowledgment email once the OBCS Virtual School receives your application. Depending on the availability of your academic

records, the determination may take ten days. Applicants will be informed of the Admission Committee's decision by email.

Next Steps

- Once the applicant receives email confirmation of admittance, the student and parent or guardian will:
    - Meet with an OBCS Virtual School staff member to sign the required paperwork, discuss graduation goals, and build the student's course schedule.
    - Attend a required orientation session that includes guidance in virtual learning, an introduction to navigating the course management system(s), and training on digital resources provided by OBCS.
    - Complete all requirements associated with the one-to-one computer program and receive the system-issued device from the OBCS Virtual School staff if a device needs to be provided.

Enrollment Period

- Applications for enrollment are accepted throughout the academic year and during the summer.
- Typically, a student should start virtual school at the beginning of a semester (August, January, or June). However, accepting a transfer student during a semester is sometimes possible. OBCS staff will evaluate the transfer student's current schedule and grades to determine the feasibility of enrolling in the OBCS Virtual School after a semester has started.

References: Code of Alabama 16-46A-1, Alabama Legislative Act 2015-89;
Revised Policy on 3.14.2024

4.21 TEXTBOOKS AND INSTRUCTIONAL MATERIALS

The Board shall approve all textbooks used in the Orange Beach School System. Local textbook committees shall be appointed by the Orange Beach Board of Education upon recommendation by the Superintendent. The number, size, and composition, which shall include parents, of the committees shall be determined by the Superintendent and approved by the Board. The name of each person serving on the local textbook committee(s) shall be kept on file by the Superintendent. The textbook committee(s) of the Orange Beach School System and the central office personnel designated by the Superintendent shall endeavor to ensure the selection and adoption of textbooks for use within the school system shall be in accordance with applicable provisions of Alabama law.

The Superintendent shall develop procedures based on Alabama statutes for purchasing, managing, selling, and discarding textbooks and other instructional materials. Inventories and records related to textbooks and instructional materials of the school system shall be maintained as prescribed by Alabama statutes and State Board of Education guidelines.

References: Code of Alabama 16-36-4 to -39, Alabama Legislative Act 98-320

4.22 LIBRARY MEDIA CENTERS

The Orange Beach Board of Education believes the school library media center is a fundamental part of the educational program. It adheres to the premise that an effective library media program will provide:

- Equal and maximum access to information resources that extend the limited content of textbooks;
- Instruction for students in acquiring the research skills necessary for independent learning;
- Motivation for students to read and enjoy good literature; and,
- Encouragement for students to use a variety of media for a lifetime of learning and pleasure.

Each school in the Orange Beach School System shall maintain a library media center under the direction of a state certificated library media specialist in accordance with accreditation standards. The responsibility for coordinating the selection and purchasing of instructional materials rests with the library media specialist with the final responsibility being vested in the Board.

Since the library media program is an integral part of the total school program, the school's philosophy and goals help establish direction for library media services. Programs may vary somewhat based on different school characteristics; however, some functions will be common in all schools. Those functions include:

- Equal access to information in the school collection.
- Provision of supplementary materials to enhance the school curriculum.
- Integration of information skills instruction with classroom activities.
- Assistance to teachers in using a variety of media formats to improve instruction.
- Motivation for students to enjoy good literature and other worthwhile resources.
- Access to the use of current technologies to improve instructional effectiveness.

The Orange Beach School System library media specialists and teachers should collaborate to ensure all students have adequate and equal access to the library media center and its collection. A library media center handbook of policies and procedures shall be developed to reflect legal guidelines and professional ethics.

References: Code of Alabama 16-21-1 to -3

4.30 CHALLENGED MATERIALS

The following procedures shall be followed when the appropriateness of books or instructional materials is questioned:

- School/community citizens may register their concerns with the principal of the school where material is being challenged.
- All concerns shall be presented in writing to the school principal. The statement shall include the following information:
    - Author, compiler, or editor;
    - Publisher;
    - Title;
    - Reason for objection;
    - Page number of each item challenged; and,
    - Signature, address, and telephone number of the person making the criticism.

These procedures shall be followed for Orange Beach School System school-level reviews:

- A committee of teachers, educational media specialists, parents, and other qualified personnel shall be appointed by the principal to evaluate the challenged materials and to make recommendations for any changes. The principal shall notify the Superintendent or his/her designee when a committee is convened.
- Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
- Challenged materials shall be read and evaluated by the committee, considering the specific objections presented by the complainant.
- The complainant shall be informed in writing concerning the committee's recommendations.

These procedures shall be appropriate for system-level appeals and shall be followed when the complainant disagrees with the decision rendered from the school-level appeal:

- A committee of teachers, educational media specialists, parents, and other qualified personnel shall be appointed by the Superintendent to review the appeal, to evaluate the challenged materials and to make recommendations of any changes. A committee member shall not be selected from the school where the challenged materials originated.
- The Superintendent shall designate a member of his/her staff to be responsible for the organization of this review committee according to school Board policies.
- The committee's review shall be treated objectively and in a business-like manner and shall be conducted in the best interests of students, the schools, and the community. Efforts shall be made to meet with citizens who register concerns to consider their objections.
- The committee's recommendations shall be submitted to the Superintendent.
- The complainant shall be informed, in writing, after the committee's recommendation is received by the Superintendent.

An appeal to the Orange Beach Board of Education may be requested by the complainant when the school and system-level appeals do not satisfactorily resolve the concerns. The Board shall review recommendations of the school and system-level committees and shall render the final decision on the complainant's concern.

References: Code of Alabama 16-11-9, 16-12-3

4.31 CONTROVERSIAL ISSUES

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

- Teachers shall adapt the study of controversial issues to the age, maturity, and academic background of pupils.
- Teachers shall place major emphasis on how to think rather than what to think.
- Pupils shall have access, insofar as possible, to all materials that are relevant and educationally significant to the issues at hand.
- Pupils shall have the opportunity to express their opinions within the limits of decency, good will and respect for the opinions of others.

- Teachers shall teach pupils the principles and techniques of the scientific method and shall provide opportunities for practice in applying established facts to specific problems.
- Teachers shall seek to develop in pupils the ideals of truth and honesty.
- Teachers shall seek to create an atmosphere in which differences of opinion can be voiced without fear or hostility but with mutual respect for all viewpoints.
- Teachers shall seek to develop in pupils a sense of responsibility for their beliefs, opinions, and attitudes and shall encourage pupils to base the same on research, tested experience, and knowledge as recorded in our cultural heritage.
- Teachers shall encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined, and checked for accuracy.
- Teachers shall take a neutral position in the classroom during the discussion of controversial issues.

Reference: Code of Alabama 16-11-9

4.42 PUBLIC APPEARANCE OF SCHOOL GROUPS

Requests for any Orange Beach School System group or organization to make a public appearance shall be directed to the principal for approval.

Students' parents/guardians shall be notified prior to any public appearance. Such notice shall state the place to be visited, the date of the public appearance, the time of departure, and the time of return to the school. Any student making a public appearance shall present a note from his/her parent/guardian giving permission for the student to make the public appearance. All documents needed in case of emergency should be provided before the public appearance and should be in the possession of the Orange Beach Board of Education employee in charge of the public appearance. During public appearances of school groups, medication administration procedures shall be followed in accordance with the established medication disbursement guidelines.

Reference: Code of Alabama 16-11-9

4.43 FIELD TRIPS

Recognizing educational field trips and trips to various types of contests for instructional purposes to help provide desirable learning experiences, the Orange Beach Board of Education delegates to the Superintendent the responsibility for

development of administrative criteria and procedures governing field trips. However, only those field trips that grow out of the instructional program or are otherwise related to the program are to be permitted on school time. Other trips such as those involving band and athletic activities should be confined to non-school time except where the school is engaged in an activity, competition, or contest that requires use of school time. Official, approved school system procedures for arranging, approving, and notifying parents about field trips should be followed.

Field Trip Transportation Using School System or Common Carriers: In order to reduce the costs of field trips for students, Orange Beach School System buses should be used for local field trips when possible. Privately owned buses/common carriers may be used for trips extending beyond the normal school day based on prior approval by the Superintendent. Approval for the use of privately-owned buses/common carriers must be secured from the principal prior to discussions of the trip with students. Private buses/common carriers should be used only when school system buses are unavailable or impractical.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-1-4-.01

4.44 SCHOOL FUNCTIONS

Any school social function shall be sponsored by an instructional staff member and shall be approved by the principal prior to scheduling.

Orange Beach School System employees shall be encouraged to attend school-sponsored social functions.

All Orange Beach school functions including field trips, extracurricular events, and recreational activities such as picnics, parties, and excursions under the sponsorship of the school shall have a sponsor and an appropriate number of chaperones as determined by the school principal. A sponsor is a professional Orange Beach Board of Education employee who is currently certified by the State Department of Education. Chaperones are volunteers approved by the principal.

Reference: Code of Alabama 16-11-9

4.45 SERVICE ANIMALS

The Orange Beach School System does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The

school system will comply with federal and state laws regarding the use of service animals.

"**Service animal**" means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. In specific cases, the school system may make reasonable modifications of policies, practices, or procedures to permit the use of a miniature horse if the animal has been individually trained to do work or perform tasks for the benefit of an individual with a disability, after consideration of the following factors: the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation. Requests to permit miniature horses will be handled on a case-by-case basis.

The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence, or the provision of emotional support, wellbeing, comfort, or companionship, do not constitute work or tasks for the purposes of defining "service animal." School system personnel may inquire of the individual with a disability, his/her parents/guardian, or the owner or handler of the animal, the following to determine whether an animal qualifies as a service animal:

- whether the animal is required because of a disability; and
- what specific work or task that the animal has been trained to perform.

Individuals with disabilities will be permitted to be accompanied by their service animals in the areas of the school system's facilities where they would normally be allowed to go.

Users/owners of service animals are liable for any harm or injury caused by the service animal to others, including students, staff, and visitors and may be charged for any damage to school property caused by the animal in accordance with school system practice.

Individuals with a disability will not be required to pay an administrative fee or surcharge for service animals to attend events for which a fee is charged; however, individuals may be charged for their own admission for such events.

A service animal must have a harness, leash, or other tether, unless the student is unable because of a disability to use a harness, leash, or other tether, or the use of a

harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's or handler's control.

The school system is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself. The school system is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal. Students with service animals or their handlers are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his or her service animal, the parents are responsible for providing care and supervision of the animal themselves or through an appropriate handler.

Issues related to the care and supervision of service animals will be addressed on a case-by-case basis at the discretion of the building administrator. The service animal must be under the control of the student or its handler at all times. The school system may exclude or ask the individual to remove his/her animal from the premises if the animal is out of control and the handler does not take effective action to control it; if the animal is not housebroken; if the presence of the animal poses a direct threat to the health or safety of others; or its presence would require a fundamental alteration to the service, program, or activity of the school system.

The Superintendent or his/her designee will develop and disseminate procedures to implement this policy and accommodate individuals with disabilities requesting use of a service animal in school buildings and on school system property and vehicles

References: Code of Alabama 16-11-9 Title II, American with Disabilities Act, 42 U.S.C.A. §12131-12165 Individuals with Disabilities Education Act (IDEA), 20 U.S.C.A. §1400, Section 504 of the Rehabilitation Act, 29 U.S.C.A. §794

4.60 ASSESSMENT PROGRAM

The Orange Beach School System shall periodically assess student performance and achievement within each school of the system. The assessment programs must be based upon local goals and objectives that are compatible with the Courses of Study adopted by the State Board of Education. All schools will participate in the state assessment program designed to measure annual student learning and school performance.

The Orange Beach School System will follow recommendations of the State Board of Education for the provision of test adaptations and modifications of procedures as

necessary for students in special education programs and for students who have limited English proficiency.

Individual student test results shall be treated with confidentiality.

References: Code of Alabama 16-11-9, Alabama Administrative Code §290-4-2-.01-.04

4.61 TEST SECURITY

All mandatory tests administered by or through the State Board of Education and system-administered national norm-referenced achievement tests shall be secured.

Orange Beach School System and school personnel who have access to mandated tests shall be informed of test security laws and procedures and of penalties for breaches of test security. The testing coordinator shall oversee the destruction of statewide assessment test materials in a secure manner.

The testing coordinator shall instruct school test coordinators and principals on test security measures.

Principals shall be responsible for informing the faculty of test security measures.

The loss of tests, cheating, or any other breach of test security procedures and laws shall be reported immediately to the testing coordinator. Any unresolved problems in the system shall be reported to the appropriate agency.

The possession of a digital device is strictly prohibited during the administration of a secure test. A student in possession of a digital device during testing shall be subject to applicable disciplinary consequences. The prohibited device shall be confiscated and may be subject to search. The student's test shall be invalidated if test security procedures are violated.

References: Code of Alabama 16-11-9, Alabama Administrative Code §290-4-2-.04

4.71 REPORT CARDS

Report cards are for the purpose of transmitting an evaluation of student progress to the student and his/her parents or guardians. Report cards shall be issued at least four (4) times during the scholastic year to all students enrolled in grades K-12 in the Orange Beach School System. Report cards shall describe the official key to grades as approved by the Board for the school and grade levels being reported.

Reference: Code of Alabama 16-11-9

4.80 TRANSFERS FROM ACCREDITED, NON-ACCREDITED, OR HOME SCHOOLS

Students transferring from accredited public or non-public schools will have all credits and current class/grade placement accepted upon receipt of the official transcript(s).

To allow transfer of credits and/or determine the appropriate class/grade placement of a student transferring to this system from a non-accredited or home school, the following shall be implemented.

- Credit for all elective courses shall be accepted without validation.
- Credit for core courses of English, mathematics, science, and social studies shall be transferred as follows.
    - End-of-course tests, nationally recognized standardized tests, and official school records shall be used to validate credit earned and to determine the most appropriate course and grade placement;
    - For any initial core course the student completes successfully in this system, he/she shall be permitted to transfer in that subject area all previous credits earned at a non-accredited or home school. (Example: Successful completion of eleventh grade English in this system would allow the student to transfer ninth and tenth grade English, if completed successfully at the non-accredited or home school.)

In the event of the existence of controversial records/transcripts and/or the absence of any official or notarized records/transcripts, the student shall take placement tests consisting of the Orange Beach school's previous semester tests for core courses.

All transfer students must pass any required assessments and meet all other requirements for graduation.

References: Code of Alabama 16-11-9, Alabama Administrative Code §290-3-1-.02(7) J 2 (K)

4.81 CAREER TECHNICAL COOPERATIVE EDUCATION PROGRAM

The Orange Beach Board of Education recognizes the importance of the school-community linkage in training individuals for specific occupations; assisting individuals with the transition from school to the world of work; providing an environment for developing proper skills, knowledge, work and safety habits, and pride in achievement. As such, Cooperative Career/Technical Education Programs

will be provided to the extent possible to strengthen this linkage. These programs will operate in compliance with general career technical education policies established by the Board and program standards outlined in current administrative code.

Each cooperative career technical education program shall provide on-the-job training that:

- Is related to existing employment opportunities which offer promotion and advancement;
- Is related to the student's occupational objective;
- Does not displace other workers who can perform such work; and,
- Is conducted in accordance with written training agreements and training plans that incorporate methods for solving problems at work and problems at school.

Criteria for Participation: The following criteria must be met prior to a student's participation in Cooperative Career Technical Education Programs:

- The student and his/her parent(s)/guardian(s) must select the cooperative career technical course(s) as an elective.
- The student's parent(s) /guardian(s) must sign a release form authorizing the school to release his/her child from school to travel to and from the educational job site.
- All transportation costs must be borne by the student and his/her parent(s)/guardian(s).
- The student meets prerequisites for the cooperative career technical course selected as described in the current Orange Beach School System course catalog.

References: Code of Alabama 16-3-12, 16-3-13, 16-37-1

4.82 SAFETY IN CAREER TECHNICAL CLASSES

In order to ensure safety of students and personnel in Orange Beach School System Career Technical education classes, all laws, regulations, and guidelines established by local, state, and federal agencies shall be followed.

Orange Beach School System teachers in career technical classes shall establish safe working conditions and shall promote the development of safety awareness and safe work habits by students. Safety procedures and safe work habits shall be

taught and tested in all career technical classes as specified in the Alabama Course of Study for each content area.

A safety plan shall be posted in each career technical classroom and shall include methods for encouraging safe procedures in the following areas:

- Continuous supervision of students in the classroom, laboratory, and/or shop environment.
- Ensuring protection devices are worn by students, when appropriate.
- Safe storage of toxic, flammable, or hazardous materials.
- Safe use of electrical devices and avoiding electrical hazards.
- Safety demonstrations, safety instruction, and testing for safety knowledge.
- Periodic inspection of materials, equipment, and tools to ensure safe use.

The goals of safety instruction are to keep students safe while participating in career technical programs and for transfer of this knowledge to the workplace.

References: Code of Alabama 16-3-12, 16-3-13, 16-37-1, Alabama Administrative Code §290-6-1-.04(6)

4.83 CAREER TECHNICAL PROGRAM EQUIPMENT MAINTENANCE, REPAIR, REPLACEMENT AND DISPOSAL

Orange Beach School System teachers in career technical classes are expected to keep all machines, equipment, tools, and other items needed for effective instruction in good repair. A program of preventive maintenance of machines, tools, and equipment shall be implemented to prolong the use of the items and to teach proper care and maintenance of equipment. A schedule for the cleaning, greasing, and oiling of equipment, the changing of filters, and other routine maintenance shall be developed by the teacher for all equipment, machines, and tools used in the classroom.

Annual review of needs for repairs, servicing, and other maintenance shall be submitted to designated system personnel. Requests for major repairs or replacement of equipment or tools shall be submitted with estimates of costs for parts, service, or replacements. The teacher using allocated maintenance funds, fees, program funds, or school funds shall pay for routine maintenance and small repairs. Major repairs and appropriate equipment replacement shall be considered in the annual system career technical budget. The Orange Beach School System shall maintain a reasonable allocation to fund emergency repair of equipment essential to the instructional program.

Principals and system personnel shall conduct periodic inspection of career technical shops, laboratories, and classrooms to determine that tools, supplies, and equipment are properly maintained and stored and ensure equipment is kept in good repair and operated safely.

Designated central office personnel shall work cooperatively with teachers and school administrators to annually assess the need for updated equipment, supplies, tools, and materials for career technical classes. Each teacher shall maintain an accurate inventory of equipment, tools, supplies, furnishings, textbooks, and other materials necessary for instruction in career technical classes. When equipment is unserviceable or obsolete, the teacher shall notify the school principal. The principal shall notify the designated central office personnel in writing of equipment, tools, or other items in need of disposal. Central office personnel will make arrangements for the removal of such items from the school and for the proper disposal of the items according to state and system regulations.

To maintain the optimum learning environment, each teacher shall:

- Make students aware of the importance of the proper care of tools, equipment, furnishings, and materials at school and in the workplace.
- Maintain tools and equipment daily.
- Maintain an accurate inventory of tools, supplies, and equipment.
- Notify the principal of safety hazards and/or problems with heating, cooling, lighting, or ventilation that may interfere with learning.
- Take appropriate disciplinary actions against persons who abuse facilities and/or equipment.
- Secure tools, equipment, and work areas before leaving the class, laboratory, or shop area for any time.

References: Code of Alabama 16-3-12, 16-3-13, 16-37-1, Alabama Administrative Code §290-6-1-.10(1-3) Revised

4.84 LIVE WORK IN CAREER TECHNICAL PROGRAMS

The Orange Beach Board of Education recognizes live work as being a valuable tool for students in career technical programs to assist students in developing workplace competencies as a tool for positive community relations. Live work experiences are authorized by the Orange Beach Board of Education in career technical classes when the policy guidelines are followed.

Live work is defined as work performed by students as part of the instructional training program. This work may be performed by students at a job site or at school.

All live work projects must be pre-approved by the teacher in writing and coordinated with the school principal. Live work projects are not to be performed in competition with private enterprise. The Orange Beach Board of Education career technical education programs shall have no responsibility for the results of the work being performed by students or for student safety at the job site.

The person or organization for which the live work project is performed shall assume all costs of materials, supplies, and parts associated with the work performed by students. The career technical teacher is responsible for documenting the live work through a work order, the invoicing of the person/organization for whom the work is performed, and the collection of all charges associated with the live work projects performed by students. Neither the Orange Beach Board of Education nor the school shall receive economic benefit in excess of 20% of the cost of materials from career technical education live work projects. School employees may not derive any benefit from the live work performed by students.

References: Code of Alabama 16-3-12, 16-3-13, 16-37-1, Alabama Administrative Code §290-6-1-.04(5)

4.85 PLACEMENT AND FOLLOW-UP OF CAREER TECHNICAL GRADUATES

Each Orange Beach School System career technical teacher is responsible for assisting graduates in job placement or entry into post-secondary education. Active files will be maintained in each school of opportunities for employment and graduates who are seeking employment. The principal shall designate school personnel to serve as a placement coordinator to maintain records of student placement and to serve as a liaison with businesses and industry representatives when career technical teachers are not available. School counselors will maintain active files available to students on colleges, junior colleges, technical schools, and other post-secondary training possibilities. In addition, scholarship information will be made available to students. Each career technical teacher is responsible for the implementation of a follow-up system to determine employment and/or post-secondary education placement of graduates. A purpose of the follow-up of graduates is to solicit feedback regarding the appropriateness and effectiveness of career technical programs.

Formal follow-up reports of graduates shall be completed according to schedules established by the Alabama State Department of Education. In addition, career technical teachers should use informal contacts with employers of graduates to gain information and suggestions for improving instruction in career technical classes.

References: Code of Alabama 16-3-12, 16-3-13, 16-37-1, Alabama Administrative Code §290-6-1-.06(2)

4.90 EXTENDED LEARNING OPPORTUNITIES

Orange Beach City Schools (OBCS) recognizes the importance of Extended Learning Opportunities (ELOs) and the benefit of skills obtained in the classroom and applied in the work environment.

Section 1

OBCS will allow students to apply for ELOs offered for credit by outside entities using the following guidelines.

- The ELOs shall involve partnerships between the local education agencies, parents or guardians, students, and outside entities who will provide or assist with high-quality instruction.
    - Such partnerships shall delineate the responsibilities of each partner and provide structures to guide the ELO.
- Major components of the application shall include OBCS' assurances, school, student, and emergency contact information, type of ELO experience, partner organization information, ELO proposal standards, content, and timeline, conditions of the agreement, and partner signatures.
    - Instructions for completing the application process are embedded throughout this guidance.

Section 2

By Alabama Code, Section 16-46C-5, entities eligible to submit applications for offering Extended Learning Opportunities are as follows.

- Nonprofit organizations
- Businesses with established locations in the state
- Trade associations
- Any of the Armed Forces of the United States, subject to applicable age requirements.

Partnership agreements with eligible entities shall comply with all federal and state labor laws and must include provisions for ensuring that students are supervised by approved individuals who meet and agree to guidelines outlined in local school district policy.

Partnerships with outside entities are crucial to providing high-quality ELOs. In many instances, students may already participate in service or leadership organizations

that benefit the communities in which they live. By writing intentional, specific, and rigorous standards to accompany these group activities, students can be encouraged to broaden their participation in and learn from involvement in community service. To promote student access to ELOs, partnerships should provide instruction on relevant and customized topics for students' individual learning needs and interests. Activities and designs should be respectful of all student subpopulations and student-driven.

Section 3

The process for students to follow for requesting credit is as follows.

- The ELO application is to be completed by the student, a certified educator, parent/guardian, ELO partner, superintendent, and other leadership team members designated in the local district policy.
    - At the time of application, the responsible entities will select the amount of credit to be awarded and set the guidelines for awarding such credit.
- No student shall receive more than one (1) credit for any ELO.
    - Per this policy, the superintendent or superintendent's designee will set guidelines for grading.
    - The calculation of GPA and inclusion of ELO credit on the student transcript shall be consistent with all other offerings.
- The student and the certified educator will research the competencies/skills that can be met through the ELO to establish general expectations and goals for the project.
- The student and the certified educator work together to develop an overview of the project.
- Some guiding questions that may assist with the development of the ELO are as follows:
    - What is your area of interest or curiosity?
    - What do you want to learn?
    - What will you create to show what has been learned?
    - With whom will you work?
    - How will your work be assessed? By whom?
- The student, certified school personnel, family member/adult advocate, and community member/non-school-based mentor, will work as a team to provide a detailed plan that includes standards and assessment strategies and clearly defined grading criteria.
- The plan should be student-driven and include providing students with the opportunity to do the following:

    - Construct meaning through disciplined inquiry and produce knowledge.
    - Apply, document, and defend their learning (via higher order thinking).
    - Apply skills and strategies to investigate the world through the lens of the academic discipline being studied.
    - Produce discourse, products, or performances that have value or meaning beyond success in school.
- Matriculation through the ELO requires benchmarks that may include but are not limited to small projects, rehearsals, practices, drafts, artifacts, or other work that allows the student to move towards competency mastery.
- Students with IEPs and 504 Plans shall be given the appropriate accommodations to construct meaning from their ELO experience.

Section 4

The superintendent or superintendent's designee shall determine whether a proposed Extended Learning Opportunity shall be approved to count toward credit.

Section 5

OBCS shall award a student a certificate of completion and credit for completing an approved Extended Learning Opportunity.

- Assessments of ELOs shall be based upon the process and work product described in the application and learning plan.
- Once the student completes the ELO, a signed copy of the ELO application shall be placed in the student cumulative record to document the standards by which the credit was awarded and transcripted.
- A sample rubric for evaluation will be provided by the Superintendent or designee. The supervising teacher should be tasked with ensuring that the credit is documented and transcripted, and all members of the supervision team should participate in the assessment of the learning goals.

5.10 ADMITTANCE/ENROLLMENT REQUIREMENTS

Any student who initially enrolls in the Orange Beach School System shall be required to present the following documents:

- An official birth certificate;
- Immunization as required for the prevention of those communicable diseases designated by the State Health Officer;
- Proof of residency (copy of power bill, rent receipt, etc.) of the parent(s), legal custodian(s), and/or legal guardian(s); and,
- Proof of legal guardianship or custody when warranted.

Exceptions may be granted as provided in Alabama statutes and federal law.

The school principal shall determine grade placement of students from a private or non-public school or from home education based on state regulations and Orange Beach Board of Education rules regarding transfer of credit as well as other factors including test data, age, and previous school records. (See Policy 4.80 Transfers from Accredited, Non-Accredited, or Home Schools.)

Admission may be denied to a student who is over seventeen (17) years of age and who has been dismissed from previous schools for violation of the rules of the school with the exception of resident students who have current Individualized Education Plans (IEPs).

When a student facing some type of disciplinary action is withdrawn from school prior to receiving the punishment, said student (and his/her parent/legal guardian) is to be informed prior to admission/readmission to any Orange Beach school, the disciplinary action assigned must be completed. This includes any suspension, alternative program placement, work assignment, or referral to the Superintendent or Board for a hearing.

Temporary Delegation of Parental Authority: Temporary delegations of parental authority pursuant to § 26-2A-7 of the Code of Alabama shall not be determinative of the bona fide residency of the child for purposes of admission. Parents residing in other school systems will not be permitted to circumvent residency requirements and school district/zone boundaries by executing a temporary delegation of parental authority.

Kindergarten and First Grade Enrollment Age Requirements: To be eligible to enroll in kindergarten, a student must be five (5) years of age on or before September 2 of the school year. To be eligible to enroll in first grade, a student must be six (6) years of age on or before December 31 of the school year. However, a child who transfers from another state shall be admitted under the same age requirements as established in the state where he/she previously resided.

Resident Students: The Board defines resident students as students whose parents or legal guardians live within the jurisdiction of the Orange Beach School System. All resident students of the school system shall be entitled to be admitted, subject to policy limitations and judicial constraints, to the Orange Beach Schools. For enrollment/admission requirements for non-resident students, see Policy 5.11 Non-Resident Admittance/Enrollment Requirements.

Students in Foster Care: A student in foster care will enroll or remain in the student's school of origin, unless it is determined 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.

All homeless, migratory, immigrant, children in foster care, and limited English proficient children shall have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth. Such children will be provided the opportunity to participate in the same state educational programs and to meet the same state student performance standards as all other children without being isolated or stigmatized.

Students who live in the attendance areas of Orange Beach School System and who are homeless, migratory, immigrant, children in foster care, and/or limited English proficient shall not be prohibited from school attendance due to any of the following:

- Residency requirements
- Lack of social security number
- Lack of birth certificate
- Lack of school records or transcripts
- Lack of immunizations
- Legal custody requirements
- Transportation
- Language barriers
- Disabilities

If a student desiring enrollment is identified as a homeless student, according to the definition as described in Title VII B of the McKinney-Vento Homeless Assistance Act, the homeless student shall be enrolled, eligible for free meals, and transportation needs will be determined. Enrollment of a homeless student shall not be denied or delayed due to any reason related to their homelessness.

The options for the placement of homeless students are (1) continued enrollment in the school attended prior to homelessness; or, (2) enrollment in any school that non-homeless students who live in the attendance area where the homeless student is presently living are eligible to attend. The placement decision shall be made according to the best interest of the homeless student. Factors to be considered include family plans, educational services available, special programs, transportation, and length of stay in shelter facilities. To the extent feasible, school administrators shall comply with any placement request made by a parent or guardian. A homeless student enrolled pursuant to these provisions shall not be denied services offered to other students in the school system.

Resolution of Disputes for Homeless Students: Enrollment of a homeless student shall not be denied pending resolution of a dispute. Any dispute concerning the Orange Beach Schools providing a public education to a homeless individual, who may be eligible or designated as a homeless student, shall follow the following procedure:

- Upon receipt of a written complaint regarding eligibility, placement, or transportation, the parent or guardian shall be given notice of their right to review. The Homeless Liaison shall be notified of the dispute by the Director of Attendance and/or the Transportation Department. A resolution of the dispute will be facilitated by the Homeless Liaison in accordance with McKinney-Vento Act requirements as expeditiously as possible, but no later than five (5) school days. A written explanation of the decision shall be provided to the parent, guardian, or unaccompanied youth by the Homeless Liaison, including a statement regarding the right to appeal to the Superintendent or Superintendent's designee. In the event the dispute cannot be resolved at the school system level, the parent, guardian, or unaccompanied youth may request a review of the dispute by an Assistant State Superintendent or other designee of the State Superintendent at the Alabama Department of Education. The Assistant State Superintendent, or other designee, will address the issues in the dispute within ten (10) days from the receipt of a written request for resolution.

- The Assistant State Superintendent, or other designee, may, if the issue is not resolved in the written review, assign members of the Alabama Department of Education to make an on-site visit to further clarify and resolve the issue. All complaints must be resolved within 60 days unless given written explanation.
- The State Superintendent of Education will review, hear, and rule on grievances from students or the local Board of Education that have not been resolved by the Assistant State Superintendent or other designee. The decision of the State Superintendent shall be final.

References: Code of Alabama 16-11-9, No Child Left Behind Act of 2001, Title VII-B of The McKinney-Vento Homeless Assistance Act of 2001, [Reference: 20 U.S.C. §§6311(g)(1)(E)]

5.11 NON-RESIDENT STUDENT ADMITTANCE/ENROLLMENT REQUIREMENTS

A student whose parent/legal guardian resides outside the jurisdiction of the Orange Beach Board of Education may be eligible to attend an Orange Beach school. To be considered for initial enrollment in the Orange Beach School System, the parent/legal guardian of a non-resident student shall submit an initial written application to the Superintendent for consideration.

No student shall be denied enrollment based on race, sex, religion, or national origin.

The following factors shall be considered and used by the Superintendent as the basis for granting permission for a non-resident student to enroll/continue enrollment in the Orange Beach schools:

- The availability of an instructional program that meets the education, physical, and emotional needs of the student;
- The impact of the decision to enroll the student on a federal court desegregation order/consent decree on the student's resident school system or on the Orange Beach School System;
- The ability to accommodate the applicant without placing undue financial burden on the Orange Beach School System;
- The availability of space at the grade level and school;
- The student's previous attendance record;
- The student's academic performance at the average or above average level as determined through a review of grades, academic records, and standardized test results;
- The student's satisfactory history of behavior as determined by a review of discipline records;

- The student's satisfactory record of payment of school financial obligations and/or tuition;
- Provided the Orange Beach Board of Education chooses to charge an annual tuition, a student's enrollment, if approved, will not become active until tuition is received;
- The parents/legal guardians and students agree to follow the rules, regulations, and codes of student conduct established by the Orange Beach School System and the various schools within the school system. Failure to comply with the rules and regulations may be cause for expulsion, the withdrawal of permission to attend an Orange Beach school, and forfeiture of tuition paid;
- The parent/legal guardians agree to provide transportation for the student. The Orange Beach School System does not provide transportation for non-resident students; and,

Revocation

The Orange Beach School System has the right to revoke enrollment of any non-resident student based on any of the following conditions:

- Inappropriate behavior or poor disciplinary record;
- Excessive tardiness to school or poor school attendance;
- Unsatisfactory academic performance;
- Falsifying school/or legal documents;
- Late tuition payments, if applicable;
- An attempt to circumvent the policies/procedures of the school and/or the school system; and,
- Any other good and sufficient reason.

If during the school year, it becomes evident that the guardianship/residency of a student has been misrepresented to avoid tuition and that the student actually resides outside of Orange Beach City, tuition and a penalty fee (in an amount established by the Orange Beach City Board of Education) will become due immediately. The student will be withdrawn if tuition including the applicable penalty fee is not forthcoming. Such a student shall fall under the admission criteria for non-resident students.

Proof of Residency

When requesting enrollment, proof of guardianship and/or legal custody must be provided along with proof of residency for both parents/legal guardians. The Orange Beach City School System accepts only legal guardianship/custody documents as authorized by a court of law. Notarized affidavits, educational

guardianship records, or other types of statements are not acceptable as proof of guardianship/custody. When divorced parents share legal custody, the residence of the primary, physical custodial parent shall be used to determine the resident/non-resident status of the enrolled student in the Orange Beach City Schools.

Tuition

Non-resident student tuition shall be paid annually before registration and enrollment. The tuition per student is $2,500, in addition to any eligible amount as defined by Alabama's CHOOSE ACT, HB129, Education Savings Account (ESA), or any other approved State law. City and Board employees may be exempt from the $2,500 tuition fee; however, they must apply for and obtain any eligible State funding. The tuition must be paid in full before the beginning of the school year unless the Superintendent grants an exception on a case-by-case basis. Failure to pay tuition according to the established payment date(s) will cause the student(s) to be withdrawn from the Orange Beach City School System. A–one-time fee of $100.00 will be charged when the application is received.

If the Superintendent decides to waive tuition for any students, it shall be done year-to-year, and all children in said category shall enjoy the same privilege. The privilege for each category shall only be awarded individually if it is consistent with another section of this policy.

Non-resident students who enroll at times other than the beginning of a semester shall pay tuition on a prorated basis for the balance of the school year/semester of attendance.

Special Circumstances

A student whose parent/legal guardian resides outside the jurisdiction of the Orange Beach City Board of Education may be eligible to attend an Orange Beach City school as a special circumstance, a non-resident student in the following categories:

- When the parent/legal guardian of a current resident student establishes residence outside of Orange Beach City during the academic year, the parent/legal guardian may request that his/her child(ren) be allowed to complete the current semester by submission and approval of a non-resident enrollment application and payment of appropriate prorated tuition. However, the Orange Beach City School System is not obligated to provide transportation for the student(s) under such circumstances.

- Business owners who own the business property on which their business is located within the jurisdiction of the Orange Beach City School System who lives outside of Orange Beach City may request enrollment for their child(ren) in the Orange Beach City School System by following all non-resident student procedures. Tuition may be waived for such non-resident students.
- Employees of the Orange Beach City Board of Education who live outside of Orange Beach City may request enrollment for their child(ren) in the Orange Beach City School System by following all non-resident student procedures. Tuition may be waived for such non-resident students.
- Employees of the City of Orange Beach who live outside of Orange Beach City may request enrollment for their child(ren) in the Orange Beach City School System by following all non-resident student procedures. Tuition may be waived for such non-resident students.

Siblings

When a current student attending an Orange Beach City School has a sibling living within the same household who wishes to attend an Orange Beach City School, the parent/legal guardian may request that his/her child receive priority for submission and approval of a non-resident enrollment application. However, the Orange Beach City School System is not obligated to provide transportation for the student(s) under such circumstances. Tuition may be waived for such non-resident students at the Superintendent's discretion.

Out-of-State Students

Orange Beach City Schools welcomes out-of-state students who fall within the guidelines of the Out-of-District Policy and when there is room available. The tuition rate for students living in another state will be the ADM cost from the prior year in addition to the out-of-district tuition that is applicable. (i.e., the 2022-2023 school year cost was determined as follows $6,909, plus $1,500, plus a $100 application fee totaling $8,009 per child.) The ADM typically changes per legislative session, thus changing out-of-state tuition.

Tuition may be waived at the discretion of the Superintendent; however, the ADM cost will not be waived.

After these priorities have been exhausted, all other students applying to be non-resident students in Orange Beach City Schools shall have their applications evaluated on a first come, first serve basis.

Enrollment Caps

Effective the school year 2023-2024, the superintendent may implement enrollment caps as deemed necessary.

Special Services

Provided a non-resident student who seeks enrollment upon parental agreement and needs an evaluation for exceptional education (i.e., special education, gifted, 504, etc.), the parent will seek an evaluation by the school district of residence, and if it is refused, no action can be taken against the Orange Beach Board of Education and no due process would be available against Orange Beach Board of Education.

If the student receives notice of the need of special services (accommodations, modifications, adaptive equipment, additional assistance such as physical therapy, occupational therapy, and speech, etc.), the parent will seek services by the school district of residence, and if refuses, no action can be taken against the Orange Beach Board of Education, and no due process would be available against Orange Beach Board of Education.

Homeless Students

Nothing in this policy shall interfere with the implementation and application of the McKinney-Vento Homeless Assistance Act of 2001.

References: Code of Alabama 16-11-9; Ala. Admin. Code r. 290-8-9.10(b)

5.19 GRADUATION AND COMMENCEMENT

To obtain an Alabama high school diploma, a student must earn the credits mandated by the applicable Alabama Administrative Code requirements and meet any other requirements mandated by state law or the Alabama State Department of Education.

A student with a disability (as defined by the IDEA) who has met the applicable Alabama Administrative Code requirements and/or any other requirements provided by state or federal law will receive a diploma or a graduation certificate as appropriate.

A student who has satisfactorily completed one of the above requirements is eligible to participate in graduation ceremonies as a member of the graduating class. Student participation in graduation-related ceremonies will be subject to the principal's approval and may be prohibited by the principal if the student violates

disciplinary standards or if, in the judgment of the principal, the student's participation could lead or contribute to disorder or disruption of the ceremony or activity.

[Reference: Ala. Admin. Code R. §§290-3-1-.02(8); 290-8-9-.10(9)], Adopted: September 13, 2024

5.20 GRADUATION REQUIREMENTS

All students entering the 9th grade are required to complete course requirements for graduation as specified by the Alabama State Board of Education and the Orange Beach Board of Education. The Orange Beach Board of Education directs the Superintendent to produce a widely disseminated publication that describes requirements for all diplomas and certificates awarded by the Orange Beach Board of Education.

Publications describing graduation requirements for Orange Beach students shall describe types of diplomas and endorsements by graduating class/year/cohort, total credits and assessments required, core course requirements, elective course offerings, and the process for earning weighted credit when appropriate. Additionally, such publications shall describe courses and/or procedures by which students may earn credits toward graduation prior to grade nine and procedures for the validation and/or acceptance of credits for students transferring into the Orange Beach School System.

<u>Credentialing and Community Service</u>
In order to graduate, beginning with students entering the ninth grade, fall 2022, students must:

- Complete 50 hours of approved community service, and
- Earn a credential as approved by the Alabama State Department of Education.

References: Code of Alabama 16-11-9, 16-26-1, Alabama Administrative Code §290-030-010-.06(11) (K)1

5.21 PARTICIPATION IN GRADUATION CEREMONIES

The Orange Beach Board of Education authorizes local high school principals and appropriate staff members to design and implement graduation ceremony exercises for their respective schools. In all cases, eligibility criteria for participation in graduation exercises (marching) shall encompass the following provisions:

- Senior regular education and special education students who earn any Alabama high school diploma are eligible to participate in the graduation ceremony (march).
- Special education students who have not met the requirements for a diploma but have met the requirements of their IEPs shall be permitted to participate in the graduation ceremony and will be awarded the Graduation Certificate.
- Students who meet all requirements after their designated graduation date may participate in the next graduation ceremony/exercise.

References: Code of Alabama 16-11-9

5.24 EARLY GRADUATION

Students may graduate from high school at the end of the first semester of their senior year, provided the student has

- *A cumulative grade point average of at least 2.75*
- *Earned minimum credits as described in Board Policy*
- *Earned at least one credential, as approved by the Alabama State Department of Education*
- *Not missed more than ten days of any class during the first semester*
- *No disciplinary actions pending*
- *Met any other requirement deemed necessary by the Superintendent of Schools*

The Superintendent or designee will determine if each student may participate in spring graduation exercises.

5.22 CLASS RANKINGS AND HONOR GRADUATES

The Orange Beach Board of Education directs the Superintendent to produce a widely disseminated publication that describes weighted courses.

Courses designated as Advanced Placement or Core Dual Enrollment (i.e., math, English, literature, science, social science, and foreign languages) will receive an additional full weight to the grade earned. Other dual enrollment courses will not be weighted.

- A 5.0
- B 4.0
- C 3.0
- D 2.0
- F 0 extra value

Courses designated as “Honors” will receive an additional half weight to the grade earned.

- A 4.5
- B 3.5
- C 2.5
- D 1.5
- F 0 extra value

Reference: Code of Alabama 16-11-9

5.23 CLASS RANKINGS, VALEDICTORIAN, AND SALUTATORIAN

Ranking of Students: Class rankings for the senior class's top ten percent (10%) of the senior class shall be determined by each student’s weighted grade point average. Senior class rankings shall be calculated at the end of the fourth nine weeks. Calculations shall be carried out to seven (7) decimal places with no rounding.

Valedictorian and Salutatorian Selection: The student must receive the Diploma with Honors Endorsement to be considered for Valedictorian or Salutatorian. The student with the highest weighted grade point average will be the Valedictorian of the graduating class. The student with the second highest weighted grade point average will be the Salutatorian. In the case of a tie in either position, students will be declared Co-Valedictorians/Co-Salutatorians. The grade point average will be carried to seven (7) decimal places with no rounding.

5.26 STUDENT PROMOTION AND RETENTION

No student, grades K-5, will be recommended for retention unless his/her case has been presented to the school problem solving team. Promotion or retention decisions for students who transfer into the system after the beginning of the final quarter of the school year will be made on a case-by-case basis using available grades, standardized test results, and other assessments.

Grades K-6: The process of making decisions as to promotion and retention of elementary students should take into consideration a variety of factors including age, maturity, motor coordination, capacity for learning, and academic progress. The determination process should involve the principal and teacher(s) with the authority for determining promotion and retention resting entirely with the teacher(s) and principal, except that a kindergarten student may be retained only upon approval/agreement of the student’s parent(s) or guardian(s). If a student needs to

be retained based on the teacher's professional judgment of the student's academic performance and/or other factors, the parent(s) or guardian(s) of that student would be informed as early in the school year as possible. In all cases, the decision of whether a student should be promoted or retained shall be made on the basis of which grade placement provides the student a better chance of progressing in his/her educational development. Passing reading and math, in the respective grade levels (1-6) is required for promotion to the next grade. Successful completion of an approved summer school program after retention in a grade level may make the student eligible for promotion in the subsequent school year.

Grades 7-8: Students in grades seven (7) and eight (8) must pass the following: language arts, mathematics, science, and social studies with a yearly average of 60 (D) or higher.

Grades 9-12: For students to be permitted to move to the next higher grade level, the following standards must be met:

- 9th Grade — students who have successfully completed middle school.
- 9th to 10th Grade — students who have earned six (6) units will be classified as tenth graders.
- 10th to 11th Grade — students who have earned twelve (12) units will be classified as eleventh graders.
- 12th Grade — students who have earned eighteen (18) units.

Prerequisites Grades 9-12: Any course offered for registration purposes that lists prerequisites must be followed as stated.

Special Education Students: Promotion of any student in a special education program, with the exception of gifted students, must be based on his/her accomplishments of goals stated in the IEP in conjunction with all other regular program requirements. However, a special education student (except gifted) may not be placed at any grade level unless the student has attended school for a commensurate number of years equal to the proposed grade placement; i.e., for a special education student to be placed at the sixth (6th) grade level, he/she must have been enrolled in school for at least five (5) years.

Reference: Code of Alabama 16-11-9

5.28 ACCELERATION

Students, beginning the eighth-grade year, may earn up to two credits per school year outside the regular school day. Core courses must be taken in sequential order

(i.e.,). A school year begins on August 1 and ends on July 31. The principal must approve all courses.

Examples of allowable credits include, but are not limited to, the following.

- Courses offered through ACCESS
- Collegiate courses offered through accredited colleges and universities
- Extended Learning Opportunity as described in Board policy

Examples of unallowable credit sources include but are not limited to the following.

- Edgenuity courses
- Courses offered by non-accredited schools or agencies

5.30 STUDENT CONDUCT AND SUPERVISION

All students enrolled in the Orange Beach School System shall be subject to federal and state laws, regulations of the State Board of Education, the rules and policies of the Orange Beach Board of Education and the Code of Student Conduct, and shall be under the control and direction of the principal or designee during the time they are transported to or from school at public expense, during the time they are attending school or a school-sponsored activity, and during the time they are on Orange Beach Board of Education premises for school attendance and authorized activities.

The principal or the principal's designated representative shall ensure students are properly supervised while at school and during any school-sponsored activity.

The teacher, other members of the instructional staff, bus driver, or other assigned supervisory staff shall assume such authority for the control and supervision of students as may be assigned by the principal or the principal's designated representative and shall keep good order in the classroom or other places where in charge of students.

The Code of Student Conduct and any revisions shall be approved and adopted by the Orange Beach Board of Education. The Code of Student Conduct shall:

- Be developed with input from Orange Beach Board of Education members, appropriate grade level teachers, school personnel, school administrators, students, and parents;
- State grounds for disciplinary action procedures and the rights of students;

- Be distributed to all Orange Beach School System teachers, school personnel, students, and students' parent(s)/legal guardian(s) at the beginning of each school year or upon enrollment; and,
- Be filed in the Superintendent's office and in the office of the school principal.

The Code of Student Conduct shall be discussed with students, parents, and teachers at the beginning of each year. Students who enroll after the beginning of the school year shall be given an orientation to the Code of Student Conduct upon enrollment. Parents/guardians and students shall acknowledge receipt of and acceptance of the Code of Student Conduct upon enrollment.

References: Code of Alabama 16-28a-1, 16-28a-2, 16-28a-3, 16-28a-516

~~5.30.1 CORPORAL PUNISHMENT~~

~~To maintain discipline or to enforce Orange Beach School System rules, the principal or his/her designee may administer corporal punishment (paddling). Such punishment should never be in the presence of other students. A parent or guardian may make a written request a student be exempted from corporal punishment and an alternative punishment be assigned. The procedures listed below must be followed to guarantee proper and legally required due process on behalf of the student.~~

- ~~The student must have been informed previously his/her behavior could bring about the use of corporal punishment.~~
- ~~Prior to corporal punishment, initial efforts and/or alternative methods should be taken in an attempt to modify the student's behavior.~~
- ~~The administration of corporal punishment must occur in the presence of another professionally certified Orange Beach school official, but only after:~~
    - ~~The school official is informed about the reason for punishment in the presence of the student;~~
    - ~~The student is given the opportunity to defend his/her position; and,~~
    - ~~It has been determined the instrument to be used to implement corporal punishment is appropriate for the age and physical size of the student being punished.~~

~~Discipline of a student with disabilities shall be determined on a case-by-case basis in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and the student's Individualized Education Plan (IEP).~~

References: Code of Alabama 16-28A1, 16-28A-2, 16-28A-3, 16-28A-5

5.30.2 PHYSICAL RESTRAINT AND SECLUSION

Policy Purpose: The Orange Beach School System acknowledges that maintaining a school environment conducive to school learning requires the environment be orderly and safe. Accordingly, physical restraint of a student may sometimes be necessary in order to protect the student or other individuals. The purpose of this policy is to ensure physical restraint is administered only when needed to protect a student and/or member of the school community from imminent, serious physical harm, and to prevent or minimize any harm to a student as a result of the use of physical restraint.

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

Definitions:

- **Physical restraint** is direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to a student in order to promote safety or to prevent self-injurious behavior; providing physical guidance or prompting to a student when teaching a skill; redirecting attention; providing guidance to a location; providing comfort; or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.
- **Chemical restraint** is any medication used to control violent physical behavior or to restrict the student's freedom of movement that is not a prescribed treatment for a medical or psychiatric condition of the student.
- **Mechanical restraint** is the use of any device or material attached to or adjacent to a student's body 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.
- **Seclusion** is a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. Seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the

student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student; time-out as defined herein; in-school suspension; detention; or a student-requested break in a different location in the room or in a separate room.

- **Time-out** is a behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used and is not seclusion when:
    - 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 to 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.

Prohibitions: The use of physical restraint is prohibited in the Orange Beach School System and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. Physical restraint is prohibited when used as a form of discipline or punishment.

All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress during the restraint. Any method of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs is prohibited in the Orange Beach School System and its educational programs.

The use of chemical restraint, mechanical restraint, and the use of seclusion are prohibited in the Orange Beach School System and its educational programs.

Requirements:

- Each local school's principal or his/her designee and each educational program of the school system that utilizes physical restraint under this policy

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

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

student's parent or legal guardian when physical restraint is used on a student within a reasonable time following the restraint not to exceed one school day from the use of restraint.

- Each local school's principal or his/her designee and each educational program will provide written notification to a student's parent or legal guardian when their child is removed from his/her school or program setting by emergency, medical, or law enforcement personnel within a reasonable time following the removal not to exceed one school day from the removal.
- Each student's parent or legal guardian will be provided information regarding the school or program's policies governing the use of physical restraint. This information will be provided to parents at the beginning of each school year or upon the student's enrollment if the student enrolls after school has started.

To effectuate this requirement, the school system's website and student handbook/code of student conduct will contain the following statements:

As a part of the policies and procedures of the Orange Beach School System, the use of physical restraint is prohibited in the Orange Beach School System and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Physical restraint is expressly prohibited when used as a form of discipline or punishment. The use of other physical restraint, chemical restraint, mechanical restraint, or seclusion is prohibited in the Orange Beach School System and its educational programs.

The use of restraint may occur along with other emergency actions such as the school seeking assistance from law enforcement and/or emergency medical personnel could result in a removal of the student by such personnel.

Significant violations of the law including assaults on students and staff will be reported to the police. As soon as possible after the restraint or removal of a student (and no longer than one school day following the occurrence), the parent or legal guardian will be provided written notification.

Clarifications:

- Nothing in this policy shall be construed to interfere with the school system's or school personnel's authority to utilize time-out as defined herein or to utilize any other classroom management technique or approach, including a

student's removal from the classroom that is not specifically addressed as part of this policy.

- Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28-12.
- Nothing in this policy shall be construed to prohibit the school system's or school personnel's right to take reasonable action to diffuse or break up a student fight or altercation.
- Nothing in this policy shall be construed to prohibit the school system or school personnel from taking reasonable action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student.
- Nothing in this policy shall be construed to eliminate or restrict the ability of school personnel to use his or her discretion in the use of physical restraint as provided in this policy to protect students or others from imminent harm or bodily injury.
- Nothing in this policy shall be construed to create a criminal offense or a private cause of action against any local Board of education or program or its agents or employees.
- Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel or to interfere with the rights of school system personnel to seek assistance from law enforcement and/or emergency medical personnel.

References: Code of Alabama 16-28-12, 16-1-14, Alabama Administrative Code §290-3-1-.02(1)(F)

5.31 INTERROGATIONS AND SEARCHES

Search of Property: The Orange Beach Board of Education acknowledges the implications of constitutional law in the area of student privacy. The Board is equally aware that such tangible personal property items as student desks, student lockers, and related properties are and remain the property of the Board.

The Board is charged with maintenance of such property and thus authorizes inspection for any maintenance-related reasons. With respect to opening of lockers or desks for other reasons, the following shall apply through the Orange Beach School System:

- Desks, lockers and other equipment at school belong to the school Board and, although assigned to particular students for use, may be entered and searched by school officials whenever said school officials have reasonable belief some object, item, article, substance, or other material is contained therein which is illegal, harmful to the safety of the student or the student body as a whole, or significantly disruptive or dangerous.
- Vehicles driven by students and parked on school property are subject to search with or without the consent of students.
- Any items which are specifically prohibited by law, by Board policy, or by fair and reasonable local school regulations may be impounded by school officials. Such prohibited items shall include, but not be limited to the following:
    - Any weapons;
    - Drugs of any sort;
    - Alcoholic beverages;
    - Pornographic or otherwise obscene material; or
    - Any other object, controlled substance or material that would be a violation or evidence of a violation of federal or state law, of Board policy, or of the local school's fair and reasonable regulations.

If possible, the student or students shall be contacted prior to any search of a desk or locker assigned to such student, and the desk or locker shall be opened in his/her presence. A witness from the professional staff shall be present during the inspection at all times when students cannot be contacted.

Search of a Student's Person: The Board authorizes teachers and administrative personnel who have reasonable belief a student(s) is in possession of weapons, illegal drugs, or other items harmful to the student or students or to the welfare of the student body to search the person of said student(s) under the following conditions:

- Any such action shall not be taken unless there is a reasonable belief of violation of law or policy which can be substantiated, if necessary;
- Any such action shall not be deliberately intended to embarrass, harass, or intimidate the student(s); and,
- Parents/guardians shall be notified of all such searches of a student's person.

The search of a student's person shall be with the knowledge, and under the supervision, of the principal or his/her designee. Any search of a student's person shall be done privately by a teacher or administrator of the same sex as the student to be searched. At least one witness who is an administrator or teacher shall be present throughout the search. Documentation and notification of the search,

witness, and circumstances shall be maintained according to established procedures.

Interrogation: A student enrolled in the Orange Beach School System shall not be interrogated by any non-school authority without the knowledge of the school principal or the assistant principal. When law enforcement officers make it known they wish to talk to a student while under the supervision of the school, the student will be informed by the principal or assistant principal that the student has three (3) choices:

- He/she may converse by telephone with his/her parent/guardian.
- He/she may decline to talk to the officers until his/her parent/guardian is present.
- He/she may talk with the officers either in or outside the presence of a school official.

No student shall be removed from the school without a warrant or petition being officially served.

References: Code of Alabama 16-11-9, Alabama Administrative Code §290-3-1-.06

5.31.1 USE OF VIDEO SURVEILLANCE EQUIPMENT

To provide and maintain a safe and secure environment for students, staff, and authorized visitors, the Orange Beach Board of Education may use surveillance equipment on properties owned and/or maintained by the school system. Properties include buildings and grounds as well as vehicles owned and/or operated by the Orange Beach School System.

Video surveillance equipment shall not be used where there is an expectation of privacy, i.e. bathrooms, gym/locker rooms, and private offices. Training shall be provided for authorized persons in the use, maintenance, and storage of equipment and surveillance data, and on applicable laws related to the use of surveillance equipment. Equipment may be used in classrooms with the written request of the teacher.

Individual schools shall establish a system for maintenance and storage of equipment and surveillance data. Equipment and surveillance data shall be stored in secure places with access by authorized persons only.

All Orange Beach School System personnel, students, and parents shall be informed they are subject to being video-recorded while in school buildings, on school

grounds, at school events, and on system-owned/maintained vehicles. Any information obtained through the use of surveillance equipment shall be used only for school safety, disciplinary matters, law enforcement, or other lawful purposes.

References: Code of Alabama 16-8-8, Alabama Administrative Code §290-3-1-.02

5.31.2 USE OF METAL DETECTORS

In order to provide and maintain a safe and secure environment for students, school personnel and authorized visitors, the Orange Beach Board of Education may employ the use of hand-held metal detectors. Prior to implementing the use of metal detectors, training shall be provided for authorized persons regarding the use, maintenance and storage of said equipment and on laws and procedures for conducting searches.

In implementing the use of metal detectors, the following guidelines will be followed:

- All metal detector searches shall be conducted by school Board employees only.
- Any information obtained through the use of metal detectors will be used only for school disciplinary or law enforcement purposes.
- The metal detectors will be used by authorized personnel at any time there is reasonable suspicion the student being searched has violated or is violating a particular disciplinary rule or public law relating to the possession of weapons. Any search of a student's person as a result of activation of the detector will be conducted in accordance with the Board's policy on student searches (Policy 5.31 Interrogations and Searches).

References: Code of Alabama 16-11-9, Alabama Administrative Code §290-3-1-.02

5.31.3 UNANNOUNCED VISITS BY LAW ENFORCEMENT

To provide and maintain a safe and secure environment for students, staff, and visitors, the Orange Beach Board of Education supports the requirement of the Alabama Administrative Code, §290-030-010-.06, to permit law enforcement agencies to make periodic, unannounced visits to any school within the school system. Such visits shall be for the purpose of detecting the presence of illegal drugs or warrants. Such visits shall be unannounced except to the Superintendent of schools and principals of the individual schools that are subject to the visitation.

In accordance with the Code of Alabama, §16-1-24.1, the possession of illegal drugs, alcohol, or weapons will result in immediate suspension from school and possible criminal charges being brought against the student(s).

References: Code of Alabama 16-1-24.1, Alabama Administrative Code §290-030-010-.06

5.31.4 USE OF CANINE LAW ENFORCEMENT

In order to maintain drug-free schools and deal with problems associated with illegal drug use and drug trafficking, the Orange Beach Board of Education allows law enforcement officials to make periodic, unannounced visits to any public school in the school system to detect the presence of illegal drugs or weapons. The Superintendent and the principal shall be given prior notice.

In implementing the use of drug-sniffing dogs, the following guidelines will be followed:

- Although reasonable cause is not necessary under law in using dogs to sniff unoccupied automobiles, buses, and lockers, principals will use reasonable care in the search process.
- Only the principal or designee with approval from the Superintendent or designee shall implement the use of drug-sniffing dogs in schools.
- In the search for drugs, drug-sniffing dogs will be handled by trained dog-handlers under the supervision of the principal or designee and appropriate law enforcement official.
- Dogs will not be brought into the school while large numbers of students are occupying the halls or other gathering places such as lobbies, buses, cafeterias, restrooms, and auditoriums.

References: Code of Alabama 16-8-8, Alabama Administrative Code §290-3-1-.02

5.31.5 WIRESLESS COMMUNICATION DEVICE

Effective Beginning School Year 2025–2026
In Accordance with the FOCUS Act (HB166), Code of Alabama 1975, Section 16-40-13

<u>Purpose</u>

The Orange Beach City Board of Education recognizes that while wireless communication devices (WCDs) are widely used in society, their presence and use

during the instructional day may present distractions to learning, increase safety concerns, and disrupt the educational environment. This policy establishes clear expectations and restrictions in compliance with the Freeing our Classrooms of Unnecessary Screens for Safety (FOCUS) Act, HB166, to enhance safety, minimize disruptions, and protect instructional time.

Definitions

- Instructional Day: The period during which school is in session, including class time, class transitions, lunch, non-instructional periods, and any other time specified in this policy.
- Wireless Communication Device (WCD): Any portable electronic device capable of transmitting voice, text, images, video, or data, including but not limited to: cell phones, tablets, laptop computers, gaming devices, pagers, wireless earbuds, smartphones, smart watches, or similar technology.
- Storage Location: A secured place where a student may store a WCD while on school premises, including but not limited to a locker or personal vehicle.

Policy

1. General Prohibition
   In accordance with the FOCUS Act, no student shall use, operate, or possess a wireless communication device on school property during the instructional day unless specifically authorized under this policy.

2. Storage Requirement

   - Any WCD brought to school must be powered off and stored away from the student's person (e.g., in a locker, car, or school-provided storage). The WCD may be kept in a student's purse or backpack, provided it is powered off.
     i. The school system and the school are not responsible for the loss or theft of WCDs.

3. Permitted Exceptions
   A student may use, operate, or possess a WCD under the following conditions:

- As required by the student's Individualized Education Program (IEP), Section 504 Plan, Individualized Health Plan, or Individualized Accommodation Plan
- For educational purposes, under the direct supervision of school personnel
- In an emergency that threatens the life or safety of the student or others

4. Searches
   School officials may read, examine, or inspect the contents of any wireless communication device upon reasonable suspicion that the device contains evidence of a violation of Board policy, the Code of Conduct, or other school rules, provided that the nature and extent of such examination shall be reasonably related and limited to the suspected violation.

5. Consequences for Violation
   Violations of this policy will result in disciplinary consequences as outlined in the Orange Beach City Schools Code of Conduct. The Superintendent or designee is authorized to develop additional guidelines for implementing these exceptions.

Principal and Staff Responsibilities

- The principal shall be responsible for consistently enforcing this policy by all school personnel.
- Each certificated staff member shall complete an annual, anonymous written survey regarding policy implementation and consistency, in compliance with Section 5 of the FOCUS Act.

Notification

- This policy shall be distributed annually to students, parents/guardians, faculty, staff, and the Alabama State Board of Education.
- Acknowledgment of receipt shall be documented as part of annual Code of Conduct compliance.

Legal Reference

This policy is adopted pursuant to the Freeing our Classrooms of Unnecessary Screens for Safety (FOCUS) Act (HB166), Section 16-40-13, Code of Alabama 1975, and reflects the statutory requirements and exceptions as prescribed by the law.

5.32 STUDENT POSSESSION OF DEADLY WEAPONS

Possession of a deadly weapon on school property or on a school bus with the intention to do bodily harm is a Class C felony. All persons, other than authorized law enforcement personnel, are prohibited from bringing or possessing any deadly weapon or dangerous instrument on school property, and specific penalties for students and school personnel who violate this policy, notwithstanding any criminal penalties, may also be imposed.

The Orange Beach Board of Education authorizes the Superintendent or designee to immediately and automatically suspend any student found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury. Deadly weapons are not to be carried by students on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.

A student determined to have brought to school or have in his/her possession a firearm defined in Section 921 Title 18 of the U.S. Code in a school building, on school grounds, or at other school-sponsored functions shall be expelled for a period of one (1) year. The Board and the Superintendent may modify or extend the expulsion requirement on a case-by-case basis.

The Orange Beach Board of Education directs the Superintendent to provide the State Department of Education a description of the circumstances surrounding each expulsion pursuant to this policy. This description shall include:

- The name of the school concerned.
- The number of students expelled.
- The types of weapons concerned.

No person found guilty of violating a weapons policy may be readmitted to the public schools of this state without psychiatric or psychological counseling and an accompanying report in writing to the Board that the person does not represent a threat to the safety of any student or employee of the school system.

Discipline of Orange Beach School System students with disabilities who violate this deadly weapons policy shall be determined on a case-by-case basis in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

Any person who violates the provisions of this policy may be arrested on the appropriate warrant signed by the principal or appropriate school authority.

If pursuant to a Orange Beach Board of Education hearing, any person is found guilty of violating this policy, such person shall not be admitted to school until any criminal charges or offenses arising from such conduct have been disposed of by proper authorities and such violator(s) have satisfied all other requirements imposed by the Board as a condition for readmission.

References: Code of Alabama 16-1-24.3, 16-28-6, 16-28-40, Alabama Legislative Acts 94-820 and 94-817

5.33 EXPULSION

The school principal or hearing officer may recommend to the Superintendent the expulsion of any student who has committed a serious breach of conduct according to the Code of Student Conduct.

Any student who is being considered for dismissal shall be accorded due process of law prior to dismissal. This shall include the following:

- Written copy of the charges against the student;
- The offer of a hearing at which the student may call witnesses and present evidence in the student's own behalf;
- The right to cross-examine witnesses;
- The right to defend the student's actions;
- Legal counsel at the student's expense to assist the student in presenting a defense; and,
- A written copy of the Orange Beach Board of Education's findings or action.

Provisions for the expulsion of exceptional education students shall be described and set forth in the Code of Student Conduct; however, the dismissal of an exceptional education student shall not result in a complete cessation of educational services. The Orange Beach School System is responsible for providing the dismissed student's education during the expulsion in accordance with a revised individual education plan (IEP).

References: Code of Alabama 16-11-9, 16-12-3, 16-28a-3

5.33.1 STUDENT GRIEVANCES

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

Definitions:

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

Complaint Procedure

- **Informal Discussion:** If a student believes there is a basis for complaint, he/she shall discuss the complaint with his/her principal or the designee of the principal, except in cases of discrimination or harassment involving the principal or the designee, in which case the complainant shall report to the Superintendent designee (Title IX Equity Coordinator or 504 Coordinator) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- **Level One:** If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her principal or designee. The principal or designee shall communicate his/her answer in writing to the complainant within ten (10) days of receiving the written complaint. Class complaints involving more than one (1) principal or designee and complaints involving an administrator above the building level may be filed by the complainant at level two.
- **Level Two:** If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint

with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.

- **Board Appeal:** If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the Orange Beach Board of Education, provided a request for placement on the Board agenda is filed within ten (10) days.

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

References: Code of Alabama 16-1-30, 16-12-3(C)

5.34 STUDENT CHECK OUTS

No student shall be permitted to leave the Orange Beach school grounds during the school day for school business/activities without the principal's/designee's prior approval or consent from the student's parent(s)/legal guardian provided an acceptable reason is established.

The principal or the designee shall establish definitely the identity and authority of any person who requests the release of a student from school. If the person requesting the release of the student is a person other than the parent/guardian having custody of the child, the principal or designee concerned shall not release the child without the verified authorization of the parent/guardian who has custody of the child.

Reference: Code of Alabama 16-11-9

5.36 PARENT NOTES, VACATION DAYS, ABSENCES FROM CLASS, AND COLLEGE VISITS

To be considered excused by parent note, the parent note must meet the requirements established by the Alabama State Department of Education as outlined in Board Policy 5.43, Excused Absences. To be considered excused beyond the seven (7) excused parent notes, a doctor's note is required. After the seventh excused parent absence, students will not be able to make up missed work unless a doctor's note is submitted within three days of the student's return to school.

Three (3) pre-approved by the principal vacation days may be included in the seven (7) excused parent days. Vacation days may not exceed three (3) days. Students will not be allowed to make up missed work due to absence unless the student provides a written statement from his/her parent, guardian, or other person having control of the student within

three days of returning to school, with an explanation or the reason for the absence and the date of the absence.

Students in grades 7-12 may not exceed seven (7) unexcused absences per class per academic year. A full absence will accumulate if a student misses more than half of the class.

The student will lose credit for any class in which the unexcused absences exceed seven (7) per class. The student can make up to four (4) unexcused absences (two per semester) by attending Academic Saturday School before the end of the academic year.

A student and a student's parent or guardian will receive written notice when a student's unexcused absences exceed two (2) days in any class.

When the student exceeds five (5) unexcused absences per class, the student and parent/guardian can petition the Attendance Committee at the school to review the reasons for absences. Petition for review by the Attendance Committee can be filled out at any time after notification, but in any event, no later than ten school days before the final day of the school year.

Two (2) principal pre-approved days for college visits are allowed during junior and senior years. Work can be made-up for college visit days. College visits are an extension of the classroom and are not considered an absence.

Work (i.e., tests, quizzes, daily grades, homework) may not be made-up for any unexcused absences from class (i.e., the whole day, check-in, or check-out).

Special circumstances may be considered.

School-related events are not considered an absence from class.

5.40 STUDENT ATTENDANCE

All students should attend school regularly and be on time for all classes in order to receive the greatest benefit from the instructional program and to develop habits of punctuality, self-discipline, and individual responsibility.

Alabama State law requires every child between the ages of six (6) and seventeen (17) years be in attendance at school. It shall be the policy of the Orange Beach Schools to enforce this law (Policy 5.41 Compulsory School Attendance Age). Student attendance will be monitored on a daily basis and parents contacted as required by law. Student attendance for driver's license purposes shall be processed as prescribed by law (Policy 5.42 Revocation of Driver's License/Permit). Each Orange Beach school and the Orange Beach School System shall take appropriate

action, including court referrals, as required by Alabama statutes when a student has excessive absences or is truant.

Regular attendance is the actual attendance of a pupil during the school day as defined by law and regulations of the State Board of Education. A student who is absent or tardy without the principal's/designee's approval shall have his/her parent(s)/legal guardian provide written reasons for such absences or tardies to the school in the manner prescribed by the Orange Beach School System attendance policies and procedures as described in the Code of Student Conduct.

Any Orange Beach student whose parents are employed by the military may be granted up to five (5) days of excused absence if either parent is experiencing a deployment of active duty. The conditions under which these absences may be excused are: (1) the absence is pre-approved; (2) the student is in good standing; (3) the student has had a prior record of good attendance; (4) missed work is completed and returned in a timely fashion; and, (5) the absence is not during standardized testing dates.

References: Code of Alabama 16-11-9, 16-28-3, 16-28-4, 16-28-6, 16-28-12, 16-28-16, 16-28-40, Alabama Administrative Code §290-1-4-.01

5.41 COMPULSORY SCHOOL ATTENDANCE AGE

Every student residing in the area served by the Orange Beach School System between the ages of six (6) and seventeen (17) years shall be required to attend a state-approved school for the entire length of the school term in every scholastic year. Every student must attend the entire length of each school term through the day preceding the seventeenth (17th) birthday. Students of school age not known to be enrolled in school shall be reported to proper authorities. An accurate record of attendance for each student shall be maintained by the classroom or homeroom teacher or other designated person.

References: Code of Alabama 16-28-3, 16-28-4, 16-28-12, 16-28-2.2

5.42 REVOCATION OF DRIVER'S LICENSE OR LEARNER'S PERMIT

In order to qualify for and maintain an Alabama Driver's License or Learner's Permit, a student under the age of nineteen (19) must be either enrolled in a public school, enrolled in a GED program, enrolled in a job-training program approved by the State Superintendent of Education, or exempted for circumstances beyond the control of the student as defined by the State Department of Education guidelines.

The Orange Beach Board of Education will verify the enrollment status of a student aged 15 to 19 upon request.

The Orange Beach Board of Education will notify the Department of Public Safety when a student aged 16 to 19 has more than ten (10) consecutive or fifteen (15) cumulative days of unexcused absences during a single term. Students aged 16 to 19 with more than ten (10) consecutive or fifteen (15) cumulative days of unexcused absences shall be considered withdrawn.

A student may appeal the Board's determination of his enrollment status by providing written notification to the appropriate school principal of the intent to appeal. The notice must state the reasons for the appeal and be filed within fifteen (15) days of the Board's issuance of enrollment status. Except as stated herein, the Board will treat the appeal procedurally the same as the process for long-term suspension or expulsion of a student.

References: Code of Alabama 16-28-40(b) to -45, Alabama Legislative Acts 93-368 and 94-820

5.43 EXCUSED ABSENCE

Valid excuses as defined by the Alabama State Department of Education's Attendance Manual Amended 1/27/2022 are as follows:

- Illness that endangers the student's health or the health of others
- Students deemed ill by the school nurse on a given day
- Death of an immediate family member
- Legal quarantine
- Students who are receiving healthcare, hospitalized, etc.
- Exemption
- Inclement weather that would be dangerous to the life and health of the child as determined by the local education agency (LEA) (i.e., Orange Beach City Schools)
- Legal requirements for students
- Observance of any sacred day set aside by a recognized religious denomination of which the student is a member
- Military deployment date of a student's parent
- Emergency conditions as determined by the LEA

5.46 PROHIBITION OF VIOLENCE, THREATS OF VIOLENCE (ANTI-BULLYING)

Please refer to Board Policy 3.46.

References: Code of Alabama 16-11-9; Alabama Legislative Act 2009-571

5.48 HEALTH SERVICES

The Health Services Division of Orange Beach Schools provides highly specialized services contributing to the health and educational experience of the student. The services are based upon evidence-based practice in school nursing and educationally sound principles that contribute to the student's growth and development as an educated person. The Orange Beach School System follows all recommendations and protocols set forth within the Orange Beach School System Health Services Division Policy/Protocol Manual and Alabama State Department of Education Resource Guidelines Manual.

Reference: Code of Alabama 16-11-9

5.60 STUDENT ILLNESS OR INJURY

The teacher, principal, or nurse shall isolate a student who becomes ill while at an Orange Beach school until the student can be removed. A student with a temperature above normal, diarrhea, or emesis shall be evaluated and sent home, if necessary.

No internal medicine of any kind may be given to a student without the written permission of the parent(s)/legal guardian(s). (See Policy 5.62 Administration of Medication.)

The following procedures shall be followed when a student is injured at a Orange Beach school:

- First aid shall be administered by the nearest person with first aid training and 911 Emergency will be called if the situation is threatening.
- The school shall attempt to notify the student's parent(s)/legal guardian immediately.
- A student shall be taken to the emergency room of a hospital when a threatening situation occurs. Discretion shall be used in moving a critically injured student without medical advice.
- A serious injury to a student shall be reported immediately to the principal who shall make a prompt report by telephone to the Superintendent or designee.
- An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.

Reference: Code of Alabama 16-11-9

5.62 ADMINISTRATION OF MEDICATION

In order for a medication or special nursing procedure to be given at school, a Prescriber/Parent Authorization (PPA) form must be completed. The form must be completed with the parent's and physician's signature.

New forms must be renewed at the beginning of every school year and at any time there is a change to the prescribed medication or procedure.

The administration of prescription or non-prescription medications during school hours is discouraged unless a physician and parent determines a student's health needs require medication during school hours. Orange Beach School System follows the Health Services Division medication protocol and procedure for administration of medication.

The school nurse is responsible for the administration of medications for students at school. In the event the nurse is unavailable, unlicensed medication personnel will administer medications. The unlicensed medication employee shall be trained annually with the approved curriculum set by the Alabama State Board of Education and Alabama Board of Nursing by the registered nurse.

The first dosage of any new medication shall not be administered during school hours because of the possibility of an allergic reaction.

All medications that are kept at school shall be stored in a secure place under lock and key with the student's name attached. Only authorized Orange Beach School System personnel shall have access to it.

All medications and special nursing procedures are documented electronically and/or on specially designated documents.

Special nursing procedures are performed by the school nurse according to Alabama Board of Nursing and Alabama State Department of Education standards.

Reference: Code of Alabama 16-11-9

5.64 EYE PROTECTION DEVICES

The Orange Beach Board of Education shall provide protective devices for Board employees, students, and visitors during activities that require eye protection.

The student shall be required to wear the eye protection device as directed by the teacher when engaged in activities where eye protection is needed. The student's

failure or refusal to wear the device shall be cause for his/her suspension or dismissal from the course.

Any Orange Beach School System teacher who fails to carry out the provisions of this policy shall be charged with willful neglect of duty and shall be reported to the Superintendent or designee for such action as deemed appropriate.

References: Code of Alabama 16-1-7, 16-11-9, Alabama Administrative Code §290-3-1-.02(A)

5.65 DIABETES EDUCATION

The Orange Beach School System has implemented the Alabama Safe at School Act for Diabetes Education, awareness, and levels of training. All standards of practice and guidelines set forth from the Alabama State Department of Education are followed within Orange Beach Schools. Appropriate documentation of the program is kept with the Supervisor of Health Services.

Reference: Alabama Legislative Act 2014-437

5.66 ANAPHYLAXIS PREPAREDNESS PROGRAM

Anaphylaxis is a severe allergic reaction that is rapid in onset and may cause death. Allergic reactions to foods have become the most common cause of anaphylaxis in community health settings. Studies indicate that anaphylactic events related to the accidental consumption of food allergens in school settings are not rare. In addition, severe and potentially life-threatening reactions (anaphylaxis) can occur in schools when children with no previous diagnosis of food allergies are exposed to allergens at school and have an initial anaphylactic event.

It is the policy of the Orange Beach School System that an Anaphylaxis Preparedness Program be implemented as part of the school health services. The program shall incorporate three levels of preparedness:

- Level I, Primary Prevention: Education programs that address food allergies and anaphylaxis through both classroom and individual instruction for staff and students.
- Level II, Secondary Prevention: Identification and management of chronic illness which could lead to anaphylaxis.
- Level III, Tertiary Prevention: The development of a planned response to anaphylaxis-related emergency in the school setting.

Each school campus, in collaboration with a supervising physician, shall develop and maintain a protocol for emergency response that shall include a supply of premeasured auto-injectable epinephrine to treat potentially life-threatening allergic reactions.

References: Code of Alabama 16-1-48(D), Alabama Legislative Act 2014-405

5.68 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

An AED will be maintained on the premises of each school in the Orange Beach School System. The AED shall be used in emergency situations warranting its use by individuals specifically trained in the use of the device. The lead school nurse will be responsible for coordinating the AED program, communicating with appropriate local physicians and/or emergency medical service providers, and for advising the Superintendent in developing, implementing, and publishing procedures and guidelines for AED use in school system facilities.

Authorized personnel who have successfully completed appropriate training and/or any volunteer responder who has successfully completed an approved CPR/AED training program and has a current course completion card are authorized AED users. Signage and/or publications in school buildings shall identify the location of AEDs and the names/locations of AED/CPR-trained staff members.

School system office personnel are responsible for receiving emergency medical calls from internal locations, contacting the EMS (911) if required, and deploying the school nurse and/or AED/CPR-trained staff members to the location of the emergency.

Initial training in first aid/CPR/AED use will be conducted through the American Red Cross or American Heart Association. Designated staff members will renew CPR/AED training annually and first aid training every three (3) years. The lead school nurse will keep training records.

References: Code of Alabama 16-11-12, Alabama Legislative Act 2009-754

5.70 STUDENT RECORDS

Orange Beach Board of Education rules and procedures for maintaining student records shall be consistent with Alabama statutes, State Board of Education rules, and federal laws relating to Family Educational Rights and Privacy Act and Privacy Rights of Parents and Students. The Superintendent shall be responsible for interpreting this rule and the school principal shall be responsible for controlling and

supervising student records, following all rules on student records, and communicating rules on student records to the school staff, students, and the community. Data shall be protected from unauthorized use at all times.

References: Code of Alabama 16-11-9, Family Educational Rights and Privacy Act of 1974

5.71 DIRECTORY INFORMATION

Students' parent(s)/legal guardian(s) shall be notified annually that the Orange Beach Board of Education may release "directory information" to the general public.

Directory information may include the following data about a student:

- Name;
- Address;
- Telephone number, if listed;
- Participation in officially recognized activities and sports;
- Weight and height, if an athletic team member;
- Name of the most recent school or program attended;
- Dates of attendance at schools in the system and degrees and awards received.

Information such as name, participation in officially recognized activities and sports, weight and height (if an athletic team member), and name of the most recent school attended may be published routinely by the Orange Beach Board of Education in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.

Directory information shall not be published when the student's parent(s)/legal guardian submits written notification to the principal during school registration each school year. Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information.

References: Code of Alabama 16-11-9, Family Educational Rights and Privacy Act of 1974, Section 99.37

5.72 PARENT NOTIFICATION

In compliance with federal regulations, Orange Beach School System employees will notify the parents of each student attending any school receiving funds under Title I, Part A, Section 1111(OBCS) (6), Section 1112(g) and Title III, Section 3302, upon

request, regarding the professional qualifications of the student's classroom teachers. The information will include, at a minimum, the following:

- Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher;
- The field of discipline of the certification or degree; and
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.
- Additionally, timely notice if his/her child is assigned, or has been taught for four or more consecutive weeks by a teacher who has not yet met state certification or licensure requirements;

The Orange Beach School System will provide information to the parents of each child on the child's level of performance on the state assessments. This information will be provided in a timely manner, in an understandable and uniform format, and to the extent practicable, in a language that the parents can understand.

References: Code of Alabama 16-11-9, 16-12-3, No Child Left Behind Act of 2001, Every Student Succeeds Act of 2015

5.73 STUDENT PUBLICATIONS

Orange Beach School System school principals may approve establishment of a school newspaper or magazine for students.

The principal shall be responsible for supervising the publication of newspapers, magazines, yearbooks, and programs and ensuring these publications do not impede or otherwise interfere with the educational purpose of the school.

The principal shall not allow advertisements of intoxicants or tobacco products or other products that would be inappropriate for the intended audience.

Reference: Code of Alabama 16-11-9

5.80 EXTRACURRICULAR ACTIVITIES

All extracurricular activities within an Orange Beach School System school shall be teacher and school-sponsored. All students shall have the opportunity to participate in worthwhile extracurricular activities provided they are eligible to participate.

Academic eligibility requirements shall be as listed in the Alabama Administrative Procedure Act §290-3-1-.02(17).

An extracurricular activity shall be defined as all activities recognized and sanctioned by the Alabama High School Athletic Association and other extracurricular activities that are sanctioned by a public school which are not related to a student's academic requirements or success in a course(s). Activities offered by the school through math, science, band, choral music, and other courses at events such as athletic events (pre-game, game, half time, or other breaks), club conventions, parades, amusement park trips and competitions, trips by tour companies, performances at various meetings, etc., are extracurricular, and students academically ineligible under this policy shall not be allowed to participate.

Students shall not be excluded from participating in activities for lack of money for dues, materials, or uniforms.

Appropriate adult supervision consistent with Alabama statutes and Orange Beach Board of Education policies shall be provided for all students.

Students may be suspended from extracurricular activities, which include, but are not limited to school sponsored athletic events as either a participant or spectator, cheerleading, band, dances, prom, field trips, graduation exercises, based on procedures established by the Superintendent. If a student is charged with an on- or off-campus Class A misdemeanor which involves drugs, violence, any type of weapon, physical harm to a person or threatened physical harm to a person, or any class of felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities may be suspended for the balance of the school year. A report of an alleged violation of this standard of conduct shall be submitted to the principal or designee for investigation. If the principal or designee determines a violation has occurred, the student and his parent(s)/legal guardian shall be notified in writing of the suspension from school-sponsored extracurricular activities.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-3-1-.02(17)

5.81 ATHLETICS

All Orange Beach School System schools, grades 7-12, shall be members of the Alabama High School Athletic Association (AHSAA) and shall be governed by the rules and regulations adopted by AHSAA. Students who participate in athletics shall meet eligibility requirements established by AHSAA, the Orange Beach Board of Education, and the Alabama Administrative Code. Membership dues will be paid from the internal accounts of each respective school.

Students practicing or participating in any type of interscholastic athletics shall provide proof of accident insurance covering medical expenses of any injury sustained in a sport. The principal shall be responsible for obtaining proof, as evidenced by a signed statement from the student's parent(s)/legal guardian, of the student's insurance prior to practice or participation in interscholastic athletics. Such insurance may be made available to the parent(s)/legal guardian through the school or the parent(s)/legal guardian may submit evidence that insurance has been provided through another source.

No student shall engage in practice or participate in any interscholastic game without the written permission of the student's parent(s)/legal guardian and a current physical examination as required by the Alabama High School Athletic Association being on file.

Pursuant to Alabama statutes, licensed medical personnel who act as volunteers for school events and agree to render emergency care or treatment shall be immune from civil liability for treatment of a participant in any school-sponsored athletic event, provided such treatment was rendered in accordance with acceptable standards of practice and was not objected to by the participant.

All athletic programs of the Orange Beach Schools shall abide by AHSAA rules and legislative acts regarding athletes who sustain concussions, including annually providing information to parents and students regarding concussions, training coaches annually, and holding students suspected of having a concussion out of competition.

All students shall be subject to all Orange Beach Board of Education rules and to the Code of Student Conduct while attending athletic events and practices.

Conduct of student athletes and coaches during all athletic events shall be governed by the AHSAA rules and regulations and shall reflect good sportsmanship and respectful conduct toward officials, opponents, teammates, and visitors. Any Orange Beach School System student athlete or coach ejected from a game or sporting

event due to violation of AHSAA rules may be subject to pay any assessed fine and may be suspended from participation until such fine is paid.

References: Code of Alabama 16-11-9, 16-11-15, Alabama High School Athletic Association Guidelines

5.82 NON-FACULTY COACHES

All non-faculty coaches shall work under the direct supervision of a certified Orange Beach Board of Education employee. The conduct of each non-faculty coach is the responsibility of the school principal and the athletic director. Any violation of Alabama High School Athletic Association (AHSAA) guidelines by a non-faculty coach is subject to disciplinary action by the Orange Beach Board of Education.

All non-faculty coaches must complete the course or courses required by the Alabama High School Athletic Association (AHSAA). All non-faculty coaches must be fingerprinted and must undergo a background check at their own expense prior to participation in coaching. In addition, all non-faculty coaches must be recommended by the principal to the Superintendent and must be approved by the Board of Education prior to beginning coaching duties.

Only individuals who have fulfilled the requirements stated above and who have signed a release stating the Orange Beach Board of Education is not responsible for any injury or problem that may result from his/her work as a non-faculty coach may serve as a non-faculty coach in an Orange Beach school.

Reference: Code of Alabama 16-11-9

5.90 ACCEPTABLE USE OF COMPUTER TECHNOLOGY AND RELATED RESOURCES

To facilitate achieving a quality education for its students, it is the policy of the Orange Beach Board of Education to provide all students and employees with opportunities to access a variety of technological resources. A large and varied technological environment requires that technology use by employees and students be legal, ethical, and safe. Technology use must be consistent with the educational vision, mission, and goals of the school system.

Copyright Law: It is the obligation and intent of the Board to comply with the copyright laws of the United States. Orange Beach School System employees and students shall use technology resources in accordance with Board policies and

procedures, as well as local, state, and federal laws and guidelines governing the use of technology and its component parts.

Electronic Mail: The Board provides access to electronic mail for employees whose normal work activity requires access. That access is intended to support only educational, instructional, extracurricular, or normal administrative activity. Board policies and procedures shall apply to the use of electronic mail. The Board cannot guarantee the privacy, security, or confidentiality of any information sent or received via electronic mail. The Board will use a filtering service to screen email for spam and inappropriate content. Contents of electronic mail cannot be considered private. All contents of electronic mail are the property of the Board.

Social Media: Any social media account or page that uses the official name of the Orange Beach Board of Education; its logo or mark that purports to officially represent the Board, the school system, a Board facility, local school, school-sponsored activity or any other group or organization officially affiliated with the school system must be created and administered by a Board employee who has been authorized by the Superintendent or designee to take such action. Social media are defined but not limited to: websites, blogs, wikis, social networks, online forums, virtual worlds, and any other social media generally available to the public (e.g., Facebook, Twitter, LinkedIn, Flickr, YouTube, etc.). The Superintendent is authorized to develop such procedures as may be necessary to implement this policy.

The Board provides technology protection measures that include blocking or filtering Internet access to visual depictions and text that are obscene, pornographic, or harmful to minors. These measures cannot be considered 100% effective. Teachers must preview required web sites and observe students using the Internet. Sites that are deemed inappropriate or a disruption of the learning atmosphere should be reported to the Director of Technology. Teachers may also request sites be opened for periods of research.

The Internet: The intent of the Orange Beach School System is to provide access to resources available via the Internet with the understanding that faculty, staff, and students will access and use only information that is appropriate, beneficial, and/or required for his/her various curricular or extracurricular activities or staff duties.

- Internet access is provided to allow students, faculty, and staff to conduct research. Users will gain access to the Internet by agreeing to conduct themselves in a considerate and responsible manner. Students must provide written permission from legal custodial parents, a signed copy of permission

to use Internet resources for each student in the household. Students will not be allowed to conduct independent research on the Internet until receipt of the signed form.

- The Board provides technology protection measures that include blocking or filtering Internet access to visual depictions and text that are obscene, pornographic, or harmful to minors. These measures cannot be considered 100% effective. Teachers will screen resources that will be used in the classroom for content prior to their introduction, and shall observe students using the Internet. Sites that are deemed inappropriate or a disruption of the learning atmosphere are to be reported to the Technology Coordinator. Teachers may also request specific sites to be opened for the purposes of research.
- Network users are prohibited from accessing external networks or alternate Internet service providers within Orange Beach school's internal network unless expressly authorized by the Superintendent or Superintendent's designee and properly protected by a firewall, other appropriate security device(s), and appropriate filtering software.
- All school rules and guidelines for appropriate technology use shall apply to use of the Internet. Because communications on the Internet are often public in nature, all users must engage in appropriate and responsible communications with particular regard to avoiding disruption of the educational environment.
- Student posting of personal information of any kind about themselves or others is prohibited. Personal information includes home and/or school addresses, work addresses, home and/or school phone numbers, names, social security numbers, pictures, etc. The Board cannot guarantee the privacy, security, or confidentiality of any information sent or received via the Internet.

System, school, and school-sponsored activity websites: Because any school system websites can be globally available and represent the community at large, the designated school system webmaster will review all websites and/or new features and links before adding them to the system's website. Only the designated school system webmaster may place websites, features, or links on the web server. The webmaster may reject all or part of proposed home pages and/or new features and links for any reason. The legal and ethical practices and responsibilities of appropriate use of technology resources shall be taught to all students and employees in the system (i.e. during lab orientation, network orientation, faculty meetings, etc.).

Student-Owned Devices (BYOD): In an effort to expand students' 21st century learning opportunities, Orange Beach Schools has implemented an initiative that allows students to bring their own digital devices on campus for educational purposes. It is imperative these devices be used appropriately. Rules governing the use of student-owned digital devices in our schools include the following:

Devices Allowed: Student-owned devices, unless expressly prohibited by the principal and/or Technology Coordinator, shall be allowed.

Student Responsibilities: Students will abide by all school/system rules and policies, including this policy and Code of Student Conduct. Use of the device will only be allowed when permissible according to a school administrator or designee. Students are not permitted to transmit or post any photographic images or videos of any person on campus on any public and/or social networking sites without prior approval from a school official.

Students will only be allowed access to websites and resources which are relevant to the curriculum and content in the classroom. Students must understand infecting the network with any virus designed to damage, alter, destroy, or limit the network's effectiveness is a violation of the Acceptable Use Agreement or this policy and will result in disciplinary actions. The school/system has the right to confiscate and examine any device suspected of causing problems or is the source of an attack or virus infection.

Network Access: Students will only use the school's wireless guest network. This network is controlled by the system's technology department and is filtered according to Children's Internet Protection Act (CIPA) guidelines. At no time will the guest network settings be altered for device specific needs. The school system's guest network, while reliable and stable, will, at times, experience outages. No guarantee will be made that it will always be available.

Additionally, signal strength could vary depending on the number of devices connected and the proximity to an access point. There will be no expectation of access to electrical outlets for charging purposes. Students must bring devices fully charged to school. The Orange Beach School System will not be responsible for any loss of data resulting from connecting to the network. The Orange Beach School System does not provide any troubleshooting assistance or repair for student-owned devices. Teachers are not responsible for student connectivity or for helping students who experience trouble connecting to the guest network.

Theft/Damage of Devices: The schools/system will not be responsible for lost or stolen devices. Physical damage or loss of data is not the responsibility of the school or the school system. As with any items on school campuses, school officials may inspect any personal device when there is reasonable suspicion that the contents are a violation of policies, or of any local, state, or federal laws.

Violations: Individuals are expected to report any violations of this policy and/or problems with the security of any technology resources to the principal and/or technology coordinator.

All school system technology resources, regardless of purchase date, location, or fund sources (including donations), are subject to this policy.

Students who misuse the school system's technology will be subject to consequences as specified in the Code of Student Conduct. Employees who misuse the school system's technology may be subject to appropriate consequences, up to and including possible termination. Violation of civil and/or criminal law relating to technology and its use will result in the notification of law enforcement officials.

References: Code of Alabama 16-11-9, Child Internet Protection Act

5.90.1 INTERNET SAFETY AND USE OF TECHNOLOGY

Effective Beginning School Year 2025–2026
In Accordance with the FOCUS Act (HB166), Code of Alabama 1975, Section 16-40-13

Purpose

Orange Beach City Schools is committed to providing students with technology and internet access that enhances learning while ensuring a safe and responsible digital environment. This policy establishes requirements for the safe, appropriate, and effective use of technology resources in compliance with applicable state and federal laws.

Authority

The Superintendent is authorized to develop and implement additional rules, procedures, and guidelines governing technology and internet resources. These may be included in, but are not limited to, the system-wide Acceptable Use Agreement (AUA), the Student Code of Conduct, and other district handbooks, as well as through staff training and student education.

Compliance with State and Federal Law

District rules and regulations regarding technology and internet safety shall incorporate the requirements of:

- The Children's Internet Protection Act (CIPA) [47 U.S.C. §254(h) and (l)]
- Alabama's Freeing Our Classrooms of Unnecessary Screens for Safety (FOCUS) Act [Ala. Act 2025-386]

Required Measures

The following safety and security measures shall be implemented across all district-provided technology systems and networks:

1. Content Filtering
    - Blocking or filtering internet access to images or materials that are obscene, constitute child pornography, or are harmful to minors.
2. Access Restriction
    - Restricting student access to materials deemed inappropriate or harmful.
3. Age-Appropriate Access
    - Limiting student internet access to age-appropriate content, subject matters, and educational materials.
4. Student Safety in Electronic Communication
    - Providing procedures and protections to ensure the safety and security of students using email, chat rooms, video conferencing, or other forms of direct electronic communication.
5. Prevention of Unauthorized Access
    - Implementing safeguards to prevent hacking, unauthorized access, or misuse of district technology, files, databases, or equipment.
6. Protection of Personal Information
    - Prohibiting unauthorized disclosure, use, or dissemination of personal information regarding students or minors.
7. Digital Citizenship Education

- Educating students on appropriate online behavior, including responsible interaction on social networking sites and chat rooms, and awareness and prevention of cyberbullying.

8. Prohibition of Unlawful Online Activity
    - Prohibiting student access to unlawfully obtained data, hacking activities, and other forms of unlawful online behavior.

9. Privacy Protections
    - Preventing student access to websites, web applications, or software that collect, disclose, or use personal student information without an explicit educational purpose and parental consent where required.

10. Social Media Restrictions
    - Students are prohibited from accessing social media platforms unless a teacher directs such access explicitly for educational purposes and within a supervised instructional setting.

Enforcement and Accountability

Violation of this policy or any accompanying rules or agreements may result in disciplinary action consistent with the Student Code of Conduct and applicable district policies, including but not limited to suspension of technology privileges, suspension from school, or other appropriate measures.

The Superintendent shall ensure that staff, students, and families are informed of this policy and related expectations and shall provide for ongoing review of its implementation.

References

- 47 U.S.C. §254(h) and (l) — Children's Internet Protection Act (CIPA)
- Ala. Act 2025-386 — Freeing Our Classrooms of Unnecessary Screens for Safety (FOCUS) Act

5.91 INFORMATION MANAGEMENT SYSTEM AND STUDENT DATA

The Orange Beach School System shall develop and maintain an integrated information system for educational data management. The Superintendent or designee shall ensure compatibility exists with the state information systems. Procedures and guidelines shall be developed to ensure adequate management

information support needs are met. In addition, the Superintendent is authorized by the Board to develop plans and procedures to maintain data security.

The Orange Beach School System adheres to all aspects of the Family Educational Rights and Privacy Act (FERPA) as it implements programs and procedures for collecting, managing, storing, transmitting, using, securing, reporting, and destroying data and student information. Appropriate use of data is essential to student achievement, planning, and school system program effectiveness.

School system data collection, management, and reporting are implemented according to Alabama State Department of Education guidelines and in a manner designed to preserve and protect individual and collective privacy rights and to ensure confidentiality and security of collected data. Local school and system student data is transmitted daily to the Alabama State Department of Education data management system from which state and federal reporting is completed. Each student is assigned a unique student identifier upon enrollment into the student management system to ensure compliance with the privacy rights of each student and his or her parents/guardians. No personally-identifiable individual student data is shared in either state or federally-required reporting.

Data collected by the school system is maintained within a secure infrastructure. Access to data is limited to staff whose job responsibilities include required data collection, analysis, reporting, and management. Training in data security and student privacy laws is provided to these individuals on a regular basis to ensure compliance with school system policies and state and federal privacy laws.

References: Code of Alabama 16-11-9, Family Educational Rights and Privacy Act of 1974; Alabama State Board of Education Data Use and Governance Policy (Oct 10, 2013)

5.92 DATA GOVERNANCE AND USE POLICY

The Board of Education shall protect information, as defined hereinafter, in all its forms, written, recorded electronically or printed from accidental or intentional unauthorized modification, destruction or disclosure throughout its life cycle. This protection shall include an appropriate level of security over the equipment and software used to process, store, and transmit the information.

The data governance policies and procedures will be documented and reviewed annually by the data governance committee.

The Board of Education, Superintendent, and staff shall conduct annual training on the data governance policy and document the training.

Scope: The policy, standards, processes, and procedures apply to all students and employees of the System, contractual third parties and agents of the System who have access to the System's information systems or information.

This policy applies to all forms of information, including but not limited to:

- Speech, spoken face to face, or communicated by phone or radio,
- Hard copy data printed or written on paper,
- Communications sent by post/courier, fax, electronic mail, text, chat, and/or any form of social media, etc.,
- Stored and processed by servers, OBCS, laptops, tablets, mobile devices, etc.,
- Stored on any type of removable media or cloud based services.

Regulatory Compliance: The System will abide by any law, statutory, regulatory, or contractual obligations affecting its information systems. The System's data governance policy and procedures are informed by the following laws, rules, and standards, among others.

- **CIPA**, the Children's Internet Protection Act was enacted by Congress in 2000 to address concerns about children's access to obscene or harmful content over the Internet. CIPA imposes certain requirements on schools or libraries that receive discounts for Internet access or internal connections through the E-rate program. Schools subject to CIPA have two additional certification requirements: 1) their Internet safety policies must include monitoring the online activities of minors; and 2) as required by the Protecting Children in the 21st Century Act, they must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.
- **COPPA**, the Children's Online Privacy Protection Act, regulates operators of commercial websites or online services directed to children under 13 that collect or store information about children. Parental permission is required to gather certain information.
- **FERPA**, the Family Educational Rights and Privacy Act, applies to all institutions that are recipients of federal aid administered by the Secretary of Education. This regulation protects student information and accords students specific rights with respect to their data.

- **HIPAA**, the Health Insurance Portability and Accountability Act, applies to organizations that transmit or store Protected Health Information (PII). It is a broad standard originally intended to combat waste, fraud, and abuse in health care delivery and health insurance, but is now used to measure and improve the security of health information as well.
- **Payment Card Industry Data Security Standard (PCI DSS)** was created by a consortium of payment brands including American Express, Discover, MasterCard, and Visa. It covers the management of payment card data and is relevant for any organization that accepts credit card payments.
- **ISO Standards (http://www.iso.org/iso/home/standards.htm)**
    - ISO 17799:2000 – Information technology – Code of practice for information security management
    - ISO 27001:2013 – Information technology – Security techniques – Information security management systems – Requirements
    - ISO 27002:2013 - Information technology – Security techniques – Code of practice for information security controls

Risk Management: A thorough analysis of all the Board of Education's information networks and systems will be conducted on a periodic basis to document the threats and vulnerabilities to stored and transmitted information. The analysis will examine the types of threats - internal or external, natural or manmade, electronic and non-electronic - that affect the ability to manage the information resource. The analysis will also document the existing vulnerabilities within each entity, which potentially expose the information resource to the threats. Finally, the analysis will also include an evaluation of the information assets and the technology associated with its collection, storage, dissemination, and protection.

From the combination of threats, vulnerabilities, and asset values, an estimate of the risks to the confidentiality, integrity, and availability of the information will be determined. The frequency of the risk analysis will be determined at the entity level.

The Superintendent or designee will administer periodic risk assessments to identify, quantify, and prioritize risks. Based on the periodic assessments, measures will be implemented to reduce the impact of the threats by reducing the amount and scope of the vulnerabilities.

Information Security Definitions

Affiliated Covered Entities: Legally separate, but affiliated, covered entities which choose to designate themselves as a single covered entity for purposes of HIPAA.

Availability: Data or information is accessible and usable upon demand by an authorized person.

Confidentiality: Data or information is not made available or disclosed to unauthorized persons or processes.

HIPAA: The Health Insurance Portability and Accountability Act, a federal law passed in 1996 that affects the healthcare and insurance industries. A key goal of the HIPAA regulations is to protect the privacy and confidentiality of protected health information by setting and enforcing standards.

Integrity: Data or information has not been altered or destroyed in an unauthorized manner.

Involved Persons: Every worker at the system -- no matter what their status. This includes physicians, residents, students, employees, contractors, consultants, temporaries, volunteers, interns, etc.

Involved Systems: All computer equipment and network systems that are operated within the System's environment. This includes all platforms (operating systems), all computer sizes (personal digital assistants, desktops, mainframes, etc.), and all applications and data (whether developed in-house or licensed from third parties) contained on those systems.

Personally Identifiable Information (PII): PII is any information about an individual maintained by an agency, including (1) any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.

Risk: The probability of a loss of confidentiality, integrity, or availability of information resources.

INFORMATION SECURITY DEFINITIONS RESPONSIBILITIES

Data Governance Committee: The Data Governance Committee is responsible for working with user management, owners, custodians, and users to develop and implement prudent security policies, procedures, and controls, subject to the approval of the system. Specific responsibilities include:

1. Ensuring security policies, procedures, and standards are in place and adhered to by the entity.

2. Providing basic security support for all systems and users.
3. Advising owners in the identification and classification of computer resources.
4. Advising systems development and application owners in the implementation of security controls for information on systems, from the point of system design, through testing and production implementation.
5. Educating custodian and user management with comprehensive information about security controls affecting system users and application systems.
6. Providing on-going employee security education.
7. Performing security audits.

Information Owner: The owner of a collection of information is usually the manager responsible for the creation of that information or the primary user of that information. This role often corresponds with the management of an organizational unit. In this context, ownership does not signify proprietary interest, and ownership may be shared. The owner may delegate ownership responsibilities to another individual by completing the System's Information Owner Delegation Form. The owner of information has the responsibility for:

1. Knowing the information for which she/he is responsible.
2. Determining a data retention period for the information, relying on advice from the Legal Department.
3. Ensuring appropriate procedures are in effect to protect the integrity, confidentiality, and availability of the information used or created within the unit.
4. Authorizing access and assigning custodianship.
5. Specifying controls and communicating the control requirements to the custodian and users of the information.
6. Reporting promptly to the Data Governance Committee the loss or misuse of the System's information.
7. Initiating corrective actions when problems are identified.
8. Promoting employee education and awareness by utilizing programs approved by the Data Governance Committee, where appropriate.
9. Following existing approval processes within the respective organizational unit for the selection, budgeting, purchase, and implementation of any computer system/ software to manage information.

Custodian: The custodian of information is generally responsible for the processing and storage of the information. The custodian is responsible for the administration of controls as specified by the owner. Responsibilities may include:

1. Providing and/or recommending physical safeguards.
2. Providing and/or recommending procedural safeguards.
3. Administering access to information.

4. Releasing information as authorized by the Information Owner and/or the Information Privacy/ Security Officer for use and disclosure using procedures that protect the privacy of the information.
5. Evaluating the cost effectiveness of controls.
6. Maintaining information security policies, procedures and standards as appropriate and in consultation with the Data Governance Committee.
7. Promoting employee education and awareness by utilizing programs approved by the Data Governance Committee, where appropriate.
8. Reporting promptly to the Data Governance Committee the loss or misuse of the System's information.
9. Identifying and responding to security incidents and initiating appropriate actions when problems are identified.

User Management: System supervisors who manage users as defined below. User management is responsible for overseeing their employees' use of information, including:

1. Reviewing and approving all requests for their employee's access authorizations.
2. Initiating security change requests to keep employees' security record current with their positions and job functions.
3. Promptly informing appropriate parties of employee terminations and transfers, in accordance with local entity termination procedures.
4. Revoking physical access to terminated employees, i.e., confiscating keys, changing combination locks, etc.
5. Providing employees with the opportunity for training needed to properly use the computer systems.
6. Reporting promptly to the Data Governance Committee the loss or misuse of the System's information.
7. Initiating corrective actions when problems are identified.
8. Following existing approval processes within their respective organization for the selection, budgeting, purchase, and implementation of any computer system/ software to manage information.

User: The user is any person who has been authorized to read, enter, or update information. A user of information is expected to:

1. Access information only in support of their authorized job responsibilities.
2. Comply with Information Security Policies and Standards and with all controls established by the owner and custodian.
3. Keep personal authentication devices (e.g. passwords, Secure Cards, PINs, etc.) confidential.
4. Report promptly to the Data Governance Committee the loss or misuse of the System's information.
5. Initiate corrective actions when problems are identified.

Information Classification: Classification is used to promote proper controls for safeguarding the confidentiality of information. Regardless of classification, the integrity and accuracy of all classifications of information must be protected. The classification assigned and the related controls applied are dependent on the sensitivity of the information. Information must be classified according to the most sensitive detail it includes. Information recorded in several formats (e.g., source document, electronic record, report) must have the same classification regardless of format. The following levels are to be used when classifying information:

Personally Identifiable Information (PII)

1. PII is any information about an individual maintained by an agency:
    a. Any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records.
    b. Any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.
2. Unauthorized or improper disclosure, modification, or destruction of this information could violate state and federal laws, result in civil and criminal penalties, and cause serious damage to the System.

Confidential Information

1. Confidential Information is very important and highly sensitive material that is not classified as PII. This information is private or otherwise sensitive in nature and must be restricted to those with a legitimate business need for access.
    a. Examples of Confidential Information may include: personnel information, key financial information, proprietary information of commercial research sponsors, system access passwords, and information file encryption keys.
2. Unauthorized disclosure of this information to people without a business need for access may violate laws and regulations, or may cause significant problems for the system, its customers, or its business partners. Decisions about the provision of access to this information must always be cleared through the information owner.

Internal Information

1. Internal Information is intended for unrestricted use within the System, and in some cases within affiliated organizations such as the System's business partners. This type of information is already widely-distributed within the

System, or it could be so distributed within the organization without advance permission from the information owner.

   a. Examples of Internal Information may include: personnel directories, internal policies and procedures, and most internal electronic mail messages.

2. Any information not explicitly classified as PII, Confidential, or Public will, by default, be classified as Internal Information.
3. Unauthorized disclosure of this information to outsiders may not be appropriate due to legal or contractual provisions.

Public Information

1. Public Information has been specifically approved for public release by a designated authority within each entity of the System. Examples of Public Information may include marketing brochures and material posted to the System's web pages.
2. This information may be disclosed outside of the System.

Computer and Information Control

All involved systems and information are assets of the System and are expected to be protected from misuse, unauthorized manipulation, and destruction. These protection measures may be physical and/or software based.

Ownership of Software: All computer software developed by the System's employees or contract personnel on behalf of the system or licensed for the System's use is the property of the System and must not be copied for use at home or any other location, unless otherwise specified by the license agreement.

Installed Software: All software packages that reside on computers and networks within the System must comply with applicable licensing agreements and restrictions and must comply with the System acquisition of software policies.

Virus Protection: Virus checking systems approved by the Information Security Officer and Information Services must be deployed using a multi-layered approach (desktops, servers, gateways, etc.) that ensures all electronic files are appropriately scanned for viruses. Users are not authorized to turn off or disable virus checking systems.

Access Controls: Physical and electronic access to information systems that contain PII, Confidential and Internal information, and computing resources is controlled. To ensure appropriate levels of access by internal workers, a variety of security measures will be instituted as recommended by the data governance committee and approved by the System. In particular, the data governance committee shall

document roles and rights to the student information system and other like systems. Mechanisms to control access to PII, Confidential and Internal information include (but are not limited to) the following methods:

1. **Authorization:** Access will be granted on a "need to know" basis and must be authorized by the immediate supervisor and application owner with the assistance of the Data Governance Committee. Any of the following methods are acceptable for providing access under this policy:
    a. *Context-based access:* Access control based on the context of a transaction (as opposed to being based on attributes of the initiator or target). The "external" factors might include time of day, location of the user, strength of user authentication, etc.
    b. *Role-based access:* An alternative to traditional access control models (e.g., discretionary or non-discretionary access control policies) that permits the specification and enforcement of enterprise-specific security policies in a way that maps more naturally to an organization's structure and business activities. Each user is assigned to one or more predefined roles, each of which has been assigned the various privileges needed to perform that role.
    c. *User-based access:* A security mechanism used to grant users of a system access based upon the identity of the user.
2. **Identification/Authentication:** Unique user identification (user id) and authentication is required for all systems that maintain or access PII, Confidential and/or Internal Information. Users will be held accountable for all actions performed on the system with their user id.
    a. At least one of the following authentication methods must be implemented:
        i. Strictly controlled passwords
        ii. Biometric identification, and/or
        iii. Tokens in conjunction with a PIN.
    b. The user must secure his/her authentication control (e.g. password, token) such that it is known only to that user and possibly a designated security manager.
    c. An automatic timeout re-authentication must be required after a certain period of no activity (maximum 15 minutes).
    d. The user must log off or secure the system when leaving it.
3. **Data Integrity:** The System must be able to provide corroboration that PII, Confidential, and Internal Information has not been altered or destroyed in an unauthorized manner. Listed below are some methods that support data integrity:

a. transaction audit
b. disk redundancy (RAID)
c. ECC (Error Correcting Memory)
d. checksums (file integrity)
e. encryption of data in storage
f. digital signatures

4. **Transmission Security:** Technical security mechanisms must be put in place to guard against unauthorized access to data transmitted over a communications network, including wireless networks. The following features must be implemented:
    a. integrity controls and
    b. encryption, where deemed appropriate
5. **Remote Access:** Access into the System's network from outside will be granted using the System's approved devices and pathways on an individual user and application basis. All other network access options are strictly prohibited. Further, PII, Confidential and/or Internal Information stored or accessed remotely must maintain the same level of protection as information stored and accessed within the System's network.
6. **Physical Access:** Access to areas in which information processing is carried out must be restricted to only appropriately authorized individuals. The following physical controls must be in place:
    a. Computer systems must be installed in an access-controlled area. The area in and around the computer facility must afford protection against fire, water damage, and other environmental hazards such as power outages and extreme temperature situations.
    b. File servers containing PII, Confidential and/or Internal Information must be installed in a secure area to prevent theft, destruction, or access by unauthorized individuals.
    c. Workstations or personal computers (PC) must be secured against use by unauthorized individuals. Local procedures and standards must be developed on secure and appropriate workstation use and physical safeguards.
    d. Facility access controls must be implemented to limit physical access to electronic information systems and the facilities in which they are housed, while ensuring properly authorized access is allowed. Local policies and procedures must be developed to address the following facility access control requirements:
        i. **Contingency Operations** – Documented procedures that allow facility access in support of restoration of lost data under the disaster

recovery plan and emergency mode operations plan in the event of an emergency.

ii. **Facility Security Plan** – Documented policies and procedures to safeguard the facility and the equipment therein from unauthorized physical access, tampering, and theft.

iii. **Access Control and Validation** – Documented procedures to control and validate a person's access to facilities based on their role or function, including visitor control, and control of access to software programs for testing and revision.

iv. **Maintenance records** – Documented policies and procedures to document repairs and modifications to the physical components of the facility which are related to security (for example, hardware, walls, doors, and locks).

7. **Physical Security:** Controls are implemented to protect information system resources, the facility housing those resources, and the facilities used to support their operation. To protect against loss of control over system integrity and system availability, the System will address physical access controls, environmental controls, fire safety, and protect systems and data storage media from theft.
    a. Ensure computer systems and network equipment are properly secured to prevent unauthorized physical access and data is properly safeguarded to protect from loss.
    b. Ensure laptop and portable computers are secured with an appropriate physical security device such as a lockdown cable. Computer equipment installed in public areas shall be similarly secured.
    c. Control access to areas containing servers, data stores, and communications equipment. Access to secured areas shall be controlled by the use of access card keys, access code keypads, or key locks with limited key distribution. A record shall be maintained of all personnel who have authorized access.
    d. Closely control keys (where utilized). If a key is reported as missing, change or re-key the corresponding lock(s).
    e. Maintain a log of all visitors granted entry into secured areas or areas containing sensitive or confidential data (e.g., data storage facilities). Record the visitor's name, organization, and the name of the person granting access. Retain visitor logs for no less than 6 months.
    f. Ensure visitors are escorted by a person with authorized access to the secured area.
    g. Ensure each facility containing computer and communications equipment has an appropriate fire suppression system and/or a class C fire extinguisher readily available and in working order.

h. Store equipment above the floor, in racks whenever feasible, or on a raised floor to prevent damage from dampness or flooding. Use of water/moisture sensors is recommended.
i. Monitor and maintain data center temperature and humidity levels. The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) recommends an inlet temperature range of 68 to 77 degrees and relative humidity of 40% to 55%.
j. Store electronic media in secured and environmentally controlled areas, in fire safe containers whenever feasible. Backup/archive media shall, whenever feasible, be stored in a secure off-site storage facility.
k. Monitor and control the delivery and removal of all asset-tagged and/or data-storing IT equipment. Maintain a record of all such items entering or exiting their assigned location.
l. Ensure equipment being removed for transfer to another organization or being designated as surplus property is appropriately sanitized in accordance with applicable policies and procedures.

8. **Emergency Access:** Each school is required to establish a mechanism to provide emergency access to systems and applications in the event the assigned custodian or owner is unavailable during an emergency.

Procedures must be documented to address:

a. Authorization,
b. Implementation, and
c. Revocation

Equipment and Media Controls: The disposal of information must ensure the continued protection of PII, Confidential, and Internal Information. Each entity must develop and implement policies and procedures that govern the receipt and removal of hardware and electronic media that contain PII into and out of a facility, and the movement of these items within the facility. The following specification must be addressed:

1. Information Disposal/Media Re-Use of:
   a. Hard copy (paper and microfilm/fiche)
   b. Magnetic media (floppy disks, hard drives, zip disks, etc.) and
   c. CD ROM Disks
2. Accountability: Each entity must maintain a record of the movements of hardware and electronic media and any person responsible therefore.
3. Data backup and Storage: When needed, create a retrievable, exact copy of electronic PII before movement of equipment.
4. PII and Confidential Information stored on external media (diskettes, CD-ROMs, portable storage, memory sticks, etc.) must be protected from theft

and unauthorized access. Such media must be appropriately labeled so as to identify it as PII or Confidential Information. Further, external media containing PII and Confidential Information must never be left unattended in unsecured areas.

5. PII and Confidential Information must never be stored on mobile computing devices (laptops, personal digital assistants (PDA), smart phones, tablet OBCS, etc.) unless the devices have the following minimum security requirements implemented:
    a. Power-on passwords
    b. Auto logoff or screen saver with password
    c. Encryption of stored data or other acceptable safeguards approved by Information Security Officer
    d. Mobile computing devices must never be left unattended in unsecured areas.
6. If PII or Confidential Information is stored on external medium or mobile computing devices and there is a breach of confidentiality as a result, then the owner of the medium/device will be held personally accountable and is subject to the terms and conditions of the System. Information Security Policies and Confidentiality Statement signed as a condition of employment or affiliation with the System.

Data Transfer/Exchange/Printing

1. **Electronic Mass Data Transfers:** Downloading, uploading, or transferring PII, Confidential, and Internal Information between systems must be strictly controlled. Requests for mass downloads of, or individual requests for, information for research or any other purposes that include PII must be in accordance with this policy and be approved by the data governance committee. All other mass downloads of information must be approved by the Application Owner and include only the minimum amount of information necessary to fulfill the request. Memorandum of Agreements (MOA) must be in place when transferring PII to external entities.
2. **Other Electronic Data Transfers and Printing:** PII, Confidential and Internal Information must be stored in a manner inaccessible to unauthorized individuals. PII and Confidential information must not be downloaded, copied or printed indiscriminately or left unattended and open to compromise. PII that are downloaded for educational purposes where possible should be de-identified before use.

Oral Communications: All System staff should be aware of their surroundings when discussing PII and Confidential Information. This includes the use of cellular telephones in public areas. All System staff should not discuss PII or Confidential Information in public areas if the information can be overheard. Caution should be used when conducting conversations in: semi-private rooms, waiting rooms, corridors, elevators, stairwells, cafeterias, restaurants, or on public transportation.

Audit Controls: Hardware, software, and/or procedural mechanisms that record and examine activity in information systems that contain or use PII must be implemented. Further, procedures must be implemented to regularly review records of information system activity, such as audit logs, access reports, and security incident tracking reports. These reviews must be documented and maintained for six (6) years.

Evaluation: The System requires periodic technical and non-technical evaluations be performed in response to environmental or operational changes affecting the security of electronic PII to ensure its continued protection.

Contingency Plan: Controls must ensure the System can recover from any damage to computer equipment or files within a reasonable period of time. Each entity is required to develop and maintain a plan for responding to a system emergency or other occurrence (for example, fire, vandalism, system failure, and natural disaster) that damages systems that contain PII, Confidential or Internal Information.

Data Backup Plan: A data backup plan must be documented and routinely updated to create and maintain, for a specific period of time, retrievable exact copies of information.

1. Backup data must be stored in an off-site location and protected from physical damage.
2. Backup data must be afforded the same level of protection as the original data.
3. Disaster Recovery Plan: A disaster recovery plan must be developed and documented which contains a process enabling the entity to restore any loss of data in the event of fire, vandalism, natural disaster, or system failure.
4. Emergency Mode Operation Plan: A plan must be developed and documented which contains a process enabling the entity to continue to operate in the event of fire, vandalism, natural disaster, or system failure.
5. Testing and Revision Procedures: Procedures should be developed and documented requiring periodic testing of written contingency plans to discover weaknesses and the subsequent process of revising the documentation, if necessary.
6. Applications and Data Criticality Analysis: The criticality of specific applications and data in support of other contingency plan components must be assessed and documented.

DATA QUALITY

5.92.1 SUPERVISORY RESPONSIBILITIES

1. It is the responsibility of all supervisors to set expectations for data quality and to evaluate their staff's performance relative to these expectations annually.
2. Supervisors should immediately report incidents where data quality does not meet standards to their superior and to any other relevant department, including the State Department of Education, if applicable.

Job Descriptions

1. Job descriptions for employees whose responsibilities include entering, maintaining, or deleting data shall contain provisions addressing the need for accuracy, timeliness, confidentiality, and completeness. This includes, but is not limited to: School Registrars, Counselors, Special Education Staff, and CNP Staff handling free and reduced lunch data.
2. Teachers shall have the responsibility to enter grades accurately and in a timely manner.
3. School Administrators shall have the responsibility to enter discipline information accurately and in a timely manner.

PowerSchool

PowerSchool enables authorized users to access the application from anywhere they may have Internet access. In response to this anywhere/anytime access, the Data Governance Committee has implemented the following:

1. **Strong password requirement for iNow logins -** Users are responsible for complying with the following password standards:
    a. Passwords should never be shared with another person.
    b. Passwords should be changed on a regular basis.
    c. Passwords must have a minimum length of (six) characters and (one) Number.
    d. Passwords should never be saved when prompted by any application or browser.
    e. Passwords should not be programmed into a PC or recorded anywhere that someone may find and use them.
    f. When creating a password, it is important not to use words that can be found in dictionaries or words that are easily guessed due to their association with the user (i.e. children's names, pets' names, birthdays, etc...). A combination of alpha and numeric characters is more difficult to guess.
2. **Data Security Guidelines**
    Electronic data is very portable and can be vulnerable to theft and unintended disclosure. Therefore, having access to personal and private information as

part of one's job duties also carries with it important responsibilities to protect the security and privacy of that data. All employees that have access to Orange Beach Schools' student and employee data have the responsibility to handle, maintain, and disseminate information contained in these records in a secure manner. Access to and dissemination of student and/or employee data is subject to local policies, as well as state and federal laws and statutes. This includes, but is not limited to, the Federal Educational Rights and Privacy Act (FERPA) and HIPAA.

a. Transferring personal information to a third party outside of the school system in any electronic format may only be done after approval by an appropriate Coordinator and the Technology Department.
b. Copies of student and employee data should never be kept on a temporary storage device such as a USB drive or CD. In addition, student and employee data should never be removed from the school premises on a laptop or other mobile device.
c. Employees should keep their computer workstation secure by locking or logging off when the machine is unattended.
d. Employees should never share network or program passwords with others.
e. Employees should not allow personal data that has been printed into the view or hands of unintended parties.
f. Employees should not use their software rights to grant others permission to data to which they are not entitled.

Notice of Risks Related to Student Tracking (formerly iNow) Usage

<u>InformationNOW Access for Parent Volunteers</u>

Some schools rely on parent volunteers to help greet visitors and locate students. Due to FERPA and other confidentiality expectations, volunteers should only be granted very limited iNow rights. In most cases this should be the 'Scheduled Lookup' level of access which enables the volunteer to see a list of all students and their schedules. Remember, iNow permissions are web-based so what volunteers can see from the school, they can also access from anywhere they have Internet access.

<u>Concerns about Parent Volunteers Checking Students Out of School</u>

Releasing a child from school into the care of someone else is a serious responsibility. Schools should carefully assess whether or not the information in iNow for this purpose is always up to date. In the past registrars have raised concerns that parents often change their minds about who can and cannot check out their children, but they don't necessarily notify the school in a timely manner. This makes the prospect of allowing parent volunteers who are unfamiliar with the

current circumstances of various family situations to check out students an area of concern. Student Services will be providing recommendations regarding this important function.

Allowing Others to Use Another User's INOW Account to 'Give' them Greater Access is Prohibited

A user's INOW permission level is based on their job responsibilities. Violating FERPA can have serious consequences, including the loss of Federal Funding and other legal liabilities. Since we have a responsibility to protect our student and employee data from identity theft or other misuse, no one may log into iNow and allow others to use their access. Participating in this practice violates our Acceptable Use policies and Data Security Procedures.

The Technology Department will perform random scans to determine if the same iNow User ID is in use concurrently on two separate computers and investigate these occurrences as warranted. Office Personnel who are using multiple machines have been instructed to notify Technology of this so that dual logins on specific IP addresses will not be viewed as a potential violation of this rule.

Plan for when your Registrar is Out for an Extended Period

You should have a plan for occasions when your registrar is out sick or on vacation. Anyone filling in for the registrar should be a bona fide employee, not a volunteer. Technology will attempt to help in extreme situations, but our ability to do so is limited.

Providing Information to Others on Students NOT Enrolled at Your School

iNow rights intentionally prevent the staff at one school from seeing information on students at another school, which complies with FERPA guidelines. The only exception is for district level personnel who have specific needs to see all school data and teachers or others who serve specific students in multiple schools.

It is important that staff members at one school do not attempt to give information about students enrolled in another school to individuals who ask for such information. Instead they should expect the person asking for the information to contact that school themselves. If the person asking for information does not know what school to contact, then they should be referred to the Student Services Department.

DO NOT tell an individual who has no official right to know where else the student is enrolled. Even if the person asking is a parent, there may be a dangerous situation that you are not aware of, so the safe action to take is to refer such requests to the Student Services Department.

The danger in telling someone, employee or not, what other school the child is enrolled in lies in the fact that you have no access to that student's record and will not know if the child is in protective custody or is involved in some other situation such as custody dispute, etc. This could result in a safety issue.

This rule applies even when the person asking for the information is one of our own employees. Unless the person requesting the information is currently providing educational services to that student, they should not be given any information about them, including where the student is enrolled. And, if they are providing educational services to a student at another school, but claim not to know where the child is enrolled, then this should raise some flags. In this case, contact Student Services for guidance.

Transfer of Data to External Service Provider

Personally Identifiable Information (PII) may be transferred to an external service provider, such as an online website that teachers wish students to use for educational purposes or direct connection to server SQL databases for data extraction.

1. No sensitive data, or FERPA protected educational records, will be transferred to an external service provider without prior approval of the Data Governance committee. Exception: Alabama State Department of Education.
2. No school or department should enter into a contract for the use of any program that requires the import of System data without first consulting and receiving approval from the Data Governance committee.
3. The Data Governance committee will determine which of the following should be required of the service provider and assist in ensuring these requirements are met prior to any data transfer:
    a. Contract
    b. Designating the service provider as an "Official" as defined in FERPA
    c. Memorandum of Understanding
    d. Memorandum of Agreement
    e. Non-Disclosure Agreement
4. Non-Disclosure Agreement (NDA) Information and Sample NDA

The following instructions comply with Orange Beach Board of Education Data Governance Policy:

1. Private Information
    a. Confidential information, as defined by FERPA and other regulations and policies, is to be protected and disclosed only to those employees who have a direct legitimate reason for access to the data in order to provide educational services to the student.
2. You must seek guidance from the Student Services, Special Education, and/or the Technology Department prior to transferring confidential information to any outside company, online service (free websites), or to any outside individual, organization, or agency without the explicit written permission of the parent of a minor student or an adult-aged student. This information includes:
    a. Social Security number
    b. Grades and test scores (local and standardized)
    c. Special education information
    d. Health information and 504 information
    e. Attendance information (not enrollment, but specific attendance dates)
    f. Family/homeless or other similar status
    g. Child Nutrition Program status (free or reduced meals)

This includes providing confidential information to individuals, including System employees, for use in dissertations or other studies for college courses or doctoral studies. Refer all such requests, including those for federal, state, or other studies to the Instruction Department and the Technology Department for their approval before releasing any such individualized information. Approved recipients may be required to complete a NDA so that they fully understand their responsibilities with regard to safeguarding and later destroying this private information. This restriction does not apply to publicly available aggregated data such as dropout rates, attendance rates, and percentage of free and reduced lunch program students.

Exceptions - Other Public K-12 Schools - Private information may be transferred upon request to the State Department of Education or other public school systems with a legitimate need for the data; however, the transfer process should comply with data security protocols. In addition, personnel must research all recipients to ensure the school is legitimately a public school rather than a private school.

Colleges - Confidential information may be transferred to institutions of higher education, when the adult student or the parent of a minor student requests that transcripts or other private information be released to specific institutions. Such information should not be transferred to colleges based on a request from the college directly, unless approved by the individual whose records will be transferred.

3. Directory Information. Although the Orange Beach Board of Education has identified the following as "Directory Information," schools should still carefully consider the transfer or publication of this information. Seek guidance when in doubt. Much of this

information, combined with data collected elsewhere can be used for identity theft purposes, stalking, and other unlawful or unethical purposes.

a. Home address
b. Home or cell phone numbers of students or their parents
c. Email addresses of students or their parents
d. Date and place of birth

Exception - U.S Military and institutions of higher learning for recruiting purposes. However, schools must first determine which parents have submitted Opt Out forms relative to these requests prior to transferring data.

Nondisclosure Agreement

THIS NONDISCLOSURE AGREEMENT (this "Agreement"), by and between Orange Beach SCHOOL, AL (the "System"), and _____ (the "Service Provider"), relates to the disclosure of valuable confidential information. The "System" refers to all schools, departments, and other entities within Orange Beach Schools. The "Service Provider" refers to any free or fee-based company, organization, agency, or individual which is providing services to the System or is conducting System-approved academic research. The Disclosing Party, and the Receiving Party are sometimes referred to herein, individually as a "Party" and collectively, as the "Parties."

To further the goals of this Agreement, the Parties may disclose to each other information that the Disclosing Party considers proprietary or confidential.

The disclosure of the System's Confidential Information by a Receiving Party may result in loss or damage to the System, its students, parents, employees, or other persons or operations. Accordingly, the Parties agree as follows:

Confidential Information disclosed under the Agreement by the System shall only be transmitted in compliance with the System's approved security protocols. The Receiving Party must accept the data transmitted in these formats.

The Service Provider will request or receive Confidential Information from the System solely for the purpose of entering into or fulfilling its contractual obligations or pre-approved academic research.

The Service Provider agrees not to use, or assist anyone else to use, any portion or aspect of such Confidential Information for any other purpose, without the System's prior written consent.

The Service Provider will carefully safeguard the System's Confidential Information and may be required to describe such safety measures to the System upon request.

The Service Provider will not disclose any aspect or portion of such Confidential Information to any third party, without the System's prior written consent.

Confidential Information disclosed under this Agreement shall not be installed, accessed, or used on any computer, network, server, or other electronic medium that is not the property of the System or the Service Provider, or to which third-parties have access, unless otherwise provided in a separate contract or agreement between the Parties hereto.

The Service Provider shall inform the System promptly if the Service Provider discovers that an employee, consultant, representative or other party, or any outside party has made, or is making or threatening to make, unauthorized use of Confidential Information.

The Service Provider shall immediately cease all use of any Confidential Information and return all media and documents containing or incorporating any such Confidential Information within five (5) days to the System after receiving written notice to do so, or whenever the contract for services between the System and the Service Provider expires or is terminated. In addition, the Service Provider may be required by the System to destroy any Confidential Information contained on primary or backup media upon written request of the System.

System	Service Provider
_____	_____
Printed Name	Printed Name
_____	_____
Signature /Date	Signature/Date
_____	_____
Title	Title
_____	_____
Phone/Email	Phone/Email

Confidential Information includes:

- Any written, electronic, or tangible information provided by a Disclosing Party
- Any information disclosed orally by a Disclosing Party that is treated as confidential when disclosed
- All information covered by FERPA or other local, state, or federal regulation applying to educational agencies
- Any other information not covered by FERPA, HIPAA, or other local, state, or federal regulation which the System requires the Service Provider to treat as confidential.

Compliance

A. The Data Governance and Use Policy applies to all users of the Orange Beach School' information including: employees, staff, students, volunteers, and outside affiliates. Failure to comply with Information Security Policies and Standards by employees, staff, volunteers, and outside affiliates may result in disciplinary action up to and including dismissal in accordance with applicable Orange Beach Board of Education procedures, or, in the case of outside affiliates, termination of the affiliation. Failure to comply with Information Security Policies and Standards by students may constitute grounds for corrective action in accordance with Orange Beach Board of Education procedures. Further, penalties associated with state and federal laws may apply.

B. Possible disciplinary/corrective action may be instituted for, but is not limited to, the following:
    a. Unauthorized disclosure of PII or Confidential Information as specified in the Confidentiality Statement.
    b. Unauthorized disclosure of a sign-on code (user id) or password.
    c. Attempting to obtain a sign-on code or password that belongs to another person.
    d. Using or attempting to use another person's sign-on code or password.
    e. Unauthorized use of an authorized password to invade patient privacy by examining records or information for which there has been no request for review.
    f. Installing or using unlicensed software on the System's computers.
    g. The intentional unauthorized destruction of the System's information.
    h. Attempting to get access to sign-on codes for purposes other than official business, including completing fraudulent documentation to gain access.

Data Governance Committee

Name	Title	Department

5.95 CELL PHONE USE

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

The possession of an electronic communication device is strictly prohibited during the administration of a secure test. A student in possession of an electronic communication device during testing shall be subject to applicable disciplinary consequences. The prohibited device shall be confiscated and may be subject to search. The student's test shall be invalidated if test security procedures are violated. (See also Policy 4.61 Test Security.)

Any student found in violation of this policy may be subject to suspension or other disciplinary action by the school administration and/or the Orange Beach Board of Education.

References: Code of Alabama 16-1-27, Alabama Legislative Act 89-953, Alabama Legislative Act 2006-530, §1

5.96 DISTRIBUTION OF EXPLICIT IMAGES

No student shall distribute, display, solicit, possess, or produce a sexually or pornographic explicit image of any individual, including sexually explicit images of a child. This prohibition applies whether or not the image is of an identifiable person nor whether the age of the individual can be determined. This prohibition includes images of known and unknown individuals and those generated by artificial intelligence.

This policy shall be incorporated into the Code of Student Conduct.

Adopted: September 12, 2024, Ref: Act. No. 2024-98

6.10 EQUAL OPPORTUNITY FOR EMPLOYMENT

The Orange Beach Board of Education recognizes that an effective educational program depends on the quality of the personnel employed in the system. Therefore, every effort shall be made to employ the most qualified personnel available. Applicants for positions will be selected on the basis of their qualifications, merit, and ability. No person shall be denied employment, re-employment, advancement, or evaluations, nor shall be subjected to discrimination on the basis of sex, age, marital status, race, religion, national origin, ethnic group or disability.

All personnel shall be appointed or re-appointed as prescribed by federal law, Alabama law, and in conformance with applicable State Board of Education and Orange Beach Board of Education rules.

The Superintendent is directed to develop appropriate employment procedures governing the recruitment, screening, selection, appointment, and employment of all Orange Beach School System personnel. Employment qualifications and other criteria will be listed in job descriptions for each position within the school system.

References: Code of Alabama 16-8-23, 16-9-23, 16-9-24; Civil Rights Act of 1964 and Amendments; Section 504 of The Rehabilitation Act of 1973, Americans with Disabilities Act of 1993, Title IX of Education Amendments of 1971

6.11 EMPLOYMENT STATUS AND TIME SCHEDULES

Employment in the Orange Beach School shall be in one of the following categories:

- Full Time - A regular full-time certified employee is a person who is employed for the school term or for the school fiscal year to render the minimum number of hours each day as established by the Orange Beach Board of Education for that position or job. A full-time support employee includes adult bus drivers and those employees working twenty (20) or more hours per week.
- Part-time - A part-time certified employee is a person who is employed to render less than the number of hours each day as established by the Orange Beach Board of Education for a regular full-time employee. A part-time support employee is a person employed less than twenty (20) hours per week.
- Temporary - A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or to perform some work of a temporary nature. Such employment will cease at the close of the school term or school fiscal

year or when the temporary work has been completed. A temporary employee may be a part-time or a full-time employee.

- Adjunct – An adjunct employee is a part-time employee and must possess at least a high school diploma or equivalent, obtain background clearance, and such alternatives to the above qualifications as the Board might find appropriate and acceptable.

Time Schedules for Certified Personnel: Time schedules for certified personnel may be designated by the Superintendent and/or the immediate supervisor. All administrative and supervisory personnel shall normally observe an eight (8) hour workday, unless otherwise assigned by the Superintendent. Local school administrators shall be on duty no less than thirty (30) minutes prior to the time fixed for school to open and thirty (30) minutes after the close of school. Certified teaching personnel are generally required to be on duty before the time set for the opening of their respective school and after the close of the school day, Monday through Friday, and the necessary time to transact faculty meetings, school business, and the safe, orderly arrival or dismissal of students, etc.

Time Schedules for Non-Certified Personnel: The Superintendent or immediate supervisor may designate time schedules for non-certified personnel. In all cases, the Superintendent and/or supervisor in charge shall have the right to establish time schedules to encompass the employee's workday. Work schedules for non-certified personnel shall be in compliance with the Fair Labor Standards Act.

References: Code of Alabama 16-11-9, 36-25-1, 36-26-100; Fair Labor Standards Act

6.11.1 EXTRA DUTIES AND STAFF MEETINGS

Extra work-related duties associated with the school's curriculum, necessary to provide a safe, orderly educational environment, may be assigned to and/or requested of certified personnel employed by the Orange Beach School System. The curriculum is defined as any activity that occurs in the name of the school (school plays, athletic contests, math team competition, social events, etc.).

When extra duties related to the curriculum are assigned to said personnel, the following provisions shall apply:

- Extra duties shall not be assigned during regular school hours that require certified teaching personnel to be removed, on a continuing basis, from teaching responsibilities.

- The Board requires that all duties assigned be reasonable and in support of accomplishing the overall educational objectives of the Board or school.
- Extra duties that are assigned shall be made on a fair and equitable basis, taking into consideration the nature of the activity and the teacher(s) involved.

An administrator and/or supervisor may call staff meetings when he/she feels such meetings are warranted. Attendance by employees may be required. Such compulsory attendance should be stated within the notice announcing the meeting. Meetings requiring employee attendance should be planned and announced as far in advance as possible in order to allow employees to appropriately plan their individual schedules.

References: Code of Alabama 16-8-8, 16-11-9

6.12 POSTING VACANT POSITIONS AND RECRUITMENT

The Orange Beach Board of Education shall post a notice of vacancy for each vacant personnel position. The notice shall be posted in a conspicuous place at each school campus and worksite at least seven (7) calendar days before the position is to be filled. The notice shall include, but not necessarily be limited to, all of the following:

- Job description and title;
- Required qualifications;
- A statement of reference to the approved salary schedule;
- Information on where to submit an application;
- Information on any deadlines for applying; and,
- Other relevant information.

In accordance with Attorney General Opinion 2002-069, November 21, 2001 the following are exceptions to posting vacancies:

- There is no vacancy when two (2) teachers trade positions; and
- Where a lateral transfer occurs and the positions are neither newly created nor supervisory or managerial in nature, and there has been no increase or decrease in salary.

Nothing in this policy shall prohibit the immediate employment or transfer of Orange Beach School System personnel needed to ensure the welfare and safety of students, personnel, teachers, or others on a temporary emergency basis as provided by law.

It shall be the duty of the Superintendent to ensure that all certified and non-certified employees satisfactorily meet all requirements of State Law and State Board of Education rules and regulations.

The Superintendent shall establish and maintain a plan for actively recruiting promising personnel for employment by the Orange Beach School System. The recruitment program may include, but shall not be limited to, the following:

- Interview prospective employees prior to graduation at area colleges;
- Advertise and/or disseminate information about job vacancies; and,
- Review files obtained by college placement bureaus and the Alabama State Department of Education.

References: Code of Alabama 16-11-9, 16-9-23, 16-9-24, 16-23-6, 16-24b-7: Alabama Legislative Act 98-147, ACT #2018-260.

6.13 JOB DESCRIPTIONS

The Orange Beach Board of Education must approve a job description prior to the establishment of any new position. Each job description shall contain the minimal qualifications, required skills, essential performance responsibilities, physical requirements of the position and other information as deemed necessary.

The Superintendent shall maintain comprehensive, up-to-date job descriptions for all Orange Beach School System positions. It shall also be the responsibility of the Superintendent or his/her designee to familiarize the personnel with their duties and responsibilities as defined by the job description.

References: Code of Alabama 16-11-9, 16-9-23, 16-9-24

6.14 CONFLICTS OF INTEREST

The Orange Beach Board of Education prohibits school system employees from engaging in additional employment or any other personal pursuits that would affect their efficiency or usefulness as employees in the system; that would make time and/or energy demands upon such individuals that would interfere with their effectiveness in performing their contractual obligations to the Board; that would compromise or embarrass the school system; that would adversely affect their Orange Beach School System employment status or professional standing; or that would in any way conflict with or violate professional ethics or the state ethics.

The Orange Beach Board of Education prohibits any employee of the school system from directly or indirectly reaping personal profit or reward from the sale or purchase of goods or services to students in the school system or to parents of students.

Orange Beach School System employees acting as individuals are further prohibited from directly or indirectly furnishing or supplying a list or roster of names and addresses of students in the school system or parents of students to persons, firms, or anyone without the written approval of the Superintendent.

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

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

References: Code of Alabama 16-9-13, 16-12-15, 36-25-1, 36-25-2, 36-25-5, 36-25-8

6.14.1 GIFTS

Staff members may, at their discretion, present gifts to groups of students on special occasions. Orange Beach School System staff members must exercise good taste and sound professional judgment when giving gifts to students. Gifts provided by staff members to students must not be elaborate nor expensive.

Orange Beach School System staff members shall not solicit or accept a gift, including money, from any source, when such a gift could be construed to be:

- associated with the performance of school-related duties or activities; or
- a result of or a precondition to business transactions between the parties.

Gifts of a nominal value (no more than $25 per occasion and no more than $50 per year from a single provider) are excluded from this policy. All gifts must comply with the current Alabama Ethics Law.

References: Code of Alabama 16-11-9, 36-25-1

6.14.2 EMPLOYEE GIFTS

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

The Board allows employees to accept gifts or gift cards purchased from pooled donations within a class, team, or other school group or organization for the employee's personal use, provided that each individual gift complies with the Ethics law.

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

[Reference: Ala. Code §36-25-1, et seq.; Alabama Ethics Opinion 2011-12 & 2016-34] [Reference: Ala. Admin. Code R. §§290-3-1-.02(8); 290-8-9-.10(9)] Adopted: September 12, 2024

6.14.2 USE OF SYSTEM-OWNED EQUIPMENT AND MATERIALS

All equipment and materials owned by or purchased in the name of the Orange Beach School System shall be used exclusively for educational purposes as defined by the Board. Employees are authorized to use such equipment and materials while performing assigned job-related duties at their respective work sites/classrooms during regular work hours. All computers and/or digital devices owned by the school system are subject to the rules and guidelines of the Internet Acceptable Use Agreement.

Non-Fixed Asset, Fixed Asset Equipment, and Certain Electronic Equipment: Employees may be authorized to take school system equipment away from their classrooms/work sites to complete school related tasks. Use of system-owned equipment and electronic devices may not be for personal gain and must comply with acceptable use agreements.

References: Code of Alabama 16-11-9, 36-25-5

6.14.3 TUTORING FOR PAY BY CERTIFIED PERSONNEL

Orange Beach School System certified personnel shall not receive pay or its equivalent for out-of-school tutoring of students currently enrolled in their classes when the out-of-school tutoring is in subject areas taught to students during the regular school day. However, certified personnel may engage in out-of-school tutoring of students in their classes when such tutoring is sponsored, organized, and paid for by the school system or other accredited educational institutions. Tutoring for any form of remuneration shall not be done during the regular school hours.

Employees shall not under any circumstances use school system consumable materials or supplies for private tutoring for personal gain. School or system-sponsored tutoring programs, grant-funded or non-profit or community organization student assistance or tutorial programs using school facilities or resources must have the approval of the school principal and/or Superintendent and must comply with system facilities use guidelines.

Reference: Code of Alabama 36-25-5

6.15 NEPOTISM

An Orange Beach School System employee may not be recommended for employment or be supervised by a close relative. Two or more close relatives may not work in the same administrative unit except by special permission of the Superintendent. Close relatives are defined as mother, father, son, daughter, brother, sister, and spouse and in-laws of the same family.

References: Code of Alabama 16-18-11, 16-12-15, 41-1-5

6.16 EMPLOYMENT REQUIREMENTS

Any person desiring employment, as defined by Policy 6.11, shall file a completed application on the form provided by the Superintendent.

Applicants for employment must meet the stated minimum qualifications in the job description and

- Must be of good moral character;
- Must be at least twenty-one (21) years of age unless otherwise approved by the Superintendent.

All potential employees of the school system shall verify their identity and employment status to the Superintendent. The Superintendent shall maintain a file on all of the school system's employees hired after November 6, 1986, proving that each employee has verified his or her identity, employment status, U.S. citizenship, or legal alien status to the Superintendent's satisfaction. Evidence to be used to verify identity, employment status, U.S. citizenship, or legal alien status should include at least two of the following documents, one of which contains a current photo of the employee: U.S. birth certificate, social security card, and a current driver's license; a state or military identification card; or one of the following: U.S. passport, certificate of U.S. citizenship, certificate of naturalization, unexpired foreign passport, or resident alien card.

Criminal background checks by means of fingerprinting or other legal procedure for prospective and current employees who have unsupervised access to students shall be conducted consistent with requirements of law.

Certificate Requirements: Each applicant for an instructional or a certified administrative position shall hold an Alabama teacher's certificate and all career/technical personnel shall meet the State Department of Education requirements and have the proper license to perform services.

To be considered for a position, an applicant shall be properly qualified for that position in accordance with state law, regulations of the State Department of Education and the approved job description. If it appears that the applicant is eligible for proper certification, appointment may be made subject to the conditions set forth in the contract of employment.

Any person not holding a valid teacher's certificate at the time of employment shall be required, upon initial employment, to make application to the State Department of Education for such a certificate, through the personnel office of the Orange Beach School System. When a certificate is received, it must be filed with the office of the Superintendent. If the State Department of Education declines to issue a certificate, the person's employment shall be terminated. Failure to file for such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.

It is the responsibility of all professional personnel to keep certification up to date.

The Orange Beach School System shall ensure that all aspects of the recruitment and selection process are job-related and are consistent with business necessity to ensure equal employment opportunity. Neither the school system nor its agents shall

engage in any discrimination with respect to employment in violation of any state or federal laws. Applicants shall be informed of the complaint procedure that may be used should they allege discrimination.

References: Code of Alabama 16-22a-5 and -6; 12-23-1; Beason-Hammon Alabama Taxpayer and Citizen Protection Act of 2011

6.19 MEDICAL EXAMINATIONS

The Superintendent may require a physical, psychological, and/or psychiatric examination by a physician or counselor licensed in the state of Alabama when, in the Superintendent's judgment, such an examination is relevant to the teaching performance or employment status of an Orange Beach Board of Education employee. The Superintendent shall select the physician(s), psychologist(s), or psychiatrist(s) and the Board shall pay all costs incurred in the examination(s). The employee shall allow the report of the physician(s), psychologist(s), or psychiatrist(s) to be submitted to the Superintendent with a copy being forwarded to the employee.

References: Code of Alabama 16-11-9, 16-22-3

6.21 NON-PROBATIONARY STATUS/TENURE

Certified Personnel: Certified personnel (teachers, supervisors, non-contract principals, administrators, or others holding regular, provisional, or alternative certificates, but not emergency certificates) attain tenure (non-probationary status) after three (3) complete consecutive school years of full-time employment as a teacher with the Orange Beach School System unless the Orange Beach Board of Education approves and issues written notice of termination to the teacher on or before the last day of the teacher's third (3rd) consecutive, complete school year of employment.

Non-certified Personnel: Classified/support employees attain non-probationary status after three complete consecutive school years of full-time employment with the Orange Beach School System unless the Board issues written notice of termination to the employee on or before the fifteenth (15th) day of June immediately following the employee's third consecutive complete school year of employment.

Employees of the Orange Beach Schools do not earn tenure or non-probationary status in a particular position, rank, work site or location, job assignment, title or rate of compensation. Employees may not apply service years in a classified position to

service years in a professional/certified position or vice versa for purposes of obtaining tenure or non-probationary status.

Superintendents, contract principals and chief school financial officers do not earn tenure or protected status as defined by Alabama Legislative Act 2011-270 (Students First Act). Persons employed as temporary, part-time, substitute, summer school, occasional, seasonal, supplemental, or in positions that are experimental, pilot, temporary, or under projects where the funding and duration are finite do not earn tenure or protected status. Time in service spent under an emergency certificate does not count toward the attainment of non-probationary status/tenure.

**A probationary teacher whose employment or reemployment is effective prior to October 1 of the school year and who completes the school year shall be deemed to have served a complete school year.*

Reference: Alabama Legislative Act 2011-270 (Students First)

6.29 EMPLOYEE CONDUCT

Orange Beach School System personnel are employed for the express purpose of contributing in a positive way to the education of the youth of the community. The community expects school system employees to provide an environment that will foster well-rounded educational programs and a safe and supportive place for children to learn. Employees are expected to comply and fully implement the system's mission statement.

In order to provide such educational programs and school environments in the respective schools of the school system, all employees of the Board are expected to abide by all federal and state laws, all State Board of Education policies, all local ordinances, all local Board policies; and to adopt and follow ethical and professional codes of conduct that reflect favorably upon the school system. Failure to comply with these expectations may result in disciplinary actions.

Further, it is the belief and expectation of the Orange Beach Board of Education that educators have and employ ethical behavior, and, as such, have and demonstrate devotion to the job, the profession, the students, other employees and to the school system as a whole. Employees are expected to maintain a sense of neutrality and fairness in their endeavors as educators.

References: Code of Alabama 16-8-10, 16-9-15

6.30 EMPLOYEE VIOLATION OF LAW

Any employee violating a local, state, and/or federal law on Orange Beach Board of Education property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to state statutes and Orange Beach Board of Education rules.

Orange Beach School System employees in violation of this policy may be subject to termination or other disciplinary action.

References: Code of Alabama 16-1-24, 16-1-24.1, 16-11-9

6.30.1 EMPLOYEE POSSESSION OF DEADLY WEAPONS

Possession of a deadly weapon by any employee on Orange Beach School System property or on a school bus with the intention to do bodily harm is a Class C felony.

The Orange Beach Board of Education authorizes the Superintendent or designee to immediately and automatically suspend and recommend for termination or separation from service in accordance with Board policy any employee found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury. Deadly weapons are not to be carried by any employee on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.

Any Orange Beach School System employee determined to have brought to school or have in his/her possession a firearm defined in Section 921, Title 18 of the U.S. Code, in a school building, on school grounds, or at other school-sponsored functions shall be subject to suspension, termination and/or separation from service in accordance with Board policy.

Parents/guardians and other persons are hereby notified that they are prohibited from bringing firearms or other weapons on school system property at any time.

Resource police officers and/or regular law enforcement members employed by the City or County by joint arrangement with the Orange Beach Board of Education or retained for services under contract exclusively by the Board are excluded from provisions of this policy.

References: Code of Alabama 16-1-24.1

6.32 POLITICAL ACTIVITIES

Orange Beach Board of Education employees shall not solicit support for any political candidate or issue during regular work hours. Assemblies, school classes, materials, and/or equipment shall not be used for partisan or political purposes.

An Orange Beach Board of Education employee who offers himself/herself as a candidate for public office shall conduct his/her campaign so as not to interfere with his/her responsibilities. Such candidate shall adhere strictly to Alabama laws governing political activity on the part of public officials and public employees.

A successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or the Orange Beach Board of Education, to evaluate the compatibility of the dual responsibility and the amount of time the employee will be absent. Under no circumstances will an Orange Beach School System employee who has been elected to public office be allowed to perform duties related to the public office while performing his/her duties for the school system.

References: Code of Alabama 17-1-4, 17-17-4 and -5, 36-26-38, 16-8-8

6.33 PROFESSIONAL ORGANIZATIONS

Certified and non-certified personnel of the Orange Beach School System shall respect each other's rights to choose for themselves the professional organizations with which they affiliate. Membership in professional organizations shall be on a voluntary basis. Administrators of the school system or local schools shall not take punitive action against employees because of their membership in professional organizations or because of their failure to affiliate with said organizations.

School and/or worksite bulletin Boards and designated places for the distribution or posting of professional organization materials and information shall be provided.

References: Code of Alabama 36-26-100 to -108

6.40 COMPLAINTS AGAINST EMPLOYEES

Anyone who has a complaint about an Orange Beach School System employee may submit his/her complaint to the Superintendent or immediate supervisor. The complainant should identify himself/herself and submit the complaint in writing.

No action, including a letter to the employee's personnel file, shall be taken by the administrative staff or Orange Beach Board of Education on the basis of a

complaint, unless the matter is first reported to the employee, and he/she is furnished with a written copy of the complaint.

References: Code of Alabama 16-12-3, 16-22-14, 16-4-8

6.41 EMPLOYEE GRIEVANCES

The Orange Beach Board of Education is committed to the task of maintaining the highest possible level of professional relations among members of the staff of the school system and of maintaining good morale among employees. Grievances and problems that may arise from time to time should be resolved at the lowest possible level that provides equitable and satisfactory solutions. The goal is to encourage the best possible relations among employees and to enhance morale. Persons who may become concerned in grievance matters are urged to work together constructively in a sincere effort to resolve their disagreements.

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

Definitions

- **Grievance:** A grievance is a complaint by an employee based upon an alleged violation, misinterpretation or inequitable application of any published policy, rule or regulation of the school system. The term grievance should not apply to any matter in which the method of review is prescribed by law. Grievances are objections to a specific act or condition. Dismissals, terminations, transfers and any other procedures already established by law, as well as performance appraisals, including assessments, observations and evaluations, are not subject to the grievance procedures herein described.
- **Employee:** The term employee is considered to apply to anyone employed on a full time or part-time basis by the Orange Beach Board of Education, with the exception of the Superintendent.
- **Supervisor:** This term refers to that individual assigned to direct the work efforts of a person or group of persons within an organizational element and who has both the authority over and responsibility for management in respect to the functions of a defined organizational element. In a school, the principal would be the supervisor unless the job description states otherwise.
- **Organizational Element:** The term organizational element is any identifiable segment of the system that is clearly under the supervision of a single individual. This would include a school, a center, and any support function.

- **Representative:** The term representative refers to any person chosen, if desired, by the aggrieved party to serve as the liaison supervisor.
- **Complaint:** The term complaint shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. Complaint shall not apply to any matter in which the method of review is prescribed by law. Complaints are objections to a specific act or condition. Dismissals, termination, transfers and any other procedure already instituted by law, as well as performance appraisals, including assessments, observations, and evaluations, are not subject to the grievance procedure herein described.
- **Complainant:** The term complainant shall mean any employee or group of employees, directly affected by the alleged misinterpretation or violation, filing a complaint.
- **Employer:** The term employer shall mean the Orange Beach Board of Education or its representatives.
- **Day:** The term day shall mean a working day.
- **Time Limits:** The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
- **Released Time:** The complaint procedure will normally be carried out during non-work time. If, however, the Board elects to carry out provisions during work time, the complainant shall lose no pay.

Complaint Procedure

- **Informal Discussion:** If an employee believes there is a basis for complaint, he/she shall discuss the complaint with his/her immediate supervisor (except in cases of discrimination or harassment involving the supervisor, in which case the complainant shall report to the person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- **Level One:** If the complainant is not satisfied with the informal resolution, he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her immediate supervisor or alternate. The supervisor or alternate shall communicate his/her answer in writing to the complainant within five (5) days. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.
- **Level Two:** If the complainant is not satisfied with the resolution at level one, he/she may, within ten (10) days of the answer, file a copy of the complaint

with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.

- **Board Appeal:** If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the Orange Beach Board of Education, provided a request for placement on the Board agenda is filed within ten (10) days. The Board shall schedule a hearing within ten (10) days after receiving the notice of appeal. Written notice of the time, date, and place of the hearing shall be provided to the complainant. After consideration of all arguments, discussions, and related documents, the Board's decision shall be presented in writing to the complainant.

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

No reprisals shall be taken against any person or groups of persons as a result of having presented a grievance.

References: Code of Alabama 6-8-8 to -9, 16-9-23, 16-23-1; Title VII of the Civil Rights Act of 1964; Title IX of Education Amendments of 1972

6.42 TEACHERS' BILL OF RIGHTS

The Teachers' Bill of Rights requires teachers to have an approved classroom management plan and allows teachers to exclude disruptive students from their classrooms in limited circumstances if they follow that plan. The purpose of this policy is to outline the standards applicable to the development and approval of required classroom management plans, the standards applicable to the removal of a student from the classroom by a teacher, and the appeal process available to a teacher if a student is returned to the classroom by the principal in limited circumstances.

For this policy, the term principal also includes assistant principal, vice principal, or his or her designee.

A. Classroom Management Plans
    a. Development of Classroom Management Plans: To be eligible to use the exclusion procedures in "B," a teacher must develop a classroom management plan for his or her classroom that is age and developmentally appropriate for the grade(s) served. The classroom management plan must align with the Student Code of Conduct; local school or school system behavior management policies, plans, and

procedures; and any Positive Behavioral Intervention Supports or other behavior management systems adopted by the local school or school system. To comply with these limitations, implementing an approved classroom management plan may preclude student exclusion for instances of behavior listed in "B" below. The Superintendent or designee is authorized to develop model classroom management plans that a teacher may adopt or use to develop his or her plan.

b. Approval of Classroom Management Plans: The principal must approve Each classroom management plan before the tenth day of instruction for students during each academic year. Principals are authorized to set a deadline for teachers' submission of classroom management plans that provides them with ample time to review, approve, and seek revisions. Principals shall review submitted plans promptly and approve them if they meet the standards outlined above. If the principal does not approve a teacher's initial classroom plan, the teacher must either submit a revised plan within two school days or opt to use a model plan if one is available. If the teacher's revised plan is not approved, the principal is authorized to require the teacher to use a model plan or another approved plan. Plans submitted or approved outside the stated timeframes may be valid if otherwise properly submitted and approved.

B. Exclusion of Student from Classroom by Teacher

a. A teacher may exclude any student from his or her classroom due to their behavior under this policy if:

i. The student has:

1. Engaged in disorderly conduct, which is defined as any conduct that intentionally disrupts, disturbs, or interferes with the teaching of students or disturbs the peace, order, or discipline at any school;
2. Behaved in a manner that obstructs the teaching or learning process of others in the classroom;
3. Threatened, abused, intimidated, or attempted to intimidate an education employee or another student;
4. Willfully disobeyed an education employee; or
5. Used abusive or profane language directed at an education employee.

ii. The referring teacher

1. Followed his or her approved classroom management plan before excluding the student from the classroom; and

2. Completes any required referral form and submits it to the principal or his or her designee when the student is excluded and referred to the school administration.

b. Nothing in this policy shall prohibit teachers from otherwise disciplining students as they deem appropriate and consistent with local policies, procedures, and state law.

C. Principal Review and Decision

a. The Superintendent shall develop guidance and procedures for principals to handle instances of student exclusion pursuant to this policy and consistent with Alabama law.

D. Appeal

a. An appeal may be filed by a teacher if (1) a principal refuses to allow a student to be excluded from the classroom under this policy, or (2) a teacher believes the principal has prematurely ended the exclusion of a student from the classroom under this policy.

b. The appeal process available under this policy may not be invoked to challenge or seek review or reconsideration of disciplinary or placement decisions if:

i. The decision to not exclude a student from the classroom or to return a student to the classroom results from a decision reached at the end of a school disciplinary hearing required by the Code of Student Conduct or state or federal law;

ii. A 504 or IEP team or another legally authorized person or entity determines that a student with a disability has the right to remain in or return to the classroom under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990; or

c. The student is otherwise legally entitled to remain in or return to the classroom.

E. Filing of Appeal

a. The teacher must complete and submit an appeal to the Superintendent within one (1) school day of the principal's refusal to exclude the student from the classroom or the return of the student to the teacher's classroom. The appeal form must be completed in full and signed by the teacher.

F. Status of Student During Appeal

a. During the pendency of the appeal, the principal's decision regarding the student's placement, if any, will remain in effect. This placement

may include the student remaining in the appealing teacher's classroom until the appeal decision has been reached.

G. Administrative Review

a. Upon receipt of a timely appeal, the Superintendent or designee shall begin an investigation of the appeal. The investigation may include interviews of the teacher, the principal, and/or witnesses; obtaining or reviewing written statements, classroom management plans, or other pertinent documents; holding administrative conferences and any other lawful action deemed necessary to reach a just disposition of the appeal at the discretion of the investigator.

b. Upon completion of the investigation, the Superintendent or designee shall prepare a written recommendation regarding the issues raised in the appeal. If the Superintendent's designee makes the recommendation, the Superintendent may adopt, reject, or modify the recommendation based on his or her review of the evidence. If the recommendation includes disciplinary action that entitles a student to a disciplinary hearing and/or manifestation determination and it has not been held, the disciplinary action will be treated as a recommendation subject to the outcome of the hearing or manifestation determination process.

c. The written recommendation of the Superintendent will be made and mailed or transmitted to the teacher within ten (10) calendar days of the date on which the appeal is filed unless more time is reasonably needed based on the particular circumstances of the appeal, as determined by the Superintendent. Should the Superintendent need additional time to issue a written decision, the teacher shall be notified in writing and advised of when the decision will be issued.

H. Appeal to Board of Education

a. A teacher dissatisfied with the decision of the Superintendent or designee may appeal the decision to the Board of Education by filing a written notice of appeal with the Superintendent within three (3) school days of receipt of the Superintendent's written decision.

b. The Superintendent shall transmit to Board Members for their review a copy of the written appeal, the decision, and all statements, recommendations, documents, recordings, transcripts, or other written or tangible evidence filed, submitted, or considered at any stage of the administrative review process.

c. Not later than twenty (20) days following receipt of the notice of appeal by the Superintendent, the Board shall meet to consider the appeal.

After consideration of the appeal and administrative record, the Board may, by majority vote:

i. Affirm the decision of the Superintendent;
ii. Reverse the Superintendent's decision; or
iii. Defer final action until a Board hearing is held on the appeal.

I. Hearing Process
   a. If a hearing is requested by a majority of the Board, the hearing shall be set within ten (10) calendar days unless more time is reasonably needed based on the particular circumstances of the appeal, as determined by the Superintendent or Board President. Written notice of the hearing date shall be given to the person who filed the appeal. The hearing shall be closed to the public.
   b. The Board shall determine the appropriate hearing procedures. The board shall issue a final decision on the appeal within five (5) calendar days after the hearing ends. The Board shall give written notice of its final decision to the teacher who filed the appeal.

J. Board's Decision
   a. The Board's decision will be final, and the Superintendent will take steps to implement the decision, provided, however, that if the Board votes for disciplinary action that entitles a student to a disciplinary hearing and/or manifestation determination and it has not been held, the disciplinary action will be treated as a recommendation subject to the outcome of the hearing or manifestation determination process.

Act No. 2024-408 (effective June 1, 2024), Adopted: September 12, 2024

6.50 EMPLOYEE SUSPENSION, TERMINATION, SEPARATION

The Orange Beach Board of Education may suspend or terminate employees who have earned tenure or non-probationary status or are principals serving under contract for the following reasons:

- Immorality;
- Incompetence;
- Insubordination;
- Neglect of duty;
- Failure to perform duties in a satisfactory manner;
- Justifiable decrease in the number of positions (for contract principals, decrease must be due to decreased enrollment or funding); and
- Other good and just cause.

Contract principals also may be terminated for:

- Conviction of a felony or a crime involving moral turpitude;
- Failure to fulfill the duties and responsibilities imposed upon principals by Alabama code;
- Failure to maintain his/her certificate in a current status; and,
- Willful failure to comply with Orange Beach Board of Education policy.

An employee may be suspended for cause with or without pay on recommendation of the Superintendent and approval of the Board. Suspensions of more than twenty (20) workdays may be appealed by the employee in the same manner as an appeal of termination.

The Orange Beach Board of Education may end its employment relationship with employees who have not earned tenure or non-probationary status by providing the appropriate notice required under state law or contract.

The Orange Beach Board of Education may end its employment with principals serving as non- probationary contract principals by providing a reason why their contract will not be renewed and notice as provided in state law. Probationary contract principals may not be provided a reason.

References: Alabama Legislative Act 2011-270 (Students First)

6.60 PERFORMANCE ASSESSMENT

The Orange Beach Board of Education shall evaluate and assess the performance of the Superintendent per his/her contract and State Department of Education guidelines.

The Board will use the state-approved personnel evaluation program for the evaluation of all certified personnel as required by the state.

The Superintendent will develop a plan for implementation of the evaluation program, consistent with state guidelines, that ensures all Orange Beach School System personnel serving as evaluators will undergo the required state training and be certified under the program.

Evaluation results shall be used to develop system and individual employee professional development plans.

The Superintendent shall develop or select personnel performance assessment systems for all other staff. Probationary non-certified employees shall be evaluated during their probationary period by their supervisor.

References: Code of Alabama 16-11-9, 16-9-31, 36-26-101

6.70 NOTIFICATION OF ABSENCE

An Orange Beach School System employee who is absent from duty for any reason shall notify the principal or his/her immediate supervisor as early as possible. Such notification shall be given in advance unless conditions beyond the control of the employee make such advance notification impossible.

The principal or other administrative/supervisory staff shall notify and submit the appropriate leave request to the Superintendent when he/she plans to be away from school for a half-day or longer. The principal shall designate a responsible member of the administrative or instructional staff to be in charge during his/her absence.

Any Orange Beach School System employee who is willfully absent from duty without leave may be subject to disciplinary action and forfeiture of compensation for the time of the absence.

References: Code of Alabama 16-1-30, 16-1-18.1

6.70.1 ANNUAL LEAVE OF ABSENCE

A leave of absence is permission granted by the Orange Beach Board of Education or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave. Any absence of a member of the staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Leave for sickness or other emergencies may be granted in advance if a prompt report is made to the proper authority.

Leave may be with or without pay as provided by law, regulations of the State Board of Education, and Orange Beach School Board policy. For any absence that is without pay, the deduction for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the employment period.

A leave shall not be granted to any Orange Beach School System employee to accept other employment.

Accepting employment while on a leave of absence may cancel the leave. The person on leave may be notified that he/she must return to work with the Orange Beach Board of Education immediately, resign, or be terminated.

All requests for a leave of absence must be submitted to the Superintendent, in writing, with the additional approval and signature of the employee's direct supervisor. Requests are to be received by the Superintendent at least one (1) week prior to a monthly Board meeting. Upon recommendation of the Superintendent, the Board may grant a leave of absence. Limitations of the leave shall be specified in the action taken by the Board.

An Orange Beach School System employee having leave for the year or for the remaining part thereof and who plans to return to duty the next school contract year shall send a copy of such notice to the administrative supervisor by May 1st of that school contract year.

A leave of absence grants the employee the right to return to the system in a similar role, but does not guarantee the reappointment to the specific job held prior to the leave. Alabama teachers' employment/tenure laws cover the specific aspects of leaves of absences and shall be followed in the Orange Beach School System.

A leave of absence is limited to one (1) year, but may be extended up to one (1) additional year upon recommendation of the Superintendent and approval by the Board.

References: Code of Alabama 16-1-18.1, 16-8-25, 16-24C-13

6.70.2 VACATION LEAVE

All personnel who are employed full-time on a twelve (12) month basis are entitled to twelve (12) days of vacation leave per year. No more than forty-five (45) days can be carried over to the next year. All vacation days must be approved by the Superintendent or designee prior to the effective leave date.

Vacation days shall be earned by the month and accountable by the year, July 1 through June 30. An employee leaving the services of the school system in accordance with contractual obligations shall be entitled to accrued leave not to exceed twenty (20) days and personal leave not to exceed (2) days. This terminal leave shall not extend beyond the employee's contract. Accumulated, unused annual

leave vacation time will be paid at the employee's daily rate of pay upon resignation, retirement, or death.

No vacation days will be granted before they are earned.

References: Code of Alabama 16-1-18.1, 16-8-8

6.70.3 FAMILY AND MEDICAL LEAVE (FMLA)

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

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

- The birth and first year care of a newborn child;
- The placement of a foster child or adoption;
- The care of an immediate family member, defined as spouse, child or parent, with a serious health condition;
- The taking of medical leave because of the employee's own serious health condition; or,
- Any other covered request as approved by the Orange Beach Board of Education.

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

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

Serious Health Conditions: The term "serious health condition" means illness, injury, impairment, or physical or mental condition that involves the following:

- Any period of incapacity in connection with or following inpatient care in a hospital, hospice, or residential medical care facility.

- Continuing treatment by a healthcare provider, to include any period of incapacity due to:
- A health condition, including treatment and recovery, lasting more than three (3) consecutive days, and any subsequent treatment or period of incapacity relating to the same condition;
- Pregnancy or prenatal care;
- A chronic, serious health condition which continues over an extended period of time, requires periodic visits to a healthcare provider, and may involve episodes of incapacity (e.g., asthma and diabetes);
- A permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer's, severe stroke) and for which supervision of a health-care provider is required;
- Multiple treatments for restorative surgery for a condition which would likely result in a period of incapacity of more than three (3) days if not treated.

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

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

Certification for Medical Leave: Every request for FMLA leave based upon the serious health condition of the employee or employee's spouse, children, or parents must be supported by a medical certification issued by the appropriate health care provider on forms provided by the Board.

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

Return to Work: The Board requires an employee who has taken leave due to the employee's own serious medical condition to provide the Board with a healthcare provider's certification in order to return to work. Any employee who takes leave

under these provisions will be entitled to be restored to the original position held when the leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

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

Instructional Employees: Medical leave taken by eligible instructional employees is subject to further limitations and provisions established by the FMLA. The Superintendent or his designee is authorized to develop additional information and guidelines concerning instructional employees.

References: Code of Alabama 16-1-18.1, The Family and Medical Leave Act of 1993

6.70.3.1 MILITARY FAMILY AND MEDICAL LEAVE

Qualifying Exigency Leave: Under the FMLA, an eligible employee with a spouse, child, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may utilize the twelve (12) week medical leave entitlement to address qualifying exigencies resulting from that service. An eligible employee is defined as one employed with the school system for at least twelve (12) months during which time the employee worked at least 1,250 hours.

Military Caregiver Leave: An eligible employee, who is the spouse, child, parent, or next of kin of a covered servicemember, is entitled to take up to twenty-six (26) weeks (including any medical leave provided by the Act) of unpaid leave during any twelve (12) month period (beginning the first day of the leave) to care for an individual covered servicemember with a serious injury or illness incurred in the line of duty while on active duty that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating. A covered

servicemember is a member of the Armed Forces, including the National Guard Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for serious injury or illness incurred in the line of duty on active duty.

Prior Notice: Employees must provide notice of the need for qualifying exigency leave as soon as practicable. Upon returning from leave, the employee will be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

Certification for Military Caregiver Leave: Every request for leave as a military caregiver must be supported by a medical certification issued by the appropriate health care provider on forms provided by the Board.

Certification for Qualifying Exigency Leave: Certification will be required by the Board for requests for qualifying exigency leave, including military status and relationships of the individual(s) seeking military FMLA. Certification must be submitted in a timely fashion on forms available from the Board. For the first such request, certification may include a copy of the military service member's duty orders or other military documentation. Qualifying exigencies include:

- Issues arising from a covered military member's short notice deployment (i.e. deployment on seven or less days of notice) for a period of seven days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military

member, the need for which rises from the active duty or call to active duty status of the covered military;

- Taking up to five (5) days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member; and,
- Any other event that the employee and employer agree is a qualifying exigency.

Spouses employed by the same employer are limited to a combined total of twenty-six (26) workweeks in a "single 12-month period" if the leave is to care for a covered service member with a serious injury or illness. Military FMLA leave may be taken intermittently whenever medically necessary to care for a covered service member with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the school system's operation.

References: National Defense Authorization Act 2008, Public Law 110-181 as Amended, Family and Medical Leave Act of 1993

6.70.4 ON-THE-JOB INJURY LEAVE

Any full time employee or adult bus driver of the Orange Beach School System shall be entitled to on-the-job injury leave for a period not to exceed ninety (90) working days per fiscal year when he/she has to be absent from work because of a personal injury received in the discharge of his/her duties.

An on-the-job injury is any accident or injury to the employee occurring during the performance of duties (or when directed or requested by the employer to be on the property of the employer), which prevents the employee from working or returning to his or her job.

To be considered for on-the-job injury leave, the following conditions shall be met:

- Within 24 hours after the occurrence of the injury, the employee must make proper written notification of the injury to the Superintendent (or school principal or immediate supervisor, or designee, if applicable).
- In the event the employee is clinically unable to report the injury, the injury may be reported by another person who is reasonably knowledgeable of the injury.

The Orange Beach Board of Education may require medical certification from the employee's physician that the employee was injured and cannot return to work as a result of the injury.

The Superintendent may require a second opinion from another physician at the expense of the Board.

The Board may require a statement from the physician that there is a reasonable expectation that the employee will be able to return to work.

If the Superintendent determines the employee has been injured on the job and cannot return to work as a result of the injury, the employee's salary and benefits will continue up to ninety (90) working days consistent with the employee's injury and absence from work resulting from the injury.

Sick leave days will not be deducted for the days the employee is paid for an absence approved for on-the-job injury pay.

The employee may file for reimbursement with the Alabama Board of Adjustment for unreimbursed medical expenses and costs incurred as a result of an on-the-job injury. Reimbursement to the employee shall be determined by the Alabama Board of Adjustment's policies, rules and regulations.

References: Code of Alabama 16-1-18.1

6.70.5 LEGAL SERVICE – JURY DUTY OR WITNESS LEAVE

Permanent and full-time employees are entitled to regular compensation while performing jury duty or when the employee is summoned under subpoena or other legal requirements to testify at trial in a court of law or in an administrative proceeding constituted under the statutory authority of the agency conducting the proceedings. Paid leave is not authorized for employees to meet with attorneys, to attend depositions, or to otherwise prepare for legal proceedings unless the presence of the employee is requested or required by the Board, or in circumstances approved by the Superintendent.

References: Code of Alabama 12-16-8, 16-1-18.1, 16-13-231, Alabama Legislative Act 77-759

6.70.6 MILITARY LEAVE

Military leave shall be granted to employees of the Orange Beach Board of Education in compliance with state laws, federal laws, and applicable court rulings. All employees are entitled to military leave when ordered to active duty for training as members of the Alabama National Guard or any component of the United States Armed Forces. Employees who are required to attend annual training or special active duty for training shall not suffer any loss of salary during the first twenty (20) days of such absence in any calendar year. Employees who are ordered for such duty shall provide a copy of their orders to the Superintendent. Leave will be without loss of benefits.

In compliance with Alabama Legislative Act 92-430 that deals with the activation of service members of the Alabama National Guard and other military reserve units, employees of the Orange Beach Board of Education will be compensated for the difference in pay from active duty and their position with the system under Act 92-430 if the following occurs:

- Activated employees requesting the difference in pay restoration of leave or continuation of health coverage on active duty are required to have the length of their Active duty determined by the Adjutant General.
- Activated employees must provide the Superintendent of Education with a set of Mobilization/Homeland Security orders or Military Records of Service (DD214) that reflects the length of duty. Copies of these orders and/or military records should be transmitted to headquarters as follows:

The Office of the Adjutant General ATTN: ALSPDO
PO Box 3711
Montgomery, AL 36109-3711

The Adjutant General will determine the validity of the orders and certify to the Superintendent of Education that pay, leave or insurance is proper in accordance with Alabama Legislative Act 92-430.

References: Code of Alabama 16-24c-13, 31-2-13, Alabama Legislative Act 92-430

6.70.7 PERSONAL LEAVE

All Orange Beach School System employees will receive two (2) personal leave days funded by the state as authorized by state law and Alabama State Department of Education guidelines.

When the two (2) state-funded personal leave days are not used, Orange Beach School System employees may receive, upon written request, compensation at the same daily rate paid for a substitute. Otherwise, all unused state-funded personal leave days will be converted to sick leave days.

Personal leave is non-cumulative and requires no justification from the employee.

Reference(s): Code of Alabama 16-1-18.1, 16-8-26

6.70.8 PROFESSIONAL LEAVE OR LEAVE FOR TRAINING

Professional leave may be granted to classified and certified personnel for participation in educational activities or training that will enrich the Orange Beach School System's instructional program, operations, or improve skills or understandings of the employee. All professional leave must be approved by the Superintendent or designee before leave days are taken.

References: Code of Alabama 16-1-18.1, 16-24c-13

6.70.9 SICK OR BEREAVEMENT LEAVE

Sick leave is defined as the absence from regular duty by an employee because of the following:

- Personal illness or doctor's quarantine;
- Incapacitating personal injury;
- Death in the family of the employee (parent, spouse, child, sibling, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, grandchild, grandparent, uncle or aunt);
- Attendance to an ill member of the immediate family (parent, spouse, child, sibling) of the employee, a person standing in loco parentis, or an individual with a close personal tie*.

**Where unusually strong personal ties exist because of an employee having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In such cases, the employee*

concerned shall file with the supervisor a written statement of the circumstances which justify an exception to the general rule.

Orange Beach School System employees shall be allowed to accumulate an unlimited number of sick leave days.

A new employee may transfer unused earned sick leave from another Alabama school Board, as permitted by law, upon certification by the previous employer.

If absences occur frequently or if the absences constitute a pattern or there is reason to question whether an absence complied with the above causes, the Superintendent or designee may require the employee to provide verification of the reason for the absence.

See Policy 6.71 for Orange Beach School System Sick Leave Bank provisions.

References: Code of Alabama 16-1-18.1, 16-8-25, 16-13-231, 16-22-9

6.71 SICK LEAVE BANK

The Orange Beach Board of Education, upon request of a minimum of ten percent (10%) of its full-time professional personnel and full-time support personnel, shall establish a sick leave bank for such personnel. To participate in the plan, each employee is to deposit an equal number of days, not to exceed five (5) days, into the bank. These days shall be available for loan to any other participating employee whose sick leave has been exhausted.

A Sick Leave Bank Committee composed of four (4) Orange Beach School System employees and one (1) representative of the Orange Beach Board of Education shall be established and selected as provided by law.

The Sick Leave Bank Committee shall write the guidelines and procedures for the sick leave bank, including catastrophic leave provisions of law, for Board approval. All changes must be approved by a majority of the Sick Leave Bank membership.

All guidelines and procedures must be consistent with the law.

References: Code of Alabama 16-1-18.1, 16-22-9

6.72 DRUG- AND ALCOHOL-FREE WORKPLACE

It is the policy of the Orange Beach Board of Education that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance

(including alcohol) in the Board's workplace is prohibited. Any employee violating this policy will be subject to disciplinary action and/or possible recommendation for termination of employment. The specifics of this policy are as follows:

- Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on or in Board property will be subject to disciplinary action and/or recommendation for termination of employment.
- The term "controlled substance" means any drug listed in 21 USC 812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine (including "crack"), and PCP. They also include "legal drugs" which are not prescribed by a licensed physician.
- Each employee is required by the Drug-Free Workplace Act of 1988 to inform the Superintendent within five (5) days after he/she is convicted for a violation of any federal or state criminal drug statute where such violation occurred on school Board property. A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a judge or jury in any federal or state court.
- If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to disciplinary action and/or recommendation for termination of employment. In addition to disciplinary action, the Board may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.
- As a condition of further employment on any federal government grant, the Act requires all employees to abide by this policy.

The Board will require drug and alcohol testing under the following conditions, in addition to randomly testing those employees who are required to have a commercial driver’s license (CDL):

- All prospective employees who have been offered employment contingent on negative test results for the presence of alcohol or illegal drugs;
- All employees who operate school system vehicles or motorized equipment who are not required to have a CDL are subject to random testing; and
- All employees as to whom there is reasonable suspicion of the influence of alcohol or illegal drug use while on duty.

All employees are subject to testing for alcohol and any and all illegal drugs, including but not limited to amphetamines, cannabinoids, cocaine, opiates, and phencyclidine. Such tests will be arranged by the Board's Medical Review Officer (MRO).

Prospective Employees: Pre-employment substance screening by a school system-approved drug screening agency will be required for prospective employees after being offered employment contingent on a negative result. Prospective employees are required to sign a consent/release form before submitting it to screening. Prospective employees will be disqualified for hire if they test positive, refuse to submit to a test, or refuse to execute the required consent/release form. The cost of the drug test is the responsibility of the prospective employee.

Current Employees: Current employees may be required to submit to a drug screening under the following circumstances:

- **Reasonable suspicion:** All employees may be required to submit to screening whenever a trained supervisor observes circumstances that provide reasonable suspicion of drug or alcohol use. The MRO or his/her designee will make arrangements for reasonable suspicion of drug use.
- and/or alcohol testing. Refusal to submit to a reasonable suspicion test request will be considered grounds for dismissal.
- **Random testing:** Random, unannounced drug screening of all employees who drive school system vehicles or motorized equipment will be conducted.
- **Post-accident testing:** Following an accident that causes substantial property damage or physical injury to any person, alcohol and controlled substance tests will be conducted on any driver or equipment operator. Drivers or motorized equipment operators must make themselves readily available for testing, absent the need for immediate medical attention.

Employees testing positive by urinalysis or alcohol/breathalyzer test or requesting treatment may be referred to a mental health substance abuse counselor for an assessment of needs and possible referral for treatment. All such treatment shall be at the individual employee's expense.

Prescription Drugs: The proper use of medication prescribed by a physician is not prohibited; however, the misuse or abuse of prescribed (or over-the-counter) medications is prohibited. All employees who are using drugs at the direction of a physician must notify their supervisor prior to beginning work when those drugs may affect their job performance. Employees who are subject to this must provide documentation from their physician stating that the substance does not adversely affect their ability to perform their duties in a safe manner.

References: Code of Alabama 16-1-24.1, 25-5-330, Drug-Free Workplace Act of 1988

6.72.1 DRUG AND ALCOHOL TESTING OF DESIGNATED EMPLOYEES

In accordance with the Federal Transportation Employee Testing Act of 1993 (the Act), certain employees licensed to operate Orange Beach School System buses are required to submit to drug and alcohol testing. The Board, in compliance with the Act, has adopted the following provisions:

- All employees of the school system, including substitutes, who hold a school bus license/certification (hereafter referred to as designated employees) are subject to drug and alcohol testing. Such employees will be prohibited from performing assigned duties while under the influence of any prohibited drug or alcohol.
- While employees are prohibited from having any alcohol present in their systems while on duty, a Blood Alcohol Count (BAC) of .04 will be accepted as presumptive evidence of intoxication. An employee who tests between .01 and .039 BAC will be removed from job-related functions until they test below .01 or until their next duty period, which must be at least twenty-four (24) hours.

The proper use of medication prescribed by a physician is not prohibited; however, the Board prohibits the misuse of prescribed (or over-the-counter) medications and requires all employees using drugs at the direction of a physician (or over-the-counter drugs) to notify the Board's Medical Review Officer (MRO), or the employee's supervisor where these drugs may affect their job performance, such as causing drowsiness.

Designated employees who refuse or do not pass a drug or alcohol test will be recommended for termination or removed from consideration for employment.

Designated employees testing positive by urinalysis or alcohol/breathalyzer test or requesting treatment may be referred to a mental health substance abuse counselor for an assessment of needs and possible referral for treatment. All such treatment shall be at the individual employee's expense.

Drug and alcohol testing will include the following categories:

- **Pre-employment:** Each person, after a conditional offer of employment has been made, will have to undergo a drug test before being employed in a position that requires the employee to hold the bus driver license/certification.
- **Reasonable Cause Testing:** Each employee that is required to hold the bus driver license/certification as a precondition to employment or to continued employment will be subject to drug and alcohol testing based on reasonable cause as established by a supervisor through the use of objective evidence.
- **Post Accident:** Any employee who is required to hold the bus driver's license/certification who is involved in a reportable accident will undergo drug

and alcohol testing within two (2) hours following any accident. The Board will discipline, including discharge, any employee who fails to report an accident or submit to substance screening where required by law or this policy.

- **Random Testing:** All designated employees will undergo testing on a random basis. The Board will administer tests of employees in a number equal to or greater than 50 percent of the designated employees without advanced notice in the first twelve (12) months of testing. There will be no maximum number of samples that any one individual will be required to provide. Subsequent testing will be conducted at levels equal to or greater than the initial testing level. Employees will be required to report to the Board-designated collection site as soon as possible but not later than two (2) hours following notification.
- **Return to Duty Testing:** Any designated employee who tests positive or refuses testing must pass a Return to Duty Drug Test. In such instances, the MRO must determine when and under what conditions the employee may return to duty. Any employee subject to Return to Duty Drug Testing will be subject to random and/or unannounced drug testing for sixty (60) months after return to duty. Follow-up tests for alcohol are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty.

The Medical Review Officer (MRO) is a licensed physician designated by the Board.

Test results will not be released by the Board beyond the MRO without the individual's written authorization.

Procedures for drug testing shall be distributed to all affected employees. Receipt of Orange Beach School System Drug-Free Workplace regulations and procedures shall be acknowledged by employees on signed acknowledgement forms as required for initial and continued employment.

References: Omnibus Transportation Employee Testing Act of 1991, Drug-Free Workplace Act of 1988

6.82 PERSONNEL RECORDS

The Orange Beach Board of Education shall require complete and current personnel records for each employee. All information contained in an employee's personnel file, except sensitive personnel records, is considered public records under Alabama's Open Meetings Act.

Each Orange Beach School System employee shall have a right to review her/his local school or central office personnel file during normal business hours. No anonymous letters or materials shall be placed in personnel files. Each employee may have included in his/her personnel file a written response to any material contained within the file.

Any Orange Beach School System employee may request to review her/his personnel file at any time that is mutually agreeable with the personnel administrator and when the employee is not engaged in fulfilling employment-related duties. The personnel administrator or certified designee must be present during the review. A log shall be maintained documenting any such review.

A copy of all materials to be placed in an employee's record which may tend to diminish the employee's professional or work status or reflect adversely on the employee's record of performance or character shall be provided to the employee.

Any anonymous complaint or material received by a school official shall be immediately transmitted to the Superintendent. If the material is deemed worthy of an investigation by the Superintendent, it may be investigated. The results of the investigation may be reduced to writing, signed by the Superintendent, principal, or other designated official in charge of the complaint, dated, attached to the material in question, and may be placed in the personnel file of the employee. Any anonymous complaint which is not investigated within thirty (30) calendar days of its receipt by the Superintendent shall not be retained, but shall be destroyed.

The Orange Beach School System may transfer an employee's personnel file or copies or parts thereof to another employer or prospective employer. Upon written request of the employee, transfer of the employee's personnel file may be transferred to another entity.

References: Code of Alabama 16-1-3, 16-1-4, 16-12-3, 16-23-1 through -13, 16-22-14, 16-8-7, 36-12-2, 36-12-40

6.83 SALARY SCHEDULES

All regular personnel shall be paid in accordance with salary or hourly wage schedules as adopted by the Orange Beach Board of Education, provided the salary schedule for certified staff is no less than 100 percent of the State Minimum Salary Schedule.

All teaching/administrative experience gained in all public elementary and secondary schools and/or state or regionally accredited public institutions of higher learning shall be approved as credit for placement on the salary schedule. No teaching/administrative experience gained in private elementary and secondary schools shall be considered for credit for placement on the salary schedule without prior approval of the Superintendent.

Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1988, as amended, and who is required to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty (40) at the rate of one and one-half (1½) times the regular rate of pay for the service performed. (See Policy 6.87 Overtime by Non-Supervisory Personnel.)

Any classified Orange Beach School System employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.

References: Code of Alabama 16-8-24, 16-23-1 To -3, Alabama Legislative Act 90-235, Fair Labor Standards Act of 1988 As Amended

6.87 OVERTIME BY NON-SUPERVISORY PERSONNEL

It is the intent of the Orange Beach Board of Education for its employees to perform the necessary tasks of their jobs during the regular designated workweek. However, there may be certain circumstances, in the best interest of students and the school system, when emergencies would necessitate that certain employees work beyond their designated work week. However, the option to receive compensatory time rather than pay must be approved by the immediate supervisor and the Superintendent.

Approval of overtime should be given by the immediate supervisor at the time the work is done. Overtime pay may be granted only to non-certified employees whose job titles or responsibilities indicate that the position is non-supervisory. (See Policy 6.83 Salary Schedules.)

Payment for overtime shall be made to the appropriate Orange Beach School System employee at the next regular pay period if submitted prior to the deadline for the pay period.

References: Code of Alabama 16-22-6, Alabama Legislative Act 83-207, Fair Labor Standards Act of 1988 as Amended

6.90 EMPLOYEE TRANSFERS

Orange Beach School employees may be reassigned or transferred to any position for which they are qualified by skill, training, or experience.

The Superintendent may transfer a teacher within the same school or campus once per year by the twentieth (20th) calendar day after school begins, provided the teacher has the appropriate certification for the position to which he/she is transferred. Tenured teachers may be transferred to another school without reduction in compensation to a position for which he/she is certified with the approval of the Board of Education once per year by the twentieth (20th) calendar day after school begins.

Non-probationary classified employees may be transferred once per year to any position for which they are qualified provided that the transfer is without loss of or reduction in compensation, that written notice of the proposed transfer is issued to the employee not less than fifteen (15) calendar days before a final decision is made, and that the transfer is effective not less than fifteen (15) calendar days after the date of the final decision to transfer.

Probationary employees (certified or classified) may be transferred to a position for which he/she is certified or qualified that results in a loss of or reduction in compensation. Such transfers must be effective not less than fifteen (15) calendar days after the date of the final decision to transfer. Employees must be provided notice of the proposed transfer that contains a written explanation of the effect of the transfer on the employee's compensation and notice that the employee may object in writing to the transfer before a final decision is made. Tenured teachers or non-probationary classified employees involuntarily transferred to a position with less pay shall be provided due process in the same manner as a proposed termination of employment.

References: Alabama Legislative Act 2011-270 (Students First)

6.91 REDUCTION IN FORCE

In accordance with The Code of Alabama §16-1-33 (1975) a reduction-in-force may be declared by the Orange Beach Board of Education and layoffs approved thereunder if the Board determines that decreased student enrollment or a shortage of revenues requires a reduction in the workforce (beyond normal attrition) in order to maintain effective provision of educational services or to meet the Board's financial, legal, or operational obligations.

A "**layoff**" within the meaning of this policy is a separation from employment with the Orange Beach Board of Education. However, employees who are laid off under this policy are eligible for recall to employment as conditionally provided in this policy. The term "layoff" does not include or apply to the expiration of temporary, occasional, or "at-will" appointments or to decisions not to renew or extend employment beyond the expiration of annual or other specified terms of appointment.

The order, priority, rank, or selection of individual employees who are to be laid off under authority of this policy shall be determined on the basis of objective criteria. However, nothing herein shall be deemed or construed to limit or abridge the Board's legislative discretion to identify areas, departments, programs, groupings or classifications for reductions (layoffs). For example, the Board is not required to implement layoffs in classified or support categories of employees before laying off certified or instructional staff.

The criterion or criteria on which the layoffs are to be based shall be announced or otherwise communicated by the Board to affected employees no later than the date of the notice of layoff is provided to employees.

"**Objective criteria**" within the meaning of this policy may include any lawful selection standard, or combination of standards, that is verifiable, calculable, measurable, or otherwise determinable by means or methods other than the personal or subjective judgments or opinions of the person(s) applying the criteria, and that would be expected to produce the same result if applied to the same employees or group of employees by different persons. Such objective criteria may include, but are not limited to:

- Seniority, longevity, or time in service that will be more specifically described in the notice of layoff that is provided to affected employees;
- Years of experience;
- Degrees, certification, or licensure;
- Job classification; or,
- Status as probationary or non-probationary employee

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

- The nature of the position and qualifications therefore have not materially changed;
- The laid-off employee remains properly qualified, licensed, or certified; and,
- The laid-off employee confirms in writing his or her availability for and interest in re- employment to the Board's Director of Human Resources in accordance

with any directives that may be contained in or transmitted in conjunction with the notice of layoff.

Circumstances permitting, and to the extent practicable, the selection of employees for recall will be based on the criteria that were applied to the layoffs themselves if there are more employees eligible for recall than positions available to fill. When layoffs occur over a period of time, the Board will take the relative length of separation from service into consideration in assigning recall priority, other factors being equal. In no case will any right to be recalled to employment extend beyond one (1) year from the effective date of the employee's layoff. Recalled employees will retain credit for the tenure, years of service, and the pay and benefit status they held on the effective date of their layoff. No pay, benefit, status, or additional rights will accrue or be credited to the recalled employee for the time he or she has been laid off.

Notification of layoff and recall shall be by United States certified or registered mail, hand delivery, or such other means as are reasonable under the circumstances. Upon receipt of notification of recall, a laid off employee shall respond affirmatively to the notice of recall in accordance with such specific directions or instructions as may be contained therein. Any laid off employee who does not respond or who otherwise declines an offer of re-employment by the Board will be deemed to have waived any right to be recalled under the terms of this policy.

References: Code of Alabama 16-1-33, 16-1-30

6.92 RETIREMENT OF PERSONNEL

Any employee who plans to retire shall submit his/her resignation in writing with an original signature to the Orange Beach Board of Education through the Superintendent.

Reference: Code of Alabama 16-25-1

6.93 RESIGNATION OF PERSONNEL

No teacher shall be permitted to terminate his or her employment within 30 calendar days before the first day of the next school term for students, unless the termination is mutually agreed upon. A teacher may terminate his or her employment at any other time by giving 30 days' written notice. Any public K4—12 teacher terminating his or her employment in violation of this section is guilty of unprofessional conduct,

and the State Superintendent of Education may revoke or suspend the certificate of such violating teacher.

An employee who violates the terms of an employment agreement or written contract by leaving his/her position without first being released from the agreement or contract by the Orange Beach Board of Education and fails to complete and file the required records and reports, may have final compensation withheld.

References: Alabama Legislative Act 2011-270 (Students First), ACT #2018-83

7.10 BUDGET DEVELOPMENT

The Orange Beach Board of Education shall provide for the preparation and adoption of the annual budget for the school system. The Board delegates the responsibility for preparation of the budget to the Superintendent and appropriate members of his/her staff. Providers of budget information shall adhere to all state and federal guidelines, and the budget shall be prepared on forms and in accordance with such rules and regulations as may be prescribed by the Alabama State Board of Education and the federal government.

The budget shall be presented to the Orange Beach Board of Education at its regular August meeting or at a special meeting that may be necessitated by the date set by the State Department of Education for budget submission.

The fiscal year shall be October 1 through September 30 inclusive.

Public Hearings: The Orange Beach Board of Education shall hold at least two open public hearings pertaining to its proposed annual budget.

- Copies of the proposed budget shall be provided to the public at each hearing on local forms and those provided by the State Department of Education.
- The Orange Beach Board of Education shall seek input from the public concerning the proposed budget and the allocation of resources.
- The hearing shall be held during a scheduled Board meeting in a place and at a time convenient for the general public to attend.
- The date and time of each hearing shall be publicized in the local media in advance of the hearing. In addition, notice of each hearing shall be posted in a conspicuous place at the central office and at each school.

Proposed Budget: The proposed budget shall:

- Reflect the total amount of resources available to the Orange Beach Board of Education from all funding and revenue sources.
- Reflect the projected enrollment and the total proposed expenditure by the Board and for each school shall be available at the public hearings.
- Clearly delineate the number of teachers, librarians, counselors, administrators and other support personnel projected to be employed at each Orange Beach school site.
- Clearly list the operating costs by category or function at each school.
- Delineate by school those operating resources earned including, but not necessarily limited to, those items contained in the Instructional Support

Program of the Foundation Program, designating the amount of funds earned at each school per item based on average daily membership.

Final Budget: After at least two (2) public hearings have been held, the Orange Beach Board of Education and Superintendent shall develop, consistent with state laws, a final budget.

The budget adopted under these procedures shall not show expenditures in excess of income estimated to be available plus any balances on hand, except under conditions set forth by the laws of the state governing the issuance of school warrants.

References: Code of Alabama 16-13-140 To 16-13-145, Alabama Administrative Code §290-2-01

7.12 FINANCIAL STATEMENT

The Superintendent shall have the responsibility for preparing any and all reports related to accounting of school funds that may be required by law or requested by the State Board of Education or the Orange Beach Board of Education.

The State Board of Education shall prescribe regulations for keeping accounts and records and for making reports by or under the supervision of school Boards. These accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved as the laws of Alabama may prescribe.

A complete statement shall be published annually in the month of October of the receipts by source and disbursements by function in an appropriate newspaper in the County, on the Orange Beach School System's website, and on the State Department of Education website.

Said accounts and fiscal records shall be available during normal business hours for inspection by the public. They shall be preserved for the period of time prescribed by Policy 8.80, Records Retention and Disposal for such a period as specified by the State Department of Education or appropriate authorities.

Reference: Code of Alabama 16-13a-13

7.13 MONTHLY FINANCIAL RECORD RECONCILIATION

All bank accounts of the Orange Beach Board of Education and its local schools shall be reconciled to the financial records. The Chief School Financial Officer (CSFO) shall be responsible for verifying that monthly LEA bank statements are reconciled to the financial records by the end of the following month for review by the Superintendent.

The CSFO shall also be responsible for verifying monthly local school account bank statements are reconciled to the financial records by the end of the following month for review by the Superintendent.

Said reports shall ensure accurate monthly financial statements, and shall be accompanied by a copy of the corresponding bank statement and copy of the bank reconciliation report.

References: Code of Alabama 16-11-9, 16-13-143

7.14 LOCAL SCHOOL CHECKING ACCOUNTS

Local school principals shall establish a checking account(s) with a banking establishment located in the City and is a qualified public depository by the Security for Alabama Funds Enhancement (SAFE) Program administered by the Alabama State Treasurer. This must be an interest-bearing account. All checks in the name of the school shall be drawn upon such account(s).

All financial transactions of a local school shall be paid for by check; no cash payments shall be made.

Reference: Code of Alabama 16-13a-6

7.15 DEPOSITORY OF FUNDS

The Board requires all funds of the school system (federal, state, and/or local) to be deposited in a bank designated by the Board. Said bank shall be approved as a qualified depository by the Security for Alabama Funds Enhancement (SAFE) Program administered by the Alabama State Treasurer.

All monies retained in school buildings shall be safeguarded in secure areas at all times. The Orange Beach Board of Education shall assume no responsibility for funds lost in a school, unless it is determined or suspected that an employee has misused funds for any purpose.

The Board requires school funds be deposited on a daily basis, or as soon as practical, regardless of amount, by a bonded individual at each school.

Reference: Code of Alabama 16-13A-6

7.20 ACCOUNTING AND REPORTING

Financial Accounting: The Orange Beach Board of Education shall, following recommendations by the Superintendent, prescribe regulations for the keeping of accounts and fiscal records and the making of reports by all under the Board's jurisdiction who are charged with such responsibility. Prescribed regulations shall be consistent with those of the State Board of Education, the Division of Administration and Finance of the State Department of Education, the directives of the State Department of Examiners of Public Accounts and Generally Accepted Accounting Principles.

Line items in the budget may be changed, with Orange Beach Board of Education approval, at any time during the fiscal year provided such change is consistent with existing laws and regulations of the state and federal government.

The Superintendent shall keep the Board informed through monthly financial statements concerning the status of the budget.

Said accounts and fiscal records shall be available during normal business hours for inspection by the public. They shall be preserved for a five (5) year period of time or for such a period as specified by the State Department of Education's records retention schedule.

The Superintendent shall develop specific procedures to ensure accounting practices throughout the system are consistent with Generally Accepted Accounting Principles.

Annual Financial Report: The Board shall publish annually in a public newspaper a complete statement of receipts and disbursements as well as a statement of outstanding funded and unfunded indebtedness of the school system for the twelve-(12) month period ending the preceding September 30. Such statements shall be drafted on the forms required by the State Superintendent of Education.

Reference(s): Code of Alabama 16-6b-6, 16-6b-7, 16-11-22, 16-11-24,16-12-14, 16-13-31, 16-13-106, 16-13-140, 16-13-143, 16-13-144, 41-5-14, Alabama Administrative Code §290-1-4-.01

7.21 SCHOOL FEES

With the exception of tuition for non-resident students, the Orange Beach Board of Education shall not collect fees of any kind from children attending public kindergarten or any of the first six (6) grades of the school system.

No fees shall be collected in secondary schools for courses required for graduation. The Orange Beach Board of Education shall set reasonable fees in non-required courses, e.g., reasonable fees for laboratory and shop materials and equipment. Such fees shall be waived for students who cannot afford to pay set fees.

References: Code of Alabama 16-10-6, 16-11-26

7.22 SCHOOL STORES

The Orange Beach Board of Education authorizes the Superintendent to grant permission for the operation of stores selling merchandise needed by pupils to facilitate classroom instruction. School stores shall operate as a convenience to the students and shall not in any way interfere with the educational process or cause any student to be in class less than the minimum number of hours in the Orange Beach Board of Education approved day.

Separate records, subject to audit, shall be kept for school stores, and profits derived from sales shall be used for general items supporting the school as a whole.

References: Code of Alabama 16-11-9, 16-11-22

7.23 PAYROLL PROCEDURES

Payroll Preparation: The Orange Beach Board of Education delegates payroll preparation for the payment of employee salaries to the Superintendent or his/her designee. The payroll shall be in accordance with the salary policy approved by the Board, any rules or regulations promulgated by the State Superintendent of Education, and state law. Payroll checks shall be released on the last work day of the month according to the twelve (12) month employee work calendar.

Salary Deductions: The Orange Beach Board of Education will make salary deductions that are considered statutory, including federal income tax, state income tax, retirement, etc., in accordance with applicable laws and regulations.

The Orange Beach Board of Education will approve salary deductions when a group of 25% or more of employees request such deductions as provided by law. The

deductions shall be made from salaries and shall be remitted to the appropriate recipient as specified and in a timely manner following each deduction.

New authorization for payroll deductions may be added during open enrollment or upon state-required enrollments.

Upon termination, amounts owed under the authorization of an employee shall be deducted from an employee's final pay.

When amounts have been correctly deducted and remitted by the Orange Beach Board of Education, the Orange Beach Board of Education shall bear no further responsibility or liability for further transactions. The Board shall not be liable for any error while acting in good faith to make the subject deductions.

Whenever an employee is separated from the system prior to the end of the contract period, the terminal pay shall be computed on a per diem basis.

The school system will deduct teacher retirement contributions for all employees eligible for participation in the State Teacher Retirement System according to applicable laws and regulations.

The school system may make other deductions as a service to employees when requested, in writing, by the employee and approved by the Superintendent. Such deductions may include, but are not limited to, political contributions and dues for membership to the national, state, and local education association representing the majority of employees. Such deductions shall be made only with written authorization of the employee and shall remain in effect until cancelled in writing by the employee.

References: Code of Alabama 16-12-17, 16-13-10, 16-13-231, 16-13-232, 16-22-5 through-7, 16-22-17, 36-1-4

7.24 TRAVEL EXPENSE REIMBURSEMENT

Travel expenses incurred by employees and Board members or other authorized persons involved in conducting Orange Beach Board of Education business may be reimbursed when authorized by the Superintendent or the Board. Orange Beach School System employees must receive approval in advance from the Superintendent or designee for travel.

Any person requesting reimbursement for travel expenses shall provide required documentation. Actual expenses, vehicle mileage costs, and other allowable travel

reimbursement may be established. No person shall receive reimbursement from the Orange Beach Board of Education and from other sources for the same travel expense, nor shall payment be made for personal items or entertainment. Travel reimbursement will be in accordance with approved rates established by the Orange Beach Board of Education and authorized by the Internal Revenue Service (IRS).

The Superintendent shall establish uniform procedures to implement this policy and prescribe forms and procedures necessary for maintaining accurate, uniform records. Travel procedures shall ensure reasonable economy.

In order to compensate certain office personnel for expenses for intercity travel incurred while performing daily duties required by the school system, vehicle allowances will be paid as approved by the Superintendent. When principals reimburse themselves from local school funds, they shall obtain the signature of approval from the Superintendent.

Violation of this policy or falsification of required records shall be grounds for disciplinary action including dismissal.

References: Code of Alabama 16-1-16, 16-11-9, 16-12-3, 16-13-3

7.25 CASH IN SCHOOL BUILDINGS

It shall be the policy of the Orange Beach Board of Education that all school funds collected at each school or school activity of the Board shall be deposited in a bank on a daily basis, to include a night depository. In the event that due to an unforeseen or emergency situation it is impossible to deposit said funds on the day of receipt, it is the responsibility of the local school principal to provide for the security of the funds until the next day the bank is open.

The Board requires any school funds collected be deposited with an approved financial institution as soon as practical on the day collected or the next business day.

References: Code of Alabama 16-11-9

7.28 GOVERNMENTAL FUNDS

The following definitions will be used in reporting activity in governmental funds. The Orange Beach Board of Education may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

The **General Fund** is used to account for and report all financial resources not accounted for and reported in another fund.

Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.

Debt Service Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest, even if it is being accumulated for future years' payments. Debt Service Funds should be used to report resources if legally mandated.

Capital Projects Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets.

Fund balances will be reported in governmental funds under the following five (5) categories using the definitions provided by GASB Statement No. 54:

- **Nonspendable fund balances** include amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained in-tact. Examples of nonspendable fund balance reserves for which fund balance shall not be available for financing general operating expenditures include: inventories, prepaid items, and long-term receivables.
- **Restricted fund balances** consist of amounts that are subject to externally enforceable legal restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. Examples of restricted fund balances include: restricted grants.
- **Committed fund balances** consist of amounts that are subject to a purpose constraint imposed by formal action of the Board before the end of the fiscal year and that require the same level of formal action to remove the constraint.
- **Assigned fund balances** consist of amounts that are intended to be used by the school system for specific purposes. The Board authorizes the Superintendent or Chief School Financial Officer to make a determination of the assigned amounts of fund balance. Such assignments may not exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. Assigned fund balances require the same level of authority to remove the constraint.
- **Unassigned fund balances** include all spendable amounts not contained in the other classifications. This portion of the total fund balance in the general fund is available to finance operating expenditures.

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

The Orange Beach Board of Education along with the Superintendent and Chief School Financial Officer will periodically review all restricted, committed, and assigned fund balances. The Chief School Financial Officer will prepare and submit an annual report of all restricted, committed and assigned funds for the Orange Beach Board of Education.

References: GASB Statement No. 54

7.31 FOOD SERVICE FUNDS

The Orange Beach Board of Education requires all Child Nutrition Program funds be accounted for in accordance with policies and procedures set forth by the local, state, and federal requirements.

References: Code of Alabama 16-11-21, 16-11-22, 16-12-3(A), (F), 16-12-12, 16-13-31, 16-22-11, Alabama Administrative Code §290-080-030-.03

7.32 INVESTMENT OF FUNDS

Based upon a written system of internal controls and operational procedures, the Superintendent or his/her designee may invest temporarily idle funds to earn the maximum return for the period available. Highest priority shall be placed on the safety and liquidity of funds. Funds may be placed in the following types of investments:

- Bids from qualified depositories;
- Certificates of deposit;
- Time deposits;
- Securities of the United States government including obligations of the United States Treasury; or,
- Investment pools managed and directed by an approved agency of the state.

Other investments may not be made unless specifically authorized.

References: Code of Alabama 16-11-9, 16-12-3, 41-14a-1, et seq., Alabama Administrative Code §290-2-1-5

7.33 RESERVE FUNDS

The Orange Beach Board of Education, in accordance with Alabama law, directs a General Fund reserve fund balance to be maintained of an amount not less than one month's operating expenditures. Operating expenditures shall include all funds necessary to support normal operations of the school district for one (1) month.

The Superintendent or Chief School Financial Officer will inform the Board, before the Board votes on a budget or budget amendment, if the approval of the budget or budget amendment will prevent the establishment or maintenance of a one-(1) month's operating balance.

A one (1) month's operating balance shall be determined by dividing the General Fund expenditures and fund transfers out by twelve (12). In determining the General Fund expenditures and fund transfers out, the proposed budget or budget amendment shall be used.

References: Code of Alabama 16-11-21, 16-11-22, 16-12-3(A), (F), 16-12-12, 16-13-31, 16-22-11

7.40 BONDED PERSONNEL

The Superintendent and the designated Chief School Financial Officer (CSFO) shall be bonded at an amount fixed by the State of Alabama in a reputable surety company authorized to do business in Alabama. A certified copy of such bond shall be placed on file with the State Department of Education.

The Superintendent or his/her designee shall secure surety bonds, in an amount agreed upon by the Board, for all employees of the Orange Beach School System who may be charged with the responsibility for handling public school funds.

School principals, bookkeepers, designated central office staff, and CNP managers shall be bonded for not less than one thousand ($1,000) dollars.

The Board shall be authorized to make payment from public funds for surety bonds.

References: Code of Alabama 16-11-7, 16-13-8 to -9, 16-22-4, Alabama Administrative Code §290-2-5-.02

7.41 INDEBTEDNESS

Any Orange Beach school employee or other person shall be personally liable for creating any bill of indebtedness against a school or against the Orange Beach Board of Education unless authority exists under duly adopted policy of the Orange Beach Board of Education or unless authorized in writing by the Superintendent. Any employee violating the provisions of this rule may be subject to cancellation of his or her contract or dismissal from employment.

Bonded Indebtedness: The Orange Beach Board of Education shall not incur any bonded indebtedness that shall require annual payments on the principal and interest in excess of eighty percent (80%) of the anticipated revenue of the ad valorem tax pledged to retire such bonds.

Current Indebtedness: Tax proceeds, which are not pledged to retire bonded indebtedness, shall be used for current expenses. All funds borrowed for current expenses shall be repaid before the end of the fiscal year in which such funds are borrowed.

The Board shall not spend or be obligated to spend more money in any fiscal year than the income received during that year plus the balance on hand at the beginning of said fiscal year.

References: Code of Alabama 16-13-70, 16-13-144 through -146, 16-13-140

7.42 INSUFFICIENT FUNDS AND WORTHLESS CHECKS

The Orange Beach Board of Education may maintain a contract with an outside agency to handle the collection of all worthless checks written to the school system. The agency shall guarantee the face value of the check to the Board up to the agreed-upon maximum amount.

The Child Nutrition Program will not incur a bad debt as a result of an uncollectible worthless check. In the event a worthless check presented to the Child Nutrition Program is uncollectible, a nonpublic source of funds will be responsible for the reimbursement.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-080-030-.03

7.50 AUDITS

Fiscal audits shall be completed by a licensed auditing firm approved by the Orange Beach Board of Education. Auditors shall conduct audits in accordance with the procedures set forth by standard auditing procedures and shall, within that scope, furnish such schedules as the Orange Beach Board of Education may require. No audit shall fail to provide a comprehensive report on all accounts assigned for audit by the Board.

The Superintendent shall prepare a report of all local audits summarizing the effect of the year's operations for presentation to the Board. Audits other than annual audits shall be performed as the need is indicated.

References: Code of Alabama 16-4-7, 16-13-9, 41-5-14; Alabama Administrative Code §290-2-1-4

7.60 PURCHASING AND BIDDING

Bidding: The Orange Beach Board of Education directs that expenditures of public school monies in excess of $15,000 made by the Board for labor, services, work, the purchase or lease of materials, equipment, supplies or any other personal property, with limited exceptions established by state law, shall be contracted by free and open competitive bidding with sealed bids and shall be awarded to the lowest responsible bidder meeting specifications.

Bids for building/capital improvement projects exceeding $50,000 must comply with the state Public Works Act.

All schools and the central office shall place technology bids with the Director of Technology. The Director of Technology shall ensure bids are in compliance with state law and shall combine bids and/or purchases in order to obtain the best price and quality for equipment and services.

Local Purchasing: The Orange Beach Board of Education should purchase locally provided products of equal quality that are readily available from local suppliers at prices equal to other non-local vendors. Pursuant to state law, the Board, when purchasing personal property or contractual services, shall give preference to commodities produced in Alabama or sold by Alabama persons, firms or corporations.

The Orange Beach Board of Education shall not be limited to making purchases within the local community or the state of Alabama when such local purchases

within the local community or the state of Alabama do not meet the quality or competitive price of goods or services available from vendors outside the local community or state of Alabama.

Preference may be given to a local vendor having a place of business in the county or municipality for the purchase of personal property, when a bid submitted by such a resident bidder is no more than three (3) percent greater than the bid of the lowest responsible bidder.

Orange Beach Board of Education shall require a requisition/purchase order system be established and followed.

References: Code of Alabama 41-16-50, 41-16-51, 41-16-57, 39-2-1, et seq.

7.61 ACQUISITION, USE, AND EXCHANGE OF SCHOOL PROPERTY

Acquisition: All property purchased through system funds, internal funds, or donations from outside sources shall be acquired using system purchasing procedures.

All property, including vehicular equipment, shall be under the full control and name of the Orange Beach Board of Education.

All property with a value of five thousand dollars ($5,000.00) or more acquired through internal accounts or donations shall be reported immediately by the principal or worksite supervisor to the designated property records office on the prescribed forms.

Principals and supervisors of facilities shall be responsible for determining all property is identified and accounted for.

Exchange: Each principal and supervisors of facilities shall determine the property needs for his/her school or department. The Orange Beach principal or system department head shall declare as surplus any property that is not needed, upon approval of the designated property control office, and may requisition additional property through proper procedures.

Surplus property shall be reported on proper forms to the designated property records office responsible for acquiring and storing the surplus property.

Property items with a value of $5,000 or more (as described as surplus above) may be exchanged between system departments and schools when approval is granted by the designated property records office and subsequently by the appropriate

Orange Beach administrator. Notification of each approval shall be filed in writing with the designated property records office to adjust property records of schools and system departments.

Orange Beach Board of Education equipment shall not be used for gainful outside employment or private use by employees or by any for-profit group or organization.

References: Code of Alabama 16-8-40, 16-20-8, 16-20-9

7.62 PROPERTY SALE, TRANSFER, AND DISPOSAL

The Orange Beach Board of Education shall be advised by the Superintendent in the event that certain real or personal property is no longer needed for public school purposes. Prior to presentation to the Board, the Superintendent shall determine the property is not needed by any Orange Beach school facility. The Superintendent is authorized to store property for later use if property is determined to have value and the Superintendent believes the property will be used in the future by an Orange Beach School System facility.

The Board, upon receipt of such a report, may at such time as it deems proper and at its discretion declare such property is no longer needed for public school purposes.

Once real property is declared as surplus by the Orange Beach Board of Education, the Superintendent or his/her designee shall be authorized to take appropriate action in disposing of such property as outlined below:

- Obtain an appraisal(s) reflecting the fair market value of all real property and significant personal property.
- Notify local governmental authorities that such property is no longer needed for school purposes and invite a proposal if there is a need for such property.
- Follow the procedures in the manner prescribed by state law for the sale of real property, including public notification using local newspapers or other suitable media.

References: Code of Alabama 16-4-7 &-8, 16-11-22, 41-5-14, 41-5-23, Alabama Administrative Code §290-2-1-4

7.63 LOST OR STOLEN PROPERTY

The principal or designee shall notify the following individuals when any Orange Beach School System property has been vandalized, stolen, or lost:

- The proper law enforcement agency immediately to provide such information as may be available if the property is believed to have been stolen; and,
- Notification to the Superintendent or the clerk of fiscal assets.

The custodian of the property records, or designee, shall prepare a written report and recommendation to the Superintendent if the property is not recovered within thirty (30) days of notification. Inventory records including serial and/or model number(s) of missing items shall be used in the preparation of reports.

The Superintendent shall report to the Orange Beach Board of Education any property that has been lost or stolen if not recovered within thirty (30) days after the discovery of the loss or theft, except major losses shall be reported to the Board immediately. Such a report shall include a recommendation that the property record be made inactive and any information applicable to personal liability shall also be reported.

References: Code of Alabama 16-11-9, 16-12-3

7.64 INVENTORIES AND PROPERTY MANAGEMENT

The Superintendent or designee shall maintain an adequate and accurate record of all tangible personal property of the Orange Beach School System. The record shall indicate the date of acquisition, the fund from which purchased, identification number, and property record number, and shall be consistent with all controlling requirements of Alabama statutes and rules. School inventories shall be verified by administration at the Superintendent's direction.

All equipment that has a value or cost specified by the Orange Beach Board of Education shall be listed in property inventories. Property inventories shall be performed annually. It shall be each principal's duty to designate a person to make an annual inventory of all school property within his/her building(s). This report shall include recommendations for the disposition of obsolete and surplus equipment and equipment beyond economical repair. The principal shall also be responsible for inventories of properties in schools as directed, such as library books, films, digital media, and other materials as deemed appropriate. These inventory records shall remain on file in the individual school.

All equipment purchased by the various school organizations or by outside organizations for school or system use shall become Orange Beach Board of Education property and shall be recorded and inventoried in the same manner as all other equipment of a similar nature.

The Superintendent or designee shall maintain a current and perpetual inventory of all stock in Orange Beach Board of Education warehouses and shall file an annual end-of-the-year report of the count and value of such items with the finance department.

References: Code of Alabama 16-11-21 to -22, 16-13-31 to -32, 16-13-38(D), 41-5-14, 41-5-43, Alabama Administrative Code §290-2-1-4(3)(c)

7.65 PURCHASE ORDERS

Purchase orders are required by the Orange Beach Board of Education for all materials, equipment and supplies paid for out of the general fund of the Orange Beach Board of Education. The following procedures must be followed:

- A purchase order is obtained from the central office by submitting a requisition following approved procedures.
- Special instructions should be noted on the requisition in such a way as to be easily detected by the Purchase Order Clerk or school secretary.
- Invoices received which do not have a purchase order number will not be the responsibility of the Orange Beach Board of Education; the person placing the order has sole responsibility for payment in such cases.

"Blanket" purchase orders may be issued by the Purchase Order clerk to vendors from whom materials are purchased on a regular basis. This blanket purchase order will be valid only during the month in which it is issued unless otherwise approved by the Superintendent.

References: Code of Alabama 16-13A-5, 16-13A-6

7.70 RISK MANAGEMENT INSURANCE

No new policy or procedure will be adopted or approved by the Orange Beach Board of Education without first giving careful consideration to the school system's risk exposure.

When the purchase of insurance coverage is deemed necessary, such purchase will be made on the basis of service offered by the insurer or self-funded programs, the reliability and financial stability of the insurer or self-funded program, and the price of the coverage as competitively determined.

Insurance Coverage: The Orange Beach Board of Education shall ensure for:

- Full value of all property for which it has title, including but not necessarily limited to buildings and contents.

- Errors and omissions liability coverage to protect Board members, Board employees and the school system.

References: Code of Alabama 16-11-12, 16-11-27, 16-12-5, 16-22-5

7.90 FUND-RAISING FOR SCHOOL PROJECTS AND ACTIVITIES

All fund-raising projects and activities by schools or groups within the Orange Beach School System shall contribute to the educational and extracurricular experiences of students and shall not be in conflict with the overall instructional program as administered by the Superintendent.

The determination of the fund-raising projects and activities for a school shall be the responsibility of the principal and the staff and shall conform to the following conditions and any directives by the Superintendent:

- Fund-raising activities and projects within all Orange Beach schools shall be kept within a reasonable limit. Before approving any project or activity, the principal shall require full justification of the need and explanation of the manner in which the funds will be expended.
- When the sale of food items during school hours is approved as a fund-raising project, accreditation standards and CNP regulations shall be followed. Food items not of a high nutritional value may not be sold or distributed during the school day.
- Merchandising projects shall be kept to a minimum.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-080-030-.03

7.91 SHORT-TERM NOTES

In accordance with state law, the Orange Beach Board of Education has the authority during any fiscal year, and upon recommendation of the Superintendent, to borrow money in anticipation of current revenues for that fiscal year and to pledge the current revenues for said fiscal year for the payment of such loan or loans if funds on hand are not sufficient to meet current expenses. All such loans shall be recommended by the Superintendent and approved by the Board. Rates of interest on any loans shall not exceed the maximum allowed by law.

All notes or other evidence of indebtedness of the Orange Beach Board of Education, unless specified otherwise by law, shall be signed by the President of the Orange Beach Board of Education and Superintendent and shall be limited as prescribed by law.

All funds and/or monies allocated for any program for the current school year is to be spent by August 15th annually to allow adequate time to receive the purchased items and to complete financial accounting procedures by September 30th each year.

References: Code of Alabama 16-13-145 to -146

7.92 ALLOCATION AND EXPENDITURE OF FUNDS

Expenditure of Funds: Any and all funds of the school system, whether received from federal, state, local or other resources shall be disbursed only on the written order of the Superintendent or his/her designee. The actual signature and a facsimile of the Chief School Financial Officer (CSFO) and the Superintendent shall be required on all drafts and checks drawn against any bank account of the Orange Beach Board of Education.

In order to promote academic excellence and recognize significant contributions to education, the Orange Beach Board of Education may expend public funds for the purchase of trophies, plaques, academic banquets, and other appropriate honors to recognize special contributions by students, faculty, staff, and the public that strengthen public education in the school system and the state of Alabama.

Allocation of Funds: All funds allocated for the current school year shall be spent for the benefit of the students and to assist teachers in their endeavor to educate students enrolled in the school for the current year. Funds should be spent in a timely manner to ensure they are spent prior to the end of the current year. Items should be purchased as early in the school year as possible to maximize the benefit to students. Selection of equipment and/or supplies should reflect the most critical needs and expenditures should be prioritized accordingly.

References: Code of Alabama 16-13-32, Alabama Administrative Code §290-1-4(5)(B), Legislative Acts 95-313 and 95-314

8.14 INSPECTIONS

As part of a comprehensive safety and loss control program, the Orange Beach Board of Education requires all Orange Beach School System-owned property be inspected regularly for potential safety hazards. These inspections should be conducted by the person responsible for managing the site. Hazardous conditions identified within the inspection report should be reported to the maintenance department or other appropriate staff for correction. A written report of all safety inspections shall be submitted to the Superintendent and placed on file.

Asbestos reports of required periodic reviews are maintained at each school site.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-1-4-.01, §290-3-1-.02(A)

8.20 SANITATION

Each Orange Beach School System school principal or work site supervisor or designee, shall be responsible for maintaining satisfactory standards of sanitation and housekeeping.

References: Code of Alabama 16-22-3, Alabama Administrative Code §290-080-030-.03

8.30 VEHICLE INSPECTIONS

All Orange Beach Board of Education buses used for the transportation of children shall be inspected both monthly and annually in accordance with standards established by the State Department of Education.

Any vehicle found to be deficient shall be removed from service and shall not be used to transport students until the appropriate repairs have been made and further inspection reveals the deficiency has been removed.

References: Code of Alabama 16-27-1, 16-27-3, 16-27-5, 16-27-6, 16-27-8, 32-6-49.1 to 32-6-49.20; Alabama Code §290-1-4-.01(2)

8.31 SPECIAL USE OF SCHOOL BUSES

Buses may be used for field, educational, and extracurricular trips. Any school that uses a bus for a trip shall reimburse the Orange Beach Board of Education at the mileage rate established by the Board.

The Orange Beach Board of Education shall be responsible for paying the driver for the extracurricular trip. The school shall be responsible for reimbursing the Board for salaries as determined by the Board.

A school bus may not be used for an extracurricular trip where the round trip exceeds 425 miles, the trip requires an overnight stay, or the trip takes the group out of state without special approval of the Superintendent.

References: Code of Alabama 16-11-9, 16-27-2, Alabama Administrative Code §290-1-4-.01(2)

8.40 CHILD NUTRITION PROGRAM

The Orange Beach Board of Education shall provide nutritious and adequate meals to all students at a minimal cost. The school principal, in conjunction with the Child Nutrition Program (CNP) Director, is responsible for ensuring the CNP is operated in compliance with federal, state and local laws and regulations as well as policies of the Board.

It is an objective of the Orange Beach School System that all students have the opportunity to participate in the school lunch program. The CNP Director shall determine, in accordance with federal regulations, those students eligible for free or reduced price lunches.

The Orange Beach Board of Education lunchrooms shall incorporate food safety practices as outlined under Hazard and Critical Control Point (HACCP) guidelines, Standard Operating Procedures (SOPs) shall be developed for handling, storage, preparation, and serving of all foods.

The Orange Beach Board of Education does not permit students or adults to charge meals from the CNP. Uncollected charged meals are bad debts and are not an allowable expenditure for the CNP. The CNP director and principal of each school shall develop and oversee a written contingency plan to provide a nominal meal for students when they do not have money to purchase a meal. If the contingency plan allows students to charge a meal, the principal is responsible for eliminating any outstanding indebtedness of students by the end of each school year by utilizing a

non-public fund source. All adult meals will be paid for unless the meals are part of a special incentive program or the meals are for school food service employees.

The Superintendent is instructed to develop all CNP policies and procedures in compliance with state regulations.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-080-030-.03

8.41 MEAL PATTERNS

All Orange Beach schools with grades K-12 shall participate in the Child Nutrition Program and shall serve student meals according to meal patterns established by the U. S. Department of Agriculture.

The principal is responsible for scheduling adequate time for lunch for students between the hours of 10:00 a.m. and 2:00 p.m. Variations from this schedule must have the approval of the Superintendent or designee.

"Offer vs. serve" meal programs are established for students in middle school and high school grades.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-080-030-.03

8.50 FACILITIES

It shall be the responsibility of the Orange Beach Board of Education and Superintendent to develop and/or implement plans that will meet the present and future educational requirements of the community consistent with state laws. To discharge this responsibility effectively, the Board shall develop a long-range capital plan to meet the school facility-related requirements of the system.

The Board will involve administrators, teachers, students, parents, local citizen groups, specially designated committees, and technical personnel, e.g., architects, planners and approved outside consultants in the design, development and/or revision of the long-range capital program.

Subject to Board approval, the Superintendent is authorized to secure the services of experts, including planning and architectural consultant(s), in the area of school plant planning, to work with staff in developing project specifications.

New construction or renovation at school facilities shall have the approval of the State Superintendent of Education.

References: Code of Alabama 16-3-17, 16-4-21, 16-12-6, 16-12-7, 16-13-90, 16-9-22, Alabama Administrative Code §290-2-2-03-.01

8.51 SUPERVISION OF CONSTRUCTION

The Superintendent or designee shall provide to the Orange Beach Board of Education a review of the architect's activities in his/her supervision of any building construction. This review shall include adequacy of field inspection of the contractor's operations, administrative activities of the architect relating to construction, and any other matters relating to the interest of the school system. The Superintendent or designee shall make periodic reports certifying the work of the construction contractor and the architect are being performed in accordance with plans, specifications, and contracts.

Upon completion of the building construction and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for its acceptance will be made to the Orange Beach Board of Education by the Superintendent.

References: Code of Alabama 16-11-9, 16-12-3, 16-3-12, 16-3-14, 16-4-10, 16-13-90, Alabama Administrative Code §290-2-2-.01

8.53 IMPROVEMENTS TO SCHOOL PLANTS AND GROUNDS

Any individual or group, including the parent-teacher organization, which desires to improve the school site, to add facilities, or to install equipment, shall submit a written proposal to the principal and Superintendent for Orange Beach Board of Education approval. Any such improvement or addition shall become the property of the Board. Permanent structures shall have utilitarian value in the operation of the school or may be erected in memory of an individual who has been associated with the school either as a student or Orange Beach School System employee or in honor of an organization that has made some outstanding contribution to the school or system. All improvements or additions must meet current building codes, including the Americans with Disabilities Act and State Department of Education Bulletin 1983-26 as amended.

Individuals performing physical labor to improve school facilities and/or grounds must sign and agree to a hold-harmless agreement with the Orange Beach School System.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-2-2-.02

8.60 TECHNOLOGY AND TELECOMMUNICATION PLAN AND ELECTRONIC COMMUNICATION USE

The Orange Beach School System shall develop a comprehensive technology and telecommunications plan for administrative and instructional purposes. The plan shall advance and promote public education consistent with technology advances and availability of resources. To the extent feasible, it shall promote access, collaboration, and information sharing between and among schools, system offices, and the global community and include provisions for protecting students from access to inappropriate and prohibited information and materials.

The Superintendent or designee shall be responsible for establishing and authorizing use of technology, telecommunications services and networks consistent with the telecommunication plan that shall be presented to the Orange Beach Board of Education for approval. Such a plan shall be updated periodically and submitted for Board review and approval.

Such guidelines shall be broadly distributed and/or posted in appropriate locations. Such guidelines shall address computer room access; sale of computer services; acceptable use; proper etiquette; security; vandalism; harassment; and supervision of student use by staff. Any user violating such guidelines shall be subject to denial of school-based access and such other legal or disciplinary actions as are appropriate to the violation.

Orange Beach School System computers, network access, and other information resources such as electronic mail (e-mail) are provided for staff use to support the system's mission and goals. Access by staff and students to inappropriate and prohibited information and materials shall be limited by the use of appropriate software. All such resources are Orange Beach Board of Education property and subject to the same rules for use as other physical properties. In addition, the following rules shall apply:

- Use of information resources should be limited to legitimate educational purposes. Programs for personal use should be avoided. Use for illegal or commercial purposes is not authorized.
- School system electronic resources include E-mail, World Wide Web pages, and other forms of electronic documentation:
    - Will not be obscene, abusive, or contain other inappropriate material; and,

    - Will require the same handling as other public records.
- User accounts and passwords must not be shared except where authorized. The person in whose name an account is issued is responsible for its proper use at all times.
- Copyright and license agreements will be respected; no unauthorized copies of programs or files will be made.
- Users shall not take unauthorized actions which gain access or attempt to gain access to, deny access or attempt to deny access to, disrupt, change, or destroy the data or service of the computer or network systems.
- Use of electronic mail and other network communications facilities to harass, offend, or annoy other users of the network, including chain letters and jokes, is not authorized.
- Users must avoid spreading computer viruses. Users may not download files from unknown sources. Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity under applicable state and federal law.
- The network management accepts no responsibility for harm caused directly or indirectly by network use. There is no expectation of privacy when using Orange Beach Board of Education-provided equipment and network resources.
- Users must acknowledge their understanding of all policies and guidelines on a yearly basis by reading and signing the applicable Orange Beach School System Acceptable Use Policy (Policy 5.90). The Orange Beach School System will periodically update the Acceptable Use Policy for Students and the Acceptable Use Policy for Employees.

References: Code of Alabama 16-11-9, 16-21-1 to -3, Alabama Administrative Code §290-1-4-.01(4), Children's Internet Protection Act

8.62 WELLNESS

Introduction

Orange Beach City Schools (hereto referred to as the District) is committed to the optimal development of every student. The District believes that for students to have the opportunity to achieve academic, developmental, and social success, we must cultivate a positive, safe, and health-promoting learning environment at every level, within every setting, throughout the school year.

Research shows that two components, adequate nutrition and physical activity before, during, and after the school day are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture's (USDA) School

Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism, and better performance on cognitive tasks.[1,2,3,4,5,6,7] Conversely, less-than-adequate consumption of specific foods including fruits, vegetables, and dairy products, is associated with lower grades among students.[8,9,10] In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education, and extracurricular activities – do better academically.[11,12,13,14]

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students have access to healthy foods throughout the school day—both through reimbursable school meals and other foods available throughout the school campus—in accordance with federal and state nutrition guidelines;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors and habits;
- Students have opportunities to be physically active during and after school;
- Schools engage in nutrition and physical activity promotion as well as other activities that promote student wellness;
- School staff/faculty are encouraged to practice healthy nutritional and physical activity behaviors both in and out of school;
- The community is engaged in supporting the goals of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits;
- The District establishes and maintains an infrastructure for management, oversight, implementation, communication, and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff, and schools apart of Orange Beach City Schools.

I. Wellness Committee

Committee Role and Membership

The District will convene a representative District Wellness Committee (hereto referred to as the DWC) that meets as necessary to establish goals for and oversee school health and safety policies and programs, including development, implementation, and periodic review and update of this wellness policy as needed.

The DWC membership will represent all school levels (elementary, middle, and high) and include (to the extent possible) but not be limited to: parents; Child Nutrition Program; physical education teacher(s); health education teachers; school nurses and/or Nurse Supervisor; school administrators; school board members; health professionals (ex., dietitians, doctors, nurses, dentists); and the general public. DWC members will be recruited as needed annually. A link will be posted on our district website explaining how to join the

committee.

Leadership

The Superintendent or designee(s) will convene the DWC and facilitate development of and updates to the wellness policy and will ensure each school's compliance with the policy.

Committee Members as of February 2025:

- Michaela Miller, CNP Coordinator
- Jody Kirkley, OB Elementary School RN
- Kayley Hoyle, OB Elementary School P.E. teacher
- Kiara Chase, OB Middle/High School P.E. teacher
- Phyllis Peterson, OB Middle/High CNP Manager
- Michelle Revette, local parent

Each school will designate a school wellness policy coordinator, who will ensure compliance with the policy at the local school.

II. Wellness Policy Implementation, Monitoring, Accountability, and Community Engagement

Implementation Plan

The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions, and timelines specific to each school and includes information about who will be responsible to make what change, by how much, where, and when, as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education, and other school-based activities that support student wellness.

This wellness policy and the progress reports can be found online.

City School

The District will retain records to document compliance with the requirements of the wellness policy in the Child Nutrition Central Office. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating compliance with community involvement requirements;
- Documentation of the triennial assessment* of the policy
- Documentation demonstrating compliance with public notification requirements, including:

(1) Methods by which the wellness policy and triennial assessments are made available to the public; and

(2) Efforts to actively notify families about the availability of wellness policy.

Triennial Progress Assessments

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
- A description of the progress made in attaining the goals of the District's wellness policy.

The persons responsible for managing the triennial assessment and contact information are Randy Wilkes, Superintendent rwilkes@orangebeachboe.org, and Michaela Miller, Child Nutrition Program (CNP) Coordinator mMiller@orangebeachboe.org. The District will actively notify households/families of the availability of the triennial progress report once completed.

Revisions and Updating the Policy

The CNP Coordinator will update or modify the wellness policy based on the results of the triennial assessment and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued.

The wellness policy will be assessed and updated as indicated at least every three years per USDA requirements.

Community Involvement, Outreach, and Communications

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which others can participate in the development, implementation, periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the district's website and social media pages to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the triennial report.

III. Nutrition

School Meals

Our school district is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; moderate in sodium, low in saturated fat, and zero grams of *trans* fat per serving (nutrition label or manufacturer's specification); and to meet the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP) and the School Breakfast Program (SBP).

All schools within the District are committed to offering school meals that:

- Are readily available and accessible to all students;
- Are appealing to children/consumers;
- Are served in clean and pleasant settings;
- Meet and/or exceed nutrition requirements established by local, state, and federal statutes/regulations. (The District offers reimbursable school meals that meet USDA nutrition standards.)
- Menus will be posted on the District website or individual school websites and will include nutrient content and ingredients as available
- Menus will be created and reviewed by Michaela Miller, CNP Coordinator.
- School meals are administered by a team of Child Nutrition Professionals (CNP) on site.
- The District child nutrition program will accommodate students with special dietary needs.

Staff Qualifications and Professional Development

All school nutrition program directors, managers, and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These school nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water

To promote hydration access to safe, unflavored drinking water will be available to all students throughout the school day* and throughout every school campus* ("school campus" and "school day" are defined in the glossary) free of charge. The District will make drinking water available where school meals are served during mealtimes. In addition, students will be allowed to bring and carry (approved) water bottles filled with water with them throughout the school day.

- Water cups/jugs will be available in the cafeteria if a drinking fountain is not present.

Competitive Foods and Beverages

The District is committed to ensuring that all foods and beverages available to students on the school campus* during the school day* support healthy eating. (School Day - midnight the night before to 30 minutes after the end of the instructional day). The foods and beverages sold and served outside of the school meal programs (i.e., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits.

The Alliance for a Healthier Generation provides a set of tools to assist with the implementation of Smart Snacks available online at www.healtiergeneration.org/smartsnacks.

To support healthy food choices and improve student health/well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards. If the state policy is stronger, Orange Beach City Schools will meet or exceed the state nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, a la carte options in cafeterias, vending machines, school stores, and snack/food carts.

Celebrations and Rewards

All foods offered on the school campus are encouraged to meet or exceed the USDA Smart Snacks in School nutrition standards (or state standards) to include:

1. Celebrations and Parties/Classroom Snacks brought by parents: The District will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas can be found online from the Alliance for a Healthier Generation and from the USDA.
2. Rewards and incentives. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior on site.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus *during the school day*.

Schools should aim to have non-food fundraisers, and encourage those promoting physical activity (such as walk-a-thons, jump rope for heart, fun runs, etc.).

- Fundraising outside school hours (evenings) may sell foods and beverage items that do not meet the Smart Snacks nutrition standards. This may include but is not limited to, donation nights at restaurants, cookie dough, candy sales, etc.

Exempt Fundraiser Definition

An exempt food fundraiser is defined as the sale of food items that do not meet the USDA Smart Snacks in Schools standards and are sold during the school day. A school may

sponsor up to and not exceed **30** exempt fundraisers per year, for no more than one (1) day each in length. Exempt fundraiser food is prohibited from being sold as a la carte item, in vending machines or school stores, or before school on school campus.

Foods sold as part of exempt fundraisers may not be sold one (1) hour before or after meal periods. Example: If lunch ends at 12:30 pm, then the fundraiser could not start until 1:30 pm.

Exempt Fundraiser Procedure:

- School Principal:
  1. Complete Alabama's Implementation of USDA Smart Snacks in School and Exempt Fundraisers Form
  2. Provide copy to the CNP Coordinator
  3. Provide documentation of approval upon request by Alabama State Department of Education (ALSDE) for audit review
- Superintendent:
  1. Complete and sign the Attestation of Compliance with Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities
  2. Provide to the CNP Coordinator to support the annual online application renewal
- CNP Coordinator:
  1. Place a copy of Alabama's Implementation of USDA Smart Snacks in School Exempt Fundraisers Form (signed by school principal) in the wellness plan file.
  2. Provide documentation of approval upon request by ALSDE

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs.

Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff and teachers, parents, students, and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:

- Promoting foods and beverages that meet the USDA Smart Snacks in School nutrition standards. Additional possible promotion techniques that the District and individual schools may use are available at www.healthiergeneration.org/smartsnacks.

Nutrition Education

The District aims to teach, model, encourage, and support healthy eating by students. Schools will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences, and elective subjects;
- Include enjoyable, developmentally-appropriate, culturally-relevant, and participatory activities, such as cooking demonstrations or lessons,
- promotions, taste-testing, farm visits, and school gardens;
- Promote fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, and healthy food preparation methods;
- Emphasize caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Link with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods, and nutrition-related community services;
- Teach media literacy with an emphasis on food and beverage marketing;

Essential Healthy Eating Topics in Health Education

The District will include in the health education curriculum the following essential topics on healthy eating:

The relationship between healthy eating and personal health and disease prevention

- Food guidance from MyPlate
- Reading and using USDA's food labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables, and whole-grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain *trans* fat
- Choosing foods and beverages with limited added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Food safety
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- The Dietary Guidelines for Americans

- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers, and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

USDA's Team Nutrition provides free nutrition education and promotion materials, including standards-based nutrition education curricula and lesson plans, posters, interactive games, menu graphics, and more.

Food and Beverage Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if
students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus *during the school day* are encouraged to meet USDA Smart Snacks in School nutrition standards or state standards such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food advertising and marketing are defined[15] as an oral, written, or graphic statement made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos, or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name, or trademark on school equipment, such as marquees, message boards, scoreboards, or backboards (Note: immediate replacement of these items is not required; however, districts will consider

- replacing or updating scoreboards or other durable equipment over time so that decisions about the replacement include compliance with the marketing policy.)
- Corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment; as well as on posters, book covers, pupil assignment books, or school supplies displayed, distributed, offered, or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests, or coupons of a product, or free samples displaying advertising of a product.

IV. <u>Physical Activity</u>

Children and adolescents should participate in 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive, school-based physical activity program (CSPAP) that includes these components: physical education, recess, classroom-based physical activity, walk and bicycle to school, and out-of-school time activities, and the district is committed to providing these opportunities. Schools will ensure that these varied opportunities are in addition to, and not as a substitute for, physical education (addressed in the "Physical Education" subsection). All schools in the district will be encouraged to participate in *Let's Move!* Active Schools (www.letsmoveschools.org) in order to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, physical activity breaks, or physical education) **will not be withheld** as punishment for any reason.

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

Physical Education

The District will provide students with physical education using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the "*Essential Physical Activity Topics in Health Education*" subsection).

All students will be provided equal opportunities to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

All District **elementary students** in each grade will receive physical education for at least

60-89 minutes per week throughout the school year. All **secondary students** (middle and high school) are required to take the equivalent of one academic year of physical education.
The District physical education program will promote student physical fitness through individualized fitness and activity assessments (via the Presidential Youth Fitness Program or other appropriate assessment tool) and will use criterion-based reporting for each student.

Essential Physical Activity Topics in Health Education

The District may include in the health education curriculum the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular
- strength, flexibility, and body composition
- Differences between physical activity, exercise, and fitness
- Phases of an exercise session, that is, warm up, workout, and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia, and sunburn while
- being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time, and type
- of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers, and culture
- How to find valid information or services related to physical activity and fitness
  How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity

Break/Snack Time (Revised from "Recess")

While learning excellence is the reason we exist, we also know how important it is for students to develop socially and physically. Fortunately, these skills are no longer relegated to a small period out of the day called "recess." In the 21st Century learning environment, periods of time dedicated to social and physical development are interwoven throughout the entire instructional process. Cooperative learning, hands-on investigations, art, and music are examples of instructional activities that provide for social exchange, active

movement, and creative expression. Physical Education is now the time period when students engage in interactive play to release energy. In addition, physical education is another opportunity to develop social interaction through team challenges. Educators are trained to pace their teaching, whatever the subject at hand, and when they see the need, they can depart briefly from the educational routine to give students a mental break.

Before and After School Activities

The District offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The District will encourage students to be physically active before and after school by joining athletic teams or clubs, participating in walks/runs, and promoting exercise at home.

Staff Wellness and Health Promotion

The DWC will promote staff wellness and perform other functions that support staff wellness in coordination with human resources staff.

Schools will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Glossary:

CNP- Child Nutrition Program

DWC- District Wellness Committee

Extended School Day - time during before and after school activities that includes clubs, intramural sports, band and choir practice, drama rehearsals, etc.

School Campus - areas that are owned or leased by the school and used at any time for school-related activities such as the school building or on the school campus, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields, and stadiums (e.g. on scoreboards, coolers, cups, and water bottles), or parking lots.

School Day - midnight the night before to 30 minutes after the end of the instructional day

The District- referring to Orange Beach City Schools

Triennial – recurring every three years

USDA- United States Department of Agriculture

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Revised on 1/12/2023; Reference: Code of Alabama 16-11-9

8.80 RECORDS RETENTION AND DISPOSAL

The Orange Beach Board of Education shall establish and maintain a system for the retention and destruction of school records consistent with legal requirements to minimize record storage requirements and permit the Superintendent to administer the affairs of the Orange Beach School System more efficiently.

After complying with the provisions of laws and rules, the Superintendent is authorized at his/her discretion to destroy general correspondence and other records, papers, and documents, provided such records do not serve as an agreement or understanding or have value as permanent records. However, commodity records are to be maintained according to Child Nutrition Program guidelines, and records of milk, bread, and juice are to be maintained permanently.

Document Preservation Plan and Litigation Hold for Electronic Records: The Board shall adopt a document preservation plan to ensure when a lawsuit is filed or reasonably anticipated, it takes special precautions to prevent the loss of potentially relevant electronic data. Electronic data includes all forms of electronic communications and records such as email, word processing, calendars, voice messages, videos, photographs and other digital information.

When a lawsuit is filed or reasonably anticipated, a litigation hold shall be issued to appropriate individuals, which shall define and identify records to be preserved and direct that the records be preserved and how to do so. A person receiving a litigation hold has a duty to preserve all records, whether existing or later created, in the person's possession or scope of responsibility that are identified in the litigation hold, effective immediately. The Board's duty to preserve records shall continue until the litigation, or the threat of litigation that prompted the litigation hold has ended.

After a lawsuit is filed and when the Board receives a request from an opposing party for production of electronic records, the Board's counsel and the Board will determine the best approach to take in order to efficiently produce a complete and accurate response.

References: Code of Alabama 16-11-9, 16-13a-6, 36-12-2, 13-12-40, 41-13-1

9.10 PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS

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

Parent-Teacher Groups: The Orange Beach Board of Education considers parent-teacher groups as auxiliaries to the public schools and not as "outside" groups. Whenever a local parent-teacher group is formed, it shall be permitted to hold its regular meetings in the school building, and it shall be the duty of the principal and the teachers of the school to further the work of the group in every way practicable. Meetings of these groups may be held in the school building with the permission of the school principal without the necessity of the lease required of "outside" groups.

Booster Clubs and Parent Teacher Organizations (PTAs): It shall be the policy of the Orange Beach Board of Education to work with and encourage the support of academics, co-curricular and extracurricular organizations, and local school PTAs.

All booster club and PTA activities shall be authorized by and coordinated with the school principal.

If booster club or PTA funds are a part of the local school's finances, then all funds shall be accounted for by the school principal; all purchases shall be approved by the school principal. If not, the treasurer of the organization must be bonded as prescribed in Local School Accounting guidelines. Also, copies of annual audits of booster clubs and PTAs shall be maintained at the local school and at the central office.

Booster clubs shall not directly or indirectly supplement the pay of band directors, coaches, advisors, or any other school employees without Superintendent and Board of Education approval.

All decisions concerning personnel employed by the Orange Beach Board of Education shall be strictly reserved as a Orange Beach Board of Education matter and shall not be the prerogative of booster clubs.

Any person paid solely by a citizen group must be approved by the Orange Beach Board of Education prior to being permitted to work with students in the local schools.

Booster club members are not permitted to recruit players and/or coaches from other public or private schools.

Advisory Councils: The Orange Beach School System administration shall appoint a federal program advisory council, a career-technical advisory council, and other appropriate parent advisory committees/councils as needed.

References: Code of Alabama 16-11-9, 16-12-3, 36-25-1 et seq., Alabama Administrative Code §290-4-1-.01(2-3)

9.15 PARENT INVOLVEMENT: FAMILY AND SCHOOL PARTNERSHIP FOR STUDENT ACHIEVEMENT

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

The Orange Beach School System will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs which include the following:

- Communication between home and school is regular, two-way, and meaningful.
- Communication between home and school includes conferences, telephone conversations, parent involvement meetings, written resource materials, community and system-wide surveys and needs assessments. Educators shall maintain accurate records of home-school communications.
- Responsible parenting is promoted and supported.
- Family literacy and parenting skills are emphasized.
- Parents play an integral role in assisting student learning.
- Parents help their children meet challenging state and local content and achievement standards.
- Parents are welcome in school and their support and assistance are sought.

- Opportunities to volunteer are frequently communicated.
- Parent participation on advisory committees strengthens program review, planning and improvement.
- Parents are full partners in the decisions that affect children and families.
- Community resources are utilized to strengthen school programs, family practices and student learning.

The Orange Beach School System will communicate parental choices and responsibilities to parents.

The Orange Beach School System will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the professional development plan.

The Orange Beach School System will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy:

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

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

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-3-1-.02(2)(A), No Child Left Behind Act of 2001

9.20 PUBLIC INFORMATION AND PUBLIC RELATIONS

Because the schools belong to the people who created them by consent and who support them by taxation, it is the declared intent of the Orange Beach Board of Education:

- To keep the citizens adequately informed through appropriate channels of communication on policies, programs, problems, needs, and the planning of the school system and to carry out this policy through its own efforts and the office of the Superintendent.
- To seek advice and opinion from the people of the community.
- To require Orange Beach School System staff members to cooperate in keeping the public informed of all newsworthy events which would be of interest or concern to the citizens and which would promote the welfare of the school system, provided any news release by a particular school be approved by the principal or designee and any release relating to the Orange Beach

School System as a whole shall be approved by the Superintendent or designee.

Media requests for interviews with minor students will be denied unless parental permission is given.

References: Code of Alabama 16-3-11, 16-11-9, 16-12-2

9.30 USE OF FACILITIES

General Policy: The Orange Beach Board of Education believes the functions of school buildings and grounds should be to accommodate approved school programs for students and to assist in meeting the educational, cultural, civic, social and recreational needs of communities.

Use of school buildings by the community shall be considered a secondary function and shall be scheduled at times which do not interfere with regular school activities.

Use Agreement: The Orange Beach Board of Education shall direct the Superintendent to develop administrative rules and regulations governing the use of school facilities. The use of school facilities by individuals or groups shall be governed by a signed use agreement between the individual or group and the Board. The use agreement shall contain, but is not limited to, the following:

- A “hold harmless” agreement having the effect of holding the Board free from any liability arising from the negligence of the party using the facilities.
- Use of school facilities is limited to rental space, ingress, and egress. Individuals and groups in unauthorized areas may be considered as trespassing.
- A statement requiring, with limited exception, any person or group leasing the school facilities to purchase liability insurance indemnifying the Board and its members as additional insured. A certificate verifying the purchase of such insurance should be presented to the Board at least twenty-four (24) hours prior to use of the facilities.
- A statement that the individual or group lessee shall assume all responsibility for damage and/or maintenance expenses invested in the building, directly or indirectly resulting from lessee’s use.

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

Limited Open Forum - Equal Access: Non-curriculum related student organizations shall have the same opportunity to use school facilities as any other student

organization, regardless of religious, political, philosophical, or other content of the speech at such meetings, subject to the right and obligation of the Board to maintain order and discipline on school premises and to protect the well-being of students and faculty.

The principal of the school may approve use of the school facility by a non-curriculum related student organization provided:

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

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

Any student organization seeking to meet on school property during non-instructional time shall submit a written application to the school principal. Application shall include the following information:

- The name of the organization;
- A general statement of the purpose of the organization;
- A description of the qualifications for membership, if any;
- A statement the students understand and agree to comply with this equal access policy; and,
- A proposed schedule of meetings and activities.

The principal shall deny approval to any organization whose purposes, qualifications for membership, or proposed activities are unlawful. Failure to comply with this policy shall be grounds for revocation of the right to continue to conduct meetings under this policy.

References: Code of Alabama 16-1-25, 16-10-11, 16-11-9, 16-11-11, 16-11-12, 16-12-3(A)

9.40 ADVERTISING IN SCHOOLS

Orange Beach School System facilities shall not be used for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency or individual organization; nor shall Orange Beach Board of Education employees or students be employed in such a manner. Advertising on school buses shall be prohibited. The following are exceptions:

- School officials, with the Superintendent's approval, may cooperate with any governmental agency in promoting activities in the general public's interest or may cooperate in furthering the work of any non-profit community-wide social service agency, provided that such cooperation does not restrict or interfere with the educational program of the school and is non-partisan and non-controversial.
- A school may use film or other educational materials which contain advertising. The film or material shall be carefully evaluated by the school principal for classroom use to determine whether the film or material contains undesirable propaganda.

The Superintendent may announce or authorize any lecture or community activity of particular educational merit.

Demonstrations of educational materials and equipment shall be permitted with the principal's approval.

Schools may utilize athletic facilities for commercial advertising to support school programs. The principal shall maintain approval rights on the content and form of such advertising. Money collected from these commercial advertisements shall be deposited into the proper internal account.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-4-1-.01(3)(A)

9.50 DISTRIBUTION OF LITERATURE AND MATERIALS TO STUDENTS

Literature or materials that originate from out-of-school sources shall be approved by the Superintendent or designee prior to distribution to Orange Beach School System students.

The principal shall prohibit all forms of canvassing or soliciting of teachers or students on Orange Beach School System premises during school hours except as otherwise approved by the Superintendent. No literature or materials from out-of-school sources shall be distributed to homes by students without the approval of the Superintendent or designee. Student or school surveys by outside groups or organizations require the approval of the Superintendent or designee.

References: Code of Alabama 16-11-9, 16-12-3

9.60 VISITORS

Any person entering the premises of an Orange Beach School System school shall report to the principal or designee and make known the purpose of the visit.

This policy does not apply to routine deliveries or scheduled maintenance visits.

The Superintendent or designee shall develop a plan for visible identification of visitors or other persons who are not students or employees of the school.

A student not enrolled in the school or a student not accompanied by a parent/guardian is prohibited from visiting a school unless otherwise approved by the principal.

Parents/guardians are invited to visit the schools. To avoid interrupting the daily program, the parent should request a conference for after school hours or during a teacher's planning period. Parents/guardians are encouraged to plan such conferences with teachers and shall sign in at the principal's office and be issued a visitor's badge at the time they arrive on the campus.

Parents may request to observe their child's classroom by advanced written request to the principal. The principal may schedule such a request.

Any person who enters or remains upon Orange Beach School System property without legitimate purpose may be found to be trespassing, subject to arrest and penalties as defined by statutes.

No adult sex offender, after having been convicted of a sex offense involving a minor, shall enter onto the property of a Orange Beach school while school is in session or attend any Orange Beach school activity unless the adult sex offender does all of the following:

- Notifies the principal or the school, or his/her designee, before entering onto the property or attending the school activity;

- Immediately report to the principal of the school, or his/her designee, upon entering the property or arriving at the school activity; and,
- Complies with any procedures established by the school to monitor the whereabouts of the sex offender during his or her presence on school property or at a school activity.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-3-1-.02(A) Alabama Legislative Act 2014-241

9.70 RELATIONS WITH GOVERNMENTAL AUTHORITIES

The Orange Beach Board of Education will cooperate with local, state, and federal organizations and agencies when it is in the best interest of the system.

The Superintendent may initiate or accept proposals and requests for cooperative endeavors; final action shall be subject to Board review and approval.

Community relations of a continuing nature may be temporarily approved by the Superintendent if they involve no cost to the system and will neither disrupt the school system nor involve substantial use of facilities or personnel.

Formal agreements shall require Board approval. The Orange Beach Board of Education shall also review and approve major cooperative agreements or arrangements between other school systems, colleges, universities, correctional schools, or other educational organizations. Local schools, teachers, school clubs, and/ or employees may not enter into any contract with vendors or other agencies without Board approval.

Guidelines related to joint activities and requests for cooperation shall address costs which may be incurred, the extent of school personnel involvement, and prior agreements or arrangements with the same or similar organizations.

References: Code of Alabama 16-11-9, 16-12-3, Alabama Administrative Code §290-4-1-.01(2)

9.80 PUBLIC GIFTS TO SCHOOLS

The Orange Beach Board of Education may receive gifts that may serve to enhance and extend the work of the schools.

Equipment contributed to the schools becomes the property of the Orange Beach Board of Education and is subject to the same controls and regulations that govern the use of other Board property.

Contributions of equipment or services that may involve major costs for installation or maintenance, or continuing financial commitments from school funds shall be presented by the Superintendent to the Orange Beach Board of Education for consideration and approval.

Individuals or organizations desiring to contribute supplies or equipment shall consult with school officials regarding the acceptability of such contributions in advance of the contribution.

All employees in a position to receive gifts in the name of a school or the school system shall apply a test of "reasonableness" to the gift. Reasonableness may be defined as anything that might not be construed to influence the decision makers in the purchase of school-related goods and services.

References: Code of Alabama 16-3-29, 16-3-30, 16-3-31, 16-11-9, 16-11-11, 16-12-3, Alabama Administrative Code §290-4-1-01(3)

9.90 PUBLIC COMMENTS

Constructive comments regarding the schools are welcomed by the Orange Beach Board of Education when motivated by a sincere desire to improve the quality of the educational program or to equip the schools to do their tasks more effectively. The Board has, however, confidence in its professional staff and desires to support their actions so they may be free from unnecessary, spiteful, or negative criticism or complaints. Therefore, when a complaint is made to the Board or an individual, it will be referred to the school administration for possible resolution.

Public Comment Procedures: The Orange Beach Board of Education advises the public that the proper channeling of complaints involving instruction, discipline, learning materials, or other school matters is as follows:

- Teacher;
- Principal;
- Superintendent;
- Board of Education.

The Orange Beach Board of Education will consider hearing citizen complaints when they cannot be resolved by the administration. Matters referred to the Board must be in writing and should be specific in terms of the action desired. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level. Complaints that involve the "good name" or "character" of an individual shall be heard in executive session as allowed by the Alabama Open Meetings Act. (See Policy 2.22 Board Meetings)

References: Code of Alabama 16-11-9, Alabama Administrative Code §290-4-1, Alabama Open Meetings Act