POLICY MANUAL OF THE WINSTON COUNTY BOARD OF EDUCATION

Learning with Integrity, Leading for Life.

Double Springs, Alabama

Winston County Board of Education

Revised 2025

Policy Manual

Table of Contents

Preface and Definitions

I. Governing Principles
- 1.1 Mission Statement
- 1.2 Vision
- 1.3 Values and Beliefs

II. School Board Operations
- 2.1 Board Composition and Organization
  - 2.1.1 Composition
  - 2.1.2 Officers
  - 2.1.3 Committees
- 2.2 Duties and Authority of Board Members
- 2.3 Board Member Compensation
- 2.4 Board Member Training
- 2.5 Board Meetings
  - 2.5.1 General Provisions
  - 2.5.2 Time and Place
  - 2.5.3 Rules of Order
  - 2.5.4 Public Participation
  - 2.5.5 Electronic Meetings
- 2.6 Superintendent's Responsibilities and Qualifications
  - 2.6.1 Role, Responsibilities, Qualifications, and Term
  - 2.6.2 Scope of Executive and Administrative Authority
  - 2.6. Policy Development
- 2.7 Recordkeeping and Retention of Board Records
- 2.8 Board Policy
  - 2.8.1 Policy Dissemination
  - 2.8.2 Suspension of Policy
  - 2.8.3 Policy Revision
  - 2.8.4 Policy Adherence
- 2.9 Association Membership
- 2.10 Board Attorney
- 2.11 Superintendent Advisory
- 2.12 Selection of School, Facility, and/or Property Name
  - 2.12.1 Naming in Recognition of Distinction
  - 2.12.2 Naming in Recognition of Financial Support
  - 2.12.3 General Provisions

III. Fiscal Management

3.1 Chief School Financial Officer
3.2 Budget
3.3 Accounting
3.4 Finance Manual Authorized
3.5 Audits
3.6 Inventories
- 3.6.1 Disposal of Inventories

3.7 Purchasing
- 3.7.1 Procurement of Property and Services
- 3.7.2 Determination of Allowable Costs

3.8 Deposit and Expenditure of Funds
- 3.8.1 Deposits
- 3.8.2 Investments
- 3.8.3 Expenditures
- 3.8.4 Competitive Bid Law
- 3.8.5 Authorized Signatures
- 3.8.6 Cash Management for Federal Funds

3.9 Employee Compensation
- 3.9.1 Salaries and Pay Rates
- 3.9.2 Salary Administration
- 3.9.3 Salary Deductions
- 3.9.4 Minimum Wage and Overtime
- 3.9.5 Compensatory Time
- 3.9.6 Payroll Administration
- 3.9.7 Annual Appropriation Act – Certified Academic Language Therapist
- 3.9.8 School Principal Leadership and Mentoring Act and the Principal Leadership Development System for K-12 Education
- 3.9.9 Local Supplements

3.10 Expense Reimbursement
3.11 Fees, Payments, and Rentals
- 3.11.1 Facility Use Fees
- 3.11.2 Copying and Other Charges
- 3.11.3 Forms of Payment

3.12 School Accounts
3.13 Authority to Execute Contracts
- 3.13.1 General Authority
- 3.13.2 Limitation on Authority to Bind the Board

3.14 Affiliated Organizations
- 3.14.1 School Sponsored Organizations
- 3.14.2 Booster Clubs, Parent-Teacher Associations, and Other Affiliated Organizations

3.15 Fundraising
3.16 Child Nutrition
3.16.1 Procurements
3.16.2 Child Nutrition Program Manual Authorized
3.17 Fund Balance Policy in Accordance with GASB Statement No. 54
3.17.1 Governmental Funds Definitions
3.17.2 Fund Balances
3.17.3 Priority
3.17.4 Review and Reporting
3.18 Employee Fundraising and Crowdfunding
3.19 Worthless Checks
3.20 Classroom Instruction Support
3.21 Signage
3.22 Fund Drives, Solicitations, Sales, Contracts
3.23 OMB Part 200
3.24 Annual Budget Hearing
3.25 Worker's Compensation
3.25.1 On-the-Job Injury Leave
3.26 Maternity/Paternity Leave
3.27 Competitive Bid Law

IV. General Administration
4.1 Security / Access to Schools
4.1.1 Security Measures Authorized
4.1.2 Access Restrictions Authorized
4.1.3 Duty of Sex Offender to Notify School of Presence
4.2 Safe Schools Policy (Drugs, Alcohol, Tobacco, and Weapons)
4.2.1 Prohibition on the Possession of Firearms
4.2.2 Prohibition on the Possession of Weapons
4.2.3 Illegal Drugs and Alcohol
4.2.4 Tobacco
4.2.5 Searches
4.2.6 Drug and Alcohol Free Environment
4.2.7 Adoption of Statutory Penalties and Consequences
4.3 Accreditation
4.4 Use of Board Equipment Supplies, Materials, Vehicles
4.5 Use of Facilities
4.6 Complaints and Grievances
4.6.1 General Complaints (Grievances)
4.6.2 Limitations Regarding Availability and Application of General Complaint/Grievance Policy
4.6.3 Student Complaints and Grievances

4.6.4 Student Disciplinary Matters
4.6.5 Americans with Disabilities Act Complaint Procedure
4.7 Risk Management
4.8 Emergency Closing of Schools
4.8.1 Authority of Superintendent to Close Schools
4.8.2 Make-Up Dates
4.9 Internet Safety and Use of Technology
4.9.1 Access to Technology Resources
4.9.2 Restriction or Loss of Technology Privileges
4.9.3 Ownership of Technology Resources and Data
4.9.4 Adoption of Rules and Regulations
4.9.5 Limitation on Liability
4.9.6 Cyberbullying
4.10 Political Activity
4.11 Communicable Diseases
4.12 Data Governance
4.12.1 Purpose
4.12.2 Scope
4.12.3 Regulatory Compliance
4.12.4 Risk Management
4.12.5 Data Classification
4.12.6 Systems and Information Control
4.12.7 Compliance
4.13 Seizure Safe School Act
4.14 Extra-Curricular Athletic Programs
4.15 Automatic External Defibrillator (AED)
4.16 Service Animals
4.17 Copyright Restrictions
4.18 Artificial Intelligence Acceptable Use Policy
4.19 Volunteer Campus Chaplains

V. Personnel
5.1 Employee Qualifications and Duties
5.1.1 General Requirements
5.1.2 Lesson Plans
5.1.3 Special Requirements
5.2 Hiring
5.2.1 Application Procedures
5.2.2 Qualifications
5.2.3 Hiring Authority
5.2.4 At-Will Employment
5.2.5 Nepotism

5.3 Tuberculosis Tests for Employees
5.4 Probationary Employment
5.5 Non-Teaching Supplemental Duties
5.6 Professional Development
5.7 Employee Conflicts of Interest
5.7.1 General Provisions
5.7.2 Outside Employment
5.7.3 Gifts
5.7.4 Tutoring for Pay by Professional Personnel
5.8 Employee Evaluations
5.8.1 Certified Personnel
5.8.2 Non-Certified Personnel
5.8.3 Use of Evaluations in Connection with Employment Decisions
5.8.4 Special Evaluation Situations
5.8.5 Exempt Personnel
5.9 Personnel Records
5.9.1 Content of Personnel Files
5.9.2 Alternate Data Storage
5.9.3 Confidentiality
5.9.4 Access to Personnel Files
5.10 Employee Leave
5.10.1 Work Attendance an Essential Job Function
5.10.2 Absences
5.10.3 Paid Sick Leave
5.10.4 On-The-Job Injury Leave
5.10.5 Personal Leave
5.10.6 Vacation
5.10.7 Professional Leave
5.10.8 Unpaid Study Leave
5.10.9 Military Leave
5.10.10 Court Leave
5.10.11 Voting Service
5.10.12 Conferences and Visitations
5.11 Family and Medical Leave Act (FMLA)
5.11.1 Eligible Employees
5.11.2 Medical Leave Provided by the Act
5.11.3 Serious Health Conditions
5.11.4 Military Family Leave Provided by the Act
5.11.5 Spouse Employed by the Board
5.11.6 Intermittent Leave
5.11.7 Use of Vacation and Sick Leave
5.11.8 Notice

5.11.9 Certification for Medical or Military Caregiver Leave
5.11.10 Certification for Qualifying Exigency Leave
5.11.11 Return to Work
5.11.12 Maintenance and Benefits
5.12 Sick Leave Bank
5.13 Administrative Leave
5.14 Equal Employment Opportunity
5.14.1 Unlawful Discrimination Prohibited
5.14.2 Implementing Regulations Authorized
5.15 Sexual Harassment (Title VII)
5.15.1 Definition of Sexual Harassment
5.15.2 Examples of Prohibited Conduct
5.15.3 Employee Complaint Resolution Procedure
5.15.4 Formal Complaint Procedure
5.15.5 Confidentiality
5.15.6 Retaliation Prohibited
5.15.7 Penalties for Violation
5.16 Reduction-In-Force
5.16.1 Definition and Scope
5.16.2 Criteria for Implementing Layoffs
5.16.3 Recall
5.16.4 Notice
5.16.5 Reservation of Board Authority
5.17 Unauthorized Payments
5.17.1 Notification to the Employee
5.17.2 Retention and Recovery Authorized
5.17.3 Repayment Required as a Condition of Reemployment
5.17.4 Procedures Not Exclusive
5.18 Drug and Alcohol Testing of Employees
5.18.1 Scope
5.18.2 Enforcement
5.18.3 General Policy
5.18.4 Drug Use/Distribution/Impairment/Possession
5.18.5 Alcohol Use/Possession/Impairment
5.18.6 Off Duty Conduct
5.18.7 Prescription Drugs
5.18.8. Substance Screening
5.18.9 Discipline
5.18.10 Training
5.18.11 Investigation/Searches
5.19 Employee Admission to Sporting Events
5.20 Searches (Personnel)

5.21 Transfer of Sick Leave
5.22 Self-Reporting Arrest or Conviction
5.23 Social Media
5.24 Teacher Bill of Rights
5.25 Staff Internet Safety and Student Social Media Safety Course
5.26 Military and Veteran Employment Preference

VI. Students

6.1 Admissions and Attendance
6.1.1 Compulsory Attendance and Entrance Age
6.1.2 Admission to Schools
6.1.3 Attendance Zone and Class Assignment
6.1.4 Absences/Excuses/Tardiness/Attendance
6.1.5 Truancy
6.1.6 Communicable Diseases and Parasites
6.2 Home Schools
6.2.1 Alabama Laws Governing Private Tutors
6.2.2 Board Requirements
6.2.3 Penalties
6.3 Homebound
6.3.1 Eligibility for Homebound Services
6.4 Transfers and Withdrawals
6.4.1 Transfers
6.4.2 Withdrawals
6.5 Student Fees, Fines, and Charges
6.6 Extracurricular Activities
6.6.1 General
6.6.2 Athletics
6.6.3 Academic Ineligibility
6.7 Off-Campus Events
6.8 Student Publications
6.9 Equal Educational Opportunities
6.10 Title IX
6.10.1 Prohibition
6.10.2 Title IX Coordinator
6.11 Student Sexual Harassment
6.11.1 Sexual Harassment Prohibited
6.11.2 Definition
6.11.3 Sexual Harassment of Students
6.11.4 Sexual Harassment Complaint Procedures Authorized
6.11.5 Initial Confrontation of Accused Harasser Not Required
6.11.6 Notice of Policy to be Promulgated
6.12 Protection of Pupil Rights Amendment

6.12.1 Consent
6.12.2 Notice and Option to Opt Out
6.12.3 Inspection
6.12.4 Special Provisions for Certain Students
6.12.5 Additional Policies and Procedures Authorized
6.12.6 Voluntary Religious Expression
6.13 Student Records
6.13.1 Access to Records
6.13.2 Procedures for Safeguarding Student Records
6.14 Harassment, Violence, and Threats of Violence Prohibited
6.14.1 Prohibition
6.14.2 Definitions
6.14.3 Consequences for Violations
6.14.4 Reporting, Investigation, and Complaint Resolution Procedures
6.14.5 Promulgation of Policy and Related Procedures, Rules, and Forms
6.15 Student Health Services
6.16 Corporal Punishment
6.17 Student Conduct
6.18 Student Discipline
6.18.1 Seclusion & Restraint for all Students
6.18.2 Alternative School
6.19 Searches (Students)
6.20 Due Process Procedures
6.21 Out of School Suspension
6.22 Expulsion
6.23 Electronic Communication Devices
6.24 Student Attendance: Drivers' License/Learner's Permit
6.24.1 Purpose of Act
6.24.2 Penalty Provisions of the Act
6.25 Student Parking Privileges – Substance Abuse Policy
6.26 Student Competitive Extracurricular Activity Substance Abuse Policy
6.27 Student Employment (Work Release)
6.28 Suicide Awareness and Prevention
6.28.1 Introduction
6.28.2 Prevention of Suicide
6.28.3 Description of Behavior Expected of Students
6.28.4 Responsibility of Reporting
6.28.5 Promulgation of Policy and Related Procedures, Rules, and Forms
6.29 Homeless Education
6.30 Jamari Terrell Williams Student Bullying Prevention Act Policy
6.30.1 Bullying, Intimidation, Violence, and Threats of Violence Prohibited
6.30.2 Definitions

6.30.3 Description of Behavior Expected of Students
6.30.4 Consequences for Violations
6.30.5 Reporting, Investigation, and Complaint Resolution Procedures
6.30.6 Promulgation of Policy and Related Procedures, Rules, and Forms
6.30.7 Construction of Policy
6.31 Supervision of Low Risk Juvenile Sex Offenders
6.31.1 Definitions
6.31.2 Notification
6.31.3 Plan Development and Maintenance
6.31.4 Supervision
6.31.5 Students with Disabilities
6.31.6 Violations of the Plan
6.31.7 Challenges to the Plan
6.31.8 Confidentiality
6.31.9 Retaliation
6.31.10 Procedures
6.32 Child Find
6.33 Use of Video Cameras in Self Contained Classroom
6.34 Concussions
6.35 No Student Fighting
6.36 Supervision of Low Risk Juvenile Sex Offenders
6.37 Distribution of Explicit Images

VII. Instructional Program
7.1 Curriculum
7.2 Textbooks
7.3 Evaluation of Instructional Program
7.4 Academic Standards
7.4.1 General Grade Scale
7.4.2 Weighted Grading Scale
7.4.3 Transfer Students
7.4.4 Special Education Grading Standards
7.4.5 Report Cards
7.4.6 Promotion
7.4.7 Class Rankings
7.4.8 Credit Recovery
7.4.9 Criteria for Valedictorian/Salutatorian
7.5 Testing
7.6 Summer School Operations
7.7 Dual Enrollment
7.8 Correspondence, Virtual School, or Online Courses
7.9 Career Technical Education

7.9.1 Work-Based Learning Experience
7.9.2 Live Work
7.9.3 Safety
7.10 Foreign Exchange Program
7.11 Extended Programs: Community Education
7.12 Graduation, Certificate of Completion and Commencement
7.12.1 Fifth Year Seniors
7.12.2 Adult High School Diploma Program
7.13 School Wellness
7.13.1 General
7.13.2 Implementation and Monitoring
7.14 Selection of Instructional Materials and Materials for the School Media Centers
7.15 Parent/Family Involvement – Meeting the Requirements of every Student Succeeds Act
7.15.1 Title I Parent Involvement
7.15.2 Annual Evaluation of Initiatives
7.15.3 Allocation of Funds
7.15.4 Notice of Rights and Information
7.16 Extended Learning Opportunities
7.17 Alabama Release Time Credit Act Policy
7.18 Non-Traditional Student Enrollment Policy

Acknowledgement

Original Committee for Study of School Policies
Mrs. Loyce D. Whitson, Chairman, Double Springs
Mr. Wayne L. Tidwell, Co-Chairman, Arley
Mrs. Letha Weaver, Recorder, Double Springs
Mr. J. H. Herron – Lynn, Mrs. Betty C. Porter – Addison, Mr. Jimmie C. Lott – Addison, Mr. Carlos L. Radford – Lynn, Mr. Morris M. Nix – Pebble, Mrs. Elizabeth S. Smith - Haleyville Mr. Farris C. Southern - Addison

The 1985 Revision Committee
Appreciation is extended to the members of the School District Organization Policy Committee for their valuable contribution to the development of written school board policies for the School District. Many hours of work by the members of this committee are represented by the policies that follow. Members of the 1985 School District Organization Committee were as follows:
Alton Hendon
Glennis Posey
Jack Herron
Ken Preuitt
Bill Self

The 1997 Revision Committee
Appreciation is extended to the members of the School District Organization Policy Committee for their valuable contribution to the development and revision of written school board policies for the School District. Many hours of work by the members of this committee are represented by the policies that follow. Members of the 1997 School District Organization Committee were as follows:
E. B. Barron
Betty C. Porter
William L. Self
Cassandra Tingle

The 2015 Revision Committee

Appreciation is extended to the members of the School District Organization Policy Committee for their valuable contribution to the development and revision of written school board policies for the School District. Many hours of work by the members of this committee are represented by the policies that follow. Members of the 2015 School District Organization Committee were as follows:
Shandy Porter, Chairman
Jeff Cole, Vice-Chairman
Marla Murrah, Recorder
Members: Andrew McCay, Jeff Scott, Derek Cleghorn, Shelia Everett, Angela Baldy, Haley Batchelor, Heather Tucker,Brian Heck, Adam Gray, Latricia Faulkner, Judy Garner, Jeff Hendrix, James D. Moore, James A. Pruitt, Sonja Townsend, Kaitlyn Humphries, Gloria Johnson

The 2025 Revision Committee
Appreciation is extended to the members of the School District Organization Policy Committee for their valuable contribution to the development and revision of written school board policies for the School District. Many hours of work by the members of this committee are represented by the policies that follow. Members of the 2025 School District Organization Committee were as follows:
Jeff Scott, Morgan Blankenship, Todd Tittle, Bart Shannon, Kayla Collier, Sharon Naylor, Lauren Archer, Jennifer Baker, Marla Price, Brad Alsup, Daniel Farris, Micah Smothers, Scott Flynn, Allan Henderson, Wes Harden, Jeff Cole, Jon Baker, Sharon Baughn, Adam Gray, Annah Black, Michael Nanney

Preface

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

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

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

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

Definitions

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

a. "Board" or "Board of Education" means and refers to the Winston County Board of Education.

b. "State" means and refers to the State of Alabama.

c. "System" or "school system" means and refers to all schools, facilities, and operations of the Winston County Board of Education.

d. "State Board of Education" means and refers to the Board that exercises general control and supervision over the public schools of the State of Alabama as constituted and authorized by ALA. CODE

§ 16-3-1, et seq. (1975).

e. "Alabama (State) Department of Education" means and refers to the state agency that is charged with implementing the policies, procedures, and regulations of the State Board of Education as provided in ALA. CODE § 16-2-1, et seq. (1975).

f. "He," "his," or "him" means and includes all genders.

g. "Law" includes local, state, and federal statutes, regulations, ordinances, court decisions, and binding administrative orders or directives.

h. "Certified" or "certificated," when used to modify the words "teacher," "personnel," "employee," "staff," or similar terms, means and refers to Board employees who hold certificated or comparable forms of licensure issued by the State Superintendent of Education under authority of ALA. CODE §16- 23-1 (1975).

i. "Classified" or "support," when used to modify the words "personnel," "employee," "staff," or similar terms, means and refers to Board employees who do not hold certificates issued by the State Superintendent of Education under authority of ALA. CODE §16-23-1 (1975) and who, in general, hold employment positions of the type identified in ALA. CODE §36-26-100 (1975), of the Code of Alabama (1975).

Citations to the United States Code, the Code of Alabama, and the Alabama Administrative Code are all intended to refer the reader to sources that either serve as legal authority for the policy provisions or provide additional or more detailed information regarding the subject matter of the

policy. The citations are not exhaustive and are subject to repeal, amendment, or invalidation by court rulings. Such changes may not be reflected in the policy.

I. Governing Principles

1.1 Mission - Our mission is to cultivate scholars of integrity through collaborative learning, team thinking, and a commitment to academic excellence. We strive to prepare students for life beyond secondary education by developing critical problem-solving skills and ensuring they are college and career-ready. By providing futures grounded in opportunity and purpose, we empower our students to become productive members of society who contribute meaningfully to their communities.

1.2 Vision - We envision a thriving community of empowered scholars who think critically, collaborate effectively, and act with integrity. Our students will graduate ready for college, careers, and the challenges of a dynamic world—equipped not just to succeed, but to lead, innovate, and contribute as lifelong learners and productive members of society.

1.3 Value and Beliefs –

Students:

- Students have a shared responsibility for their own learning;
- Students have individual learning styles, needs, and gifts; education is most successful when these attributes are respected and utilized;
- Students must be prepared to embrace new opportunities and challenges in order to successfully transition from school to post-secondary education and/or careers;
- Students response to school readiness is a critical component of school success.

Parents:

- Parents are a student's first teacher;
- Parents have a shared responsibility for their student's learning;
- Parents must be empowered by schools to prepare for and support their student's learning;
- Parents have the right to be involved and informed about school policies and their student's progress.

Employees:

- Every employee is an educator and has shared responsibility for student learning;
- Effective classroom teachers are critical and assume primary responsibility for student learning;
- Effective leadership is key to student learning;
- Collaboration is fundamental to successful outcomes;
- Advancing the capabilities of all employees is essential to an excellent educational system.

Community:

- Learning is best served when collaboration occurs among students, parents, school and district personnel, and communities;
- Communities benefit from a strong public education system;
- Well managed physical facilities are a community asset and must be specifically designed, constructed, and maintained to advance learning.

Education System:

- Education enhances the quality of life and is the foundation for a strong and free society;
- Education is a dynamic process improved through a continuous cycle of assessment, reflection, and modification;
- Educational resources must be managed effectively, transparently, and equitably;
- High standards and expectations must be maintained through a system of accountability.

II. School Board Operations

2.1 Board Composition and Organization

2.1.1 Composition – The Winston County Board of Education consists of five (5) members elected by the qualified electors of Winston County, Alabama, to serve four-year terms. No member of the Board may be employed by the Board.

[Reference: Ala. Code §§ 16-8-1, 16-8-2 (1975)]

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

[Reference: ALA. CODE § 16-8-4 (1975)]

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

2.2 Duties and Authority of Board Members

The Board has the authority and responsibility to administer and supervise the public schools that are located within Winston County Alabama, and not under the purview of a city board of education. Board authority will only be exercised collectively through action taken in accordance with applicable statutory and parliamentary procedures. Individual Board members have no authority to bind the Board or to act on behalf of the Board except when authorized to do so by official action of the Board.

2.3 Board Member Compensation

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

[Reference: ALA. CODE § 16-8-5 (1975)]

2.4 Board Member Training

Board members will participate in new member orientation and on-going training that is designed to enhance their knowledge and effectiveness as school board members. The Board recommends the requirements of this policy be satisfied by participation in training provided by the Alabama Association of School Boards or other sources considered knowledgeable in school board governance and leadership. Board members will provide a report to the Board about training experiences at the next available Board meeting.

[Reference: ACT OF ALABAMA 2009-297; Ala. Code §16-1-41 (1975)]

2.5 Board Meetings

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

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

2.5.2 Time and Place – The times and places for regularly scheduled meetings will be established by the Board. The Board may modify its meeting schedule in the exercise of its sound discretion. Public notice of the

dates, times, and places of meetings of the Board will be given in the manner prescribed by law. Board members will be given such advance notice of specially called meetings as is practicable under the circumstances.

[Reference: ALA. CODE § 16-8-4, 36-25A-1 (1975)]

2.5.3 Rules of Order – Board meetings will be conducted in accordance with the most recently revised edition of Robert's Rules of Order. A majority of the whole Board will constitute a quorum for purposes of transacting Board business except as may otherwise be provided by law.

2.5.4 Public Participation – The following procedures and rules apply for public participation in Board meetings:

a. In order to permit orderly scheduling of public remarks and the inclusion of such in the agenda, anyone wishing to speak before the Board, either as an individual, or as a member of a group, should inform the Superintendent in writing of the desire to do so and of the topic to be discussed as early as possible, but in no event less than five days prior to the meeting. The allowance of public participation at general board meetings, with the exception of the two Budget meeting which are dictated by state law, will be allowed on by the discretion of the superintendent.
b. Any individual desiring to speak shall stand and give his or her name and the group name, if any, that he or she represents.
c. The presentation should be as brief as possible, and in no event shall such address exceed five minutes.
d. Speakers may make statements about their particular concern with school operations and programs. In public session, however, the Board will not hear personal complaints against particular school personnel or against any person connected with the school system. Other means are provided;

   Whereby the Board may consider and dispose of legitimate complaints involving individuals and employees within the school system.

e. The Board President may terminate the remarks of any individual when such remarks do not adhere to the above procedures, or for other good reason.

2.5.5 Electronic Meetings **-** Members of the Board or any committee of the Board may participate in a meeting by electronic means in accordance with this policy.

a. Definitions: For purposes of this policy, the definition of the listed words and phrases shall be as follows:

"**Electronic Means"** shall mean telephone conference, video conference, or other similar communications equipment or applications allowing participants who are physically present and those participating from a remote location to hear one another at the same time.

"Illness" shall mean any unhealthy condition that may cause a member to not feel well enough to attend and participate in person in a public meeting, or exposure to an unhealthy condition for which current guidance from the Alabama Department of Public Health or the Centers for Disease Control recommends isolation or quarantine as of the date of the meeting.

"**Meeting**" shall mean any regular, special called, or emergency meeting at which business of the Board or committee will be conducted. This term shall also include any properly noticed work session of the Board.

"**Member**" shall mean members of the Board or of a Board committee.

b. Criteria Required for Participation in Meetings by Electronic Means: A member may participate in a meeting by electronic means if the following criteria are met:

(1) No less than a quorum of the members is physically present at the physical location of the meeting;
(2) A member participating by electronic means is unable to be physically present due to illness;
(3) Participation by electronic means shall constitute presence in person at the meeting for all purposes except for the establishment of a quorum;
(4) The meeting must be held at a physical location available for persons wishing to attend in person, and any interested member of the public at the physical location must

be able to hear all members who are participating by electronic means;

(5) Any vote taken at a meeting, including attendance of a member by electronic means must, be taken as a roll call vote that allows each participant to vote individually in a manner audible to all persons participating by electronic means and those physically present at the physical location of the meeting;

(6) No member participating in a meeting by electronic means may claim any form of reimbursement for expenses relating to that meeting, including mileage; and

(7) No member of the Board may participate by electronic means in deliberations or voting on any action of the Board taken pursuant to the Students First Act of 2011.

c. Notice. In order to participate by electronic means, a member must notify the Superintendent or committee chair with sufficient notice so that the equipment necessary to participate electronically may be set up and activated prior to the start of the meeting, without causing undue delay.

d. Permitted Electronic Equipment. Any telephone, computer, or other equipment used to enable participation by electronic means must include or be connected to a speaker or speaker system or otherwise provide sufficient volume and clarity for each person attending by electronic means to be heard at the same time by all persons physically attending and participating in the meeting.

e. Limits to Application of Policy:

1. This policy shall not be interpreted to limit use of electronic means by the Board or a committee of the Board to provide for remote participation or presentations by consultants, advisors, contractors, vendors, witnesses, counsel, or other persons in any meeting at which a quorum is physically present at the meeting.
2. Members who do not meet the criteria set out in Ala. Code § 36-25A-5.2 and this policy for participation in a meeting held by electronic means, may nonetheless view any such meeting and make public comments to the same extent that comments are permitted at the meeting by members of the public, but cannot be counted as part of the quorum, participate in debate, or vote on any issue or matter presented to the meeting.

2.6 Superintendent's Responsibilities and Qualifications

2.6.1 Role, Responsibilities, Qualifications, and Term – The Superintendent serves as the chief executive officer of and secretary to the

Board. The Superintendent may exercise such prerogatives and duties as are prescribed by statute, as are delegated or specified in an employment contract, or as are otherwise lawfully assigned by the Board. The Superintendent must possess the minimum qualifications for the position that are established by law and such other qualifications as may be specified by the Board. The Superintendent will be elected for a four (4) year term.

[Reference: ALA. CODE § 16-9-1, et. seq. (1975); ALA. CODE §16-12-3 (1975)]

2.6.2 Scope of Executive and Administrative Authority – In addition to specific grants of authority set forth in particular Board policies, the Superintendent is authorized to develop and implement such lawful and reasonable rules, regulations, operating procedures, administrative directives, or like measures as are directed to compliance with legal requirements or attainment of the objects of Board policy. The Superintendent shall have the power to act in cases where the Board has not provided policy statements to guide administrative action. The Superintendent will inform the Board of such action and of the need for policy.

2.6.3 Policy Development - The Superintendent will consult on behalf of the Board with the applicable local employees' professional organization before the Board adopts written policy. The Superintendent is authorized to consult directly with the organization or through a policy committee.

[Reference: ALA. CODE §16-1-30.]

2.7 Recordkeeping and Retention of Board Records

Board records will be maintained by the Superintendent and the CSFO in the manner and for the length of time required by law. Otherwise, records will be retained and disposed of in accordance with procedures that will include a records retention and destruction schedule to be prepared and promulgated by the Superintendent and approved by the Board. All official public records of the Board will be available to citizens for inspection at the office of the Board. Approval to destroy records must be approved by the CSFO.

2.8 Policy

2.8.1 Policy Dissemination – Board policies and administrative rules and regulations should be made accessible to all employees of the School System, to Board members, to students of the School System, and to members of the community. The Superintendent is authorized to establish and maintain an orderly plan for disseminating Board policies and administrative rules and regulations.

2.8.2 Suspension of Policy – The Board may suspend policy upon the recommendation of the Superintendent and a majority vote of the Board.

2.8.3 Policy Revision – The Board of Education, at the beginning of each school year, will revise the policy, if necessary, to reflect state law.

2.8.4 Policy Adherence – The Board of Education will adhere to any and all related State Law that are not reflected in this policy.

2.9 Association Membership

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

2.10 Board Attorney

The Board shall have the right to retain and utilize legal counsel at the Board's expense.

2.11 Superintendent Advisory

The Superintendent has the authority to create committees to provide advice and recommendations regarding the operation and administration of Winston County Schools. A committee may be comprised of such individuals as the Superintendent deems necessary depending on the issues to be considered.

2.12 Selection of School, Facility, and/or Property Name

Naming a School, Facility, and/or Property – When a school, facility, and/or property is to be named, the Board will consider all names which have been suggested.

Renaming an Existing School, Facility, or Property – A recommendation to rename an existing school, facility, or property will be considered only after the county has been given a full opportunity for input by public notice. The Board shall contact the PTA and/or other existing organized school support groups of the affected school. A minimum of sixty (60) days from the date of public notice shall be given before action is taken by the Board.

Naming or Renaming of Parts of a School, Facility, or Property – If parts (i.e. gymnasium, library, auditorium, etc.) of a school, facility, or property are to be named or renamed for an individual or group, the name should be that of an outstanding civic or educational leader or a group of either local, state, or national prominence, who is either retired or deceased. The Board shall consult with the PTA or other organizational school support group of the affected school. The Board will only consider renaming of parts of a school, facility, or property under unusual or extra-ordinary circumstances. The individual or group shall have proved themselves as dedicated and concerned employees or former employees in Winston County Schools (WCS) system or other accomplished, dedicated, or concerned persons in the WCS system, city, state or nation.

The proposed name of the school/facility and/or property will be presented at a regular scheduled Board meeting and may be voted upon at the subsequent regularly scheduled Board meeting.

Naming opportunities may be granted in recognition of distinction and/or in recognition of financial support.

2.12.1 Naming in Recognition of Distinction

From time to time Winston County Schools may want to honor the extraordinary, distinguished contributions of individuals to humanity, to the United States, to Alabama, Winston County, towns or communities within Winston County, or the school system.

Except in the case of posthumous recognition, when a significant area or building is proposed to be named for an individual associated with Winston County Schools, it is recommended that a period of not less than three years shall lapse between the end of the individual's service to Winston County Schools and a naming proposal.

If a building, room, significant area or program is to be named in recognition of outstanding service, the Superintendent shall determine whether the person is worthy of the honor, whether the recommendation has the support of the occupants of the building or users of the area, as well as the support of the principal, before making a recommendation to the Board of Education for approval.

2.12.2 Naming in Recognition of Financial Support

Winston County Schools may seek private funds to enhance the system's ability to meet the education needs of the community, particularly toward a level of excellence that would otherwise not be possible given state and/or local funding levels.

Donors may be individuals, families, organizations, foundations or corporations.

Naming a building, wing, room, lecture hall, etc. will be at the discretion of the Superintendent and the Board, depending on size, age, prestige, location, original cost, etc.

2.12.3 General Provisions

a. No naming will be approved or (once approved) sustained that, in the judgment of the Superintendent and the Board, will call into serious question the public respect of Winston County Schools.

b. Names of facilities or areas should lend prestige to the school and to staff, students and community. The credentials, character and reputation of each individual, organization or corporation for whom the naming of a school property is being considered shall be carefully scrutinized and evaluated. Nominations submitted for consideration must be accompanied by supporting documentation.

c. When a building or significant area has been named, the school district will continue to use the name so long as the building or area remains in use and serves its original function. When the use has changed such that it must be demolished, substantially renovated, rebuilt, or sold, Winston County Schools

may retain the use of the name, name another comparable room or facility or discontinue the use of the name.

Commitments made prior to adoption of this policy shall be honored.

III. Fiscal Management

3.1 Chief School Financial Officer

The Board will appoint a Chief School Financial Officer to oversee the financial operations of the Board and to perform the duties of the position that are set forth in state law and regulations. The Chief School Financial Officer may also be referred to as the Chief School Finance Officer (CSFO). The CSFO shall be a contracted position with a year contract approved by the Board of Education

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

3.2 Budget

A budget will be developed and approved for each fiscal year, which extends from October 1st to September 30th of the following year. Preparation, presentation, submission, and approval of the budget will be undertaken and completed as provided for in state law and regulations. Budgets will be "balanced" such that the expenditures set forth in the budget for the fiscal year will not exceed revenues and any cash balances on hand.

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

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

3.3 Accounting

Generally accepted accounting principles (GAAP) and Education Department General Administrator Regulation (EDGAR) will be employed in the administration of all Board and school finances. All Board and school

accounts will be reconciled to financial records. All reports required by the State Department of Education will be completed in a timely manner with copies provided to Board members.

3.4 Finance Manual Authorized

Financial transactions will be administered in accordance with a general finance manual and any local school finance manual that is adopted by the State or that may be developed by the Superintendent and the Chief School Financial Officer and approved by the Board. The finance manual(s) will establish and describe specific practices and procedures that are to be followed in connection with all phases of financial administration, including, but not limited to such matters as accounting, bookkeeping, inventory maintenance, payroll, reconciliation, fund security, receipting, disbursement, purchasing, disposal of property, banking, and investments. The practices, procedures, and requirements set forth in the manual(s) will be disseminated or made available to all employees with administrative responsibilities involving the receipt, handling, or expenditure of school or school system funds, and training will be provided by the Superintendent and the Chief School Financial Officer regarding the contents of the manual(s).

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

3.5 Audits

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

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

3.6 Inventories

The Superintendent is required to establish effective procedures to account for all materials, equipment, and other Board property. These procedures will include an annual inventory and evaluation of tangible Board property (including fixed assets and supplemental property), to be completed no later

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

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

3.6.1 Disposal of Inventories - Equipment, supplies and other inventories deemed surplus to the schools will be returned to the district for use elsewhere in the system. The Superintendent will develop procedures for the proper disposal of inventories and damaged and surplus equipment deemed excess to the district's needs. Board approval is required for sale or disposal of equipment or supplies that have an individual depreciated value in excess of $5,000. Lesser-valued inventory items may be sold, traded in-kind, or disposed of according to the district's finance manual in a manner that is most beneficial to the system. All proceeds will be entered into the general fund, except as required by law.

3.7 Purchasing

All purchases made with funds received from taxation or governmental appropriation ("Public Funds") shall be made in compliance with the Alabama Bid Law. In addition, purchases will be made in accordance with an approved purchase order system that will include such requirements and procedures as may be established in the Board Finance Manual.

[Reference: ALA. CODE §16-13B-1-11 (1975); Ala. Code § 39-2-1-14 (1975)]

3.7.1 Procurement of Property and Services – The Board will follow state laws for the procurement of property and services. The primary state procurement laws for Alabama school boards are:

- *Alabama Competitive Bid Laws (Chapter 13B of Title 16, Code of Alabama 1975);*
- *Joint Information Technology Purchasing Agreement (Chapter 13B of Title 16, Code of Alabama 1975); and,*
- *Public Works Law (Title 39, Code of Alabama 1975).*

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

- Avoid acquisition of unnecessary or duplicative goods and services;
- Use the most economical and efficient approach for acquisitions;
- Award acquisition contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement;
- Consider contractor integrity, compliance with public policy, record of past performance, and financial and technical resources prior to awarding procurement contracts;
- Maintain records sufficient to document the history of the procurement; and,
- Conduct procurement transactions in a manner that provides full and open competition.

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

The Board will request proposals for those professional service contracts (excluding architectural and engineering services) that are exempt under state procurement laws if the contracts exceed $250,000 and will be paid from federal or child nutrition program funds. The Board will utilize a team of three or more qualified individuals to conduct a technical evaluation of proposals received and for selecting recipients. As a part of the evaluation, the individuals on the evaluation team will sign an assurance that each of the individuals is in compliance with the Board's conflict of interest policy.

3.7.2 Determination of Allowable Costs – Before instituting a financial transaction, the director and the Chief School Financial Officer or designee will determine that the proposed transaction meets the

requirements for the allowable cost. Actions to determine allowable costs will assure that:

- The proposed expenditure is included in the program budget;
- The proposed expenditure is reasonable and necessary for the program;
- The proposed expenditure is consistent with procedures for financial transactions of the board, including:
  - Purchase order approval procedures;
  - Contract review and approval procedures;
  - Applicable competitive purchasing procedures and;
  - Documentation supports allowability of transaction.

Before payments are made from the funds, the director and the Chief School Financial Officer or designee will determine that the federal program expenditure complies with generally accepted accounting principles and complies with state, local, and federal laws, rules, and regulations.

3.8 Deposit and Expenditure of Funds

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

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

3.8.3 Expenditures – The Superintendent or his designee may spend funds budgeted for operations without prior Board approval unless the expenditure involves capital outlay, or is subject to the bid law.

The Superintendent's authorization for expenditures hereby granted is subject to any restrictions imposed by law and the following terms and conditions:

This policy shall not be effective if formal Board action and approval is required by law;

The transaction and payment shall meet other applicable legal requirements, if any (e.g., the bid law);

The board-approved budget must contain funds for the expenditure;

All such expenditures shall be reported to the Board of Education on a monthly basis;

The restrictions on expenditures contained in this policy shall apply to the total of the expenditure in question, and payments may not be made in installments or otherwise divided in order to avoid the restrictions.

Nothing herein shall be deemed to create or give rise to personal liability on the part of any Board official for any good faith error, oversight, or excusable neglect in the administration of this policy.

Board Employees – Board employees do not have authority to commit or obligate Board funds or to make purchases with Board funds unless such commitment, obligation, or purchase is made in accordance with Board policy, finance manual(s) created under authority of Board policy, or the employee has been given express authority to take such action by the Superintendent.

No employee is authorized to obligate or bind the Board in a manner that that deviates from or is inconsistent with the Board's approved budget.

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

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

[Reference: ALA. CODE §41-16-50, *et seq.* (1975)]

3.8.5 ***Authorized Signatures*** – Checks drawn on the general fund or any special fund, with the exception of school accounts, require the signature of the Chief School Financial Officer or their alternates as designated by the Board. Checks drawn on school accounts require the signature of the principal or the Chief School Financial Officer. Checks drawn on Board funds may be signed and processed by electronic means, under the direction of the Chief School Financial Officer or Superintendent.

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

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

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

3.9 Employee Compensation

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

[Reference: Ala. Code §16-13-231.1 (1975)]

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

3.9.3 Salary Deductions – Mandatory salary deductions will be made in accordance with applicable law and employees are required to complete and submit all forms and provide such information as may be required or reasonably required for such purpose. The Board will make voluntary deductions as a service to employees upon written request of the individual employee. Deductions for membership dues will be based on the membership lists provided to the Board by the organization, unless an employee revokes authorization for such deductions by providing written notice to the Board on or before September 15th of each school year. Upon termination of employment, any amounts owed under the terms of an employee authorization will be deducted from the employee's final pay.

The Board will not be liable for any good faith error made in implementing a salary deduction that has been authorized by the employee.

[Reference: ALA. CODE §16-22-6 (1975)]

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

3.9.5 Compensatory Time – Non-exempt employees who work more than forty (40) hours in a work week may, upon agreement between the employee and the Board, be paid overtime in the form of compensatory time. Compensatory time will be based on time worked beyond forty (40) hours in a workweek, and will be recorded in minimum time units of one-quarter hour rounded to the nearest quarter of an hour. No more than sixteen (16) hours of compensatory time may be accumulated. Compensatory time must be used in the same week it was gained unless approved by the Superintendent, CSFO, designee, or direct supervisor. The Board reserves the right to require an employee to use compensatory time as its needs require and may "pay down" any compensatory time balance in its discretion. The Superintendent is hereby authorized to develop procedures and forms for use in implementing this policy.

3.9.6 Payroll Administration – The principal is required to furnish the bookkeeping department of the Board a payroll report containing the names of his staff. The report payroll must show the number of days worked by each certified and noncertified staff member and the number of days absent, as well as the cause of absences. It must also show the names of any substitute employees used, the dates they served, and for whom they worked.

Payroll checks for personnel are due and available on or before the last calendar day of each month except when state payments are not available and in no circumstance payable later than the 10th day of each month. All payroll is subject to board approval.

All payroll payments may be made to all personnel through ACH Direct Deposit and automatically deposited into the individual employee's account of their financial institution. If paid via a paper check, checks must be picked up at the board office following the procedures set up by the financial department.

Salaries for some personnel are earned based on differing employment contracts, normally in nine (9), or ten (10); however, all regularly employed personnel of the School System shall be paid over twelve (12) months. Since the majority of personnel are paid for a 187-day school session, an employee serving less than 187 days without accumulated sick leave or personal leave days will receive a pro rata share of the contracted salary. Any deductions withheld from payroll checks will be clearly identified by purpose and reason, including the number of days for which deductions were made. All supplementary remuneration for temporary extra duty activities shall be paid on a monthly basis. Unused personal leave days for personnel shall be paid by a supplemental check to be issued with the June payroll checks.

Employees have the option to convert any unused personal days to sick days.

3.9.7 Annual Appropriation Act – Certified Academic Language Therapist - As provided in the Alabama 2024 Educational Trust Fund Budget, the state of Alabama will provide an annual supplement of $5,000 for Certified Academic Language Therapists (CALTs) who are properly certified by the state of Alabama and employed full-time in an Alabama public K-12 school system or public independent school.

1. CALTs who are properly certified and employed full-time in an Alabama public K-12 school system or public independent school will receive the supplement in the Fiscal Year (FY) 2024 (School Year 2023-2024). The Dyslexia Therapist/CALT Endorsement must be added to the Alabama Teaching Certificate by October 31, 2023, to qualify for the full stipend.

2. CALTs employed in an Alabama public K-12 school system on a less than full-time contract (who are properly certified) on October 1 will receive a pro-rata share of the salary supplement.

3. CALTs employed full-time in an Alabama public K-12 school system after October 1 will receive a pro-rata share of the salary supplement. The Dyslexia Therapist/CALT Endorsement must be added to the Alabama Teaching Certificate by March 31, 2024, to qualify for a pro-rata share.

4. CALTs employed as substitute teachers are not eligible for the supplement.

5. CALTs who are on a leave of absence for more than half the school year (who are properly certified) will receive a prorated amount based on the number of months worked during the school year.

6. CALTs should begin uploading their Continuous Education Credit documentation (10 hours annually at a minimum) to https://www. altaread.org during the months of November and December, prior to the certificate's expiration date of December 31st of each year.

7. Certificates must be renewed during the month of January in the Academic Language Therapy Association (ALTA) website to continue receiving the salary supplement.

8. CALTs who leave the Alabama public K-12 school system after October 1 (who are properly certified) will be eligible for a prorated amount based on the months served.

9. CALTs must remain employed with an Alabama public K-12 local Board of Education to continue receiving the salary supplement.

10. CALTs employed in the final year of their CALT credentials valid period will receive a prorated amount based on the number of months worked in that valid period.

3.9.8 School Principal Leadership and Mentoring Act and the Principal Leadership Development System for K-12 Education - It is the policy of the Winston County Board of Education to allow the participation of principals and assistant principals in the School Principal Leadership and Mentoring Act and the Principal Leadership Development System for K-12 Education. Annual Stipends will be provided for those principals and assistant principals who complete the program and the requirements set forth by the State Department of Education and the State Superintendent.

(ref. Ala. Code 16-61-1 (1975), Added by Act 2023-340, effective June 2023)

3.9.9 Local Supplements – School-related booster or support organizations may fund local supplements for individual Board employees if the Board approves such supplemental payments.

Such payments may be approved only if the following conditions are satisfied:

a. The payment is voted on and approved by the membership of the booster or support organization that proposes to fund the supplement at a regular meeting of the organization in accordance with the booster or organization by-laws;

b. Funding for the payment must be sufficient to cover benefits, expenses, and other payroll costs, contributions, and liabilities, if any;

c. Sufficient unobligated funds are on hand to provide the supplemental payment;

d. A check and letter of authorization for the payment is sent to the Board no later than the payroll cutoff date for the month in which the payment is to be made;

e. The payments are accepted by the employee with the understanding that they do not constitute a part of any employment contract, salary schedule,

or legal obligation that is enforceable against the Board, and that the Board has no continuing obligation to maintain supplemental payments to any employee that are provided, funded, or underwritten by a booster club, support organization, or similar third party; and

f. The payments are subject to any payroll deductions that are required by law.

g. If a board employee is not already ready receiving a board approved payment/supplement, the local payment cannot exceed any board approved payment (e.g. A school-related booster or support organization cannot compensate an individual more than a board approved supplement.)

h. If board employee is already receiving a board approved payment/supplement, all other individuals, at the compensation level, will be equally compensated for the same work.

i. If an employee resigns from or otherwise ceases to perform the duties of a position for which the employee is receiving a supplement, the Superintendent is authorized to prorate the supplement accordingly.

3.10 Expense Reimbursement

Board members and employees will be reimbursed for reasonable expenses for transportation, lodging, subsistence, and related items (travel costs, collectively) incurred in connection with official Board business. Reimbursement will be in accordance with Board approved rates and such procedures and standards for submitting and documenting such expenditures as may be developed by the Chief School Financial Officer or provided in the approved Winston County Board of Education Financial Procedures. Reimbursement and payments for travel costs of employees paid from federal funds will be consistent with travel costs for employees paid from state or local funds. In all cases, employee must get prior approval.

3.11 Fees, Payments, and Rentals

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

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

3.11.3 Forms of Payment - It is the policy of the Winston County Board of Education to accept cash as a form of payment to school-sponsored sporting events that are open to the public.

(ref. Ala. Act 2023-355, effective June 2023)

3.12 School Accounts

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

3.13 Authority to Execute Contacts

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

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

3.14 Affiliated Organizations

3.14.1 School Sponsored Organizations – School-sponsored student organizations will be subject to Board policies and procedures concerning fiscal management and will maintain organization funds in school accounts. All books, records, and official documents pertaining to the management of such organizations will be maintained at the local school and will be subject to examination and audit by the Board, the Principal, or the State Examiners of Public Accounts. The use of funds collected, generated, or held by such organizations will be determined in accordance with the constitution, charter, or by- laws of the organization, with oversight by the sponsor of the organization, and subject to approval of the principal.

3.14.2 Booster Clubs, Parent-Teacher Associations, and Other Affiliated Organizations – Other organizations that are affiliated with local schools are permitted to operate or raise funds on Board property or at Board sanctioned events only in conformity with Board and State Department of Education policies, procedures, and standards concerning the fiscal management of such organizations. An affiliated organization must conduct an annual audit of its financial operations and make its books and financial records available to the Board for review or audit. The Winston County Board of Education will not authorize an outside organization. All organizations must fall under the oversight of the Winston County Board of Education.

3.15 Fundraising

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

a. The principal's approval must be obtained.
b. The activity will be held at a time and in a manner that will not be disruptive to the instructional program or to any other school or school system activity or function;
c. The activity is designed and intended to support a bona fide school or school system program or activity, or an activity that is consistent with the mission and purposes of the school system;
d. Adequate provision has been made for the security and proper accounting of funds collected;
e. Other information regarding the nature, scope, and purpose of the activity is provided to school officials upon request;
f. Appropriate arrangements have been made for any special activities to be held in conjunction with the fundraising event.
g. At no point is it allowable for outside fundraising by any entity/person that was not approved by the school in accordance with board policy and procedures.

3.16 Child Nutrition

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

3.16.2 Child Nutrition Program Manual Authorized - The child nutrition program will be administered in accordance with a child nutrition program manual developed by the Superintendent or his designee and approved by the Board. The child nutrition program manual will establish and describe specific practices and procedures that are to be followed in connection with the child nutrition program, in accordance with USDA, state, and local guidelines. The practices, procedures, and requirements set forth in the manual will be disseminated or made available to all employees with child nutrition program responsibilities, and training will be provided regarding the content of the manual.

[Reference: Ala. Admin. Code 290-8-3-.01, et seq.]

3.17 Fund Balance Policy in Accordance with GASB Statement No. 54

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

a. The General Fund is used to account for and report all financial resources not accounted for and reported in another fund.

b. Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.

c. Debt Service Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest, even if it is being accumulated for future years' payments. Debt Service Funds should be used to report resources if legally mandated.

d. Capital Projects Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets.

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

a. Nonspendable fund balances include amounts that cannot be spent because they are either (a) not in spendable form or (b) legally

or contractually required to be maintained in-tact. Examples of nonspendable fund balance reserves for which fund balance shall not be available for financing general operating expenditures include: inventories, prepaid items, and long-term receivables.

b. Restricted fund balances consist of amounts that are subject to externally enforceable legal restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. Examples of restricted fund balances include: restricted grants.

c. Committed fund balances consist of amounts that are subject to a purpose constraint imposed by formal action of the Board before the end of the fiscal year and that require the same level of formal action to remove the constraint.

d. Assigned fund balances consist of amounts that are intended to be used by the school system for specific purposes. The Board authorizes the Superintendent and Chief School Finance Officer to make a determination of the assigned amounts of fund balance. Such assignments may not exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. Assigned fund balances require the same level of authority to remove the constraint.

e. Unassigned fund balances include all spendable amounts not contained in the other classifications. This portion of the total fund balance in the general fund is available to finance operating expenditures.

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

committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

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

3.18 Employee Fundraising and Crowdfunding

Any property, money, or other resources that are obtained by a Board employee through grants, fundraising, online giving, or like means in the name of or for the benefit of the school system or its students becomes the property of the school system and are subject to Board policies and procedures governing Board property and resources. The Superintendent is authorized to develop procedures governing the approval and administration of any outside fundraising or crowdfunding activities.

3.19 Worthless Checks

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

3.20 Classroom Instruction Support

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

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

3.21 Signage

The purpose of this policy is to provide reasonable access to property of the Winston County Schools for the purpose of advertising, promoting events, and providing announcements and information through signage. Political messages will not be allowed. All content must be in compliance with any and all applicable federal and state laws and Winston County Schools policies and procedures. The Board reserves the right to decline content submitted for its signage. The Superintendent will develop procedures regarding signage.

3.22 Fund Drives, Solicitations, Sales, and Contest

Outside organizations shall not be permitted to solicit, advertise, or sell goods or services through the schools of the school district unless authorized by the Superintendent or a designee. The Superintendent shall develop procedures regarding this policy.

3.23 OMB Part 200

Federal funds subject to the requirements of the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles and Audit Requirements—Part 200 ("Part 200") will be subject to the following policies:

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

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

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

C. Determination of Allowable Costs –

1. Before instituting a financial transaction that will require the expenditure of federal funds the federal program director and the Chief School Financial Officer or designee will determine that the proposed transaction meets the requirements for allowable costs for the federal program. Actions to determine allowable costs will assure that:

a. The proposed expenditure is included in the federal program budget;

b. The proposed expenditure is reasonable and necessary for the federal program;

c. The proposed expenditure is consistent with procedures for financial transactions of the board including:

1. Purchase order approval procedures;

2. Contract review and approval procedures;

3. Applicable competitive purchasing procedures; and

4. Documentation supports allowability of transaction.

2. Before payments are made from federal funds the federal program director and the Chief School Financial Officer or designee will determine that the federal program expenditure complies with generally accepted accounting principles and complies with state, local, and federal laws, rules and regulations.

D. Travel Policy – Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by board employees who are in travel status on official business of the board. The board's travel policy provides for reimbursement

and payments for travel costs of employees paid from federal funds that is consistent with the travel costs for board employees paid from state or local funds.

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

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

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

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

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

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

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

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

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

1. Avoid acquisition of unnecessary or duplicative goods and services;

2. Use the most economical and efficient approach for acquisitions;

3. Award acquisitions contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement;

4. Consider contractor integrity, compliance with public policy, record of past performance, and financial and technical resources prior to awarding procurement contracts;

5. Maintain records sufficient to document the history of the procurement; and,

6. Conduct procurement transactions in a manner that provides full and open competition.

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

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

3.24 Annual Budget Hearing

The Winston County Board of Education shall hold two budget hearings each year before the local budget is submitted to the State Department. The local board shall hold the public meetings before the designated due date set by the State Department of Education. The local budget meeting will be held during a regularly scheduled board meeting, with a quorum present, "in a place and at a time convenient for the general public to attend." The Superintendent and CSFO will ensure copies of the proposed budget are provided at both meetings. The budget presented to the public shall contain the following information:

- the total amount of resources available to the board from all funding sources;
- the projected enrollment and expenditures for the board and each school; the number of teachers, librarians, counselors, administrators, and other support personnel projected to be employed at each school;
- a clear list of the operating costs by category or function at each school; and
- the operating resources earned by the school, including 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 ADM.

The budget hearing shall be open to the public with an opportunity for public input; however, the board holds the discretionary right not to engage in dialogue with the public concerning the budget. The openness of the meeting is to ensure the transparency of the local budget and allow the general public to voice any concerns.

The board shall, in addition to the normal notice given for board meetings, post/provide the information concerning the local budget hearing in the following locations:

- the local media;
- "in a conspicuous place" at Central Office;
- the county courthouse;
- the main municipal building, e.g. City Hall; and at each school.

Adopted: 7/30/24 Ref: Section 16-13-140 Code of Alabama (as amended by Act 97-624)

3.25 Worker's Compensation

In accordance with the Mary Anne Leonard Educators' On-The-Job Injury Act, public school employees will now have access to worker's compensation benefits beginning April 24, 2025. This policy will align with Alabama State Law in regards to worker's compensation.

3.25.1 On-the-Job Injury Leave

The Board will address on-the-job injury claims consistent with the requirements of Alabama Code § 16-1-18.1(d) and the Maryann Leonard Educators' On-the-Job Injury Act. Consistent with those laws, on-the-job injury means any accident or injury to a full-time employee or adult bus driver arising out of and in the course of employment or occurring during the performance of job duties for the Board. On-the-Job Injury does not include a mental disorder or mental injury that has neither been produced nor proximately caused by some physical injury to the body. Consistent with Alabama Code § 16-1-18.1(d), the Board may require medical certification from a licensed physician stating that the employee was injured and cannot return to work due to a specified injury, if there is a reasonable expectation that the employee will return to work and, if so, the expected date of that return. The Board may require a second opinion from a licensed physician. The Superintendent is authorized to develop procedures and forms to ensure the effective implementation of this policy.

[Reference: Ala. Code § 16-1-18.1 (1975); Ala. Code §16-1A-1, et seq. (1975)]

3.26 Paid Parental Leave for School System Employees

Adopted pursuant to SB 199 / HB 327 – effective July 1, 2025

3.26.1 Purpose

To provide paid parental leave for eligible school system employees following the birth, stillbirth, miscarriage, or adoption of a child, supporting family well-being and educational continuity.

3.26.2 Definitions

- **Eligible Employee**: A state or local education agency employee who has rendered at least **12 consecutive months** of service immediately preceding the qualifying event at any public education institution.
- **Qualifying Event**: Includes birth, stillbirth, miscarriage, or adoption of a child aged three or younger, certified in writing by a healthcare professional.
- **Base Pay**: The employee's standard rate of compensation as determined by the employer.

3.26.3 Entitlement

- **Female Eligible Employees**: Entitled to up to **8 weeks** of paid parental leave following birth, stillbirth, miscarriage, or adoption.
- **Male Eligible Employees**: Eligible for **2 weeks** of paid parental leave for the same qualifying events.
- For **adoptions** of a child aged three or younger, one parent may take 8 weeks, and the other may take 2 weeks, per their designation, if both are eligible employees.

3.26.4 Leave Administration

- Leave requests shall be submitted in writing, accompanied by required documentation (e.g., medical or adoption verification) **prior to** or **as soon as practicable** after the qualifying event.
- Approval and scheduling arrangements shall be made in coordination with the employee's supervisor and in compliance with federal **FMLA** regulations, with paid parental leave running **concurrently** where applicable.
- Employees shall be returned to their same or equivalent position—including bumps in pay, status, and benefits—upon completion of leave.

3.26.5 Coordination of Benefits

- Paid parental leave shall be integrated or stacked with federal **Family and Medical Leave Act (FMLA)** or other accrued leave benefits, ensuring no duplication but permitting concurrent usage.

3.26.6 Eligible Position Restoration

- Employees must complete and submit a Return-to-Work Agreement as a condition of resuming their duties following an approved leave of absence.
- Upon returning from leave, employees shall be reinstated to their original or comparable position with no loss of seniority, pay, or benefits.

3.26.7 Administering Authority

- The Superintendent, in coordination with the **State Personnel Department** and **State Board of Education**, shall adopt necessary rules and procedures for implementation. The system shall annually report parental leave usage in accordance with SB 199 requirements.

3.26.8 Non-Discrimination & Retaliation

- No employee shall be denied rights, subjected to adverse employment action, or retaliated against for utilizing paid parental leave under this policy. Any perceived unfairness should be reported under the school system's grievance protocol.

3.26.9 Recordkeeping

- Accurate records related to leave usage shall be maintained for a minimum of three years, in compliance with Alabama's statutory requirements.

3.27 Competitive Bid Law

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

[Reference : Ala. Code § 16-13B-1, et seq.]

IV. General Administration

4.1 Security / Access to Schools

4.1.1 Security Measures Authorized **–** The Superintendent, principals, and facility administrators are authorized to take reasonable and lawful measures to protect against personal injury, trespass, vandalism, theft, and like threats to personal safety, property damage, and financial loss to or on Board property or at school functions and activities. The Superintendent should be made aware of any extraordinary or special measures that may be proposed in anticipation of or in response to any unusual security threat or risk (e.g., unusual surveillance, assignment of additional security personnel).

4.1.2 Access Restrictions Authorized **–** The Superintendent, principals, and facility administrators are authorized to regulate and restrict access to Board schools, buildings, and facilities in order to maintain appropriate security, minimize disruption and distraction within the learning environment, or to avoid a potential risk of harm to a student or employee. To that end, the Superintendent, principals, and facility administrators are authorized to implement building-level requirements and procedures governing access to Board owned or controlled buildings, grounds, property, events, and activities by school and non-school personnel, including family members and relatives, vendors, attorneys, and other visitors, and to adopt "check-in" and "check-out" requirements and procedures for students and employees.

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

4.1.3 Duty of Sex Offender to Notify School of Presence – This policy is implemented pursuant to the provisions of Ala. Code § 15-20A-17. In accordance with that section, any adult sex offender, after having been convicted of a sex offense involving a minor, shall not enter onto school property or attend any K-12 school activity without: (1) notifying the school principal or the principal's designee that he or she intends to enter onto the premises for a legitimate purpose, which purpose shall be communicated to the principal or the principal's designee; (2) immediately reporting to the school principal or the principal's designee upon entering the school property or arriving at the K-12 school activity; and (3) cooperating with and submitting to any efforts undertaken by the school principal or principal's designee to discreetly monitor their presence on school property or at the K-12 school activity. Nothing in this policy shall be construed as imposing an affirmative duty on the school principal; the principal's designee; any member of the school board, staff, faculty, or any other agent, representative, or other associated party of the school board to investigate or determine the sex offender status of any individual prior to, or upon, that individual's entering on school property or arriving at a K-12 school activity**.**

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

No adult sex offender, after having been convicted of a sex offense involving a minor, shall loiter on or within 500 feet of the property line of any property on which there is a school, playground, park, athletic field or

facility, school bus stop, or any other business or facility having a principal purpose of caring for, educating, or entertaining minors.

a. As defined by the Code of Alabama, loiter means to enter or remain on property while having no legitimate purpose or, if a legitimate purpose exists, remaining on that property beyond the time necessary to fulfill that purpose.

b. As defined by the Code of Alabama, a school bus stop is defined by any location where a motor vehicle owned or operated by or on behalf of a public school stops on a regular basis for the purpose of transporting children to and from school.

Adult sex offenders have a duty to comply with this policy.

Nothing in this policy shall be construed as imposing an affirmative duty on the school principal; the principal's designee; any member of the school board, staff, faculty, or any other agent, representative, or other associated party of the school board to investigate or determine the sex offender status of any individual prior to, or upon, that individual's entering on school property or arriving at a K-12 school activity.

Any person who knowingly violates this policy shall be guilty of a Class C felony.

Reference: Ala. Code § 15-20A-17

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

Reference: Ala. Code § 16-41-1, 16-41-2,1 6-41-3, 16-41-7

4.2.1 Prohibition on the Possession of Firearms – The possession of a firearm in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel and as provided by law. For purposes

of this policy, the term "firearm" has the same definition as is found in 18 U.S.C §921.

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

1. Students – Students will be expelled for a period of one year. The expulsion requirement may be modified in writing by the Board upon recommendation of the Superintendent on a case-by-case basis. Students who are expelled for firearm possession may not attend regular school classes, but may be permitted to attend alternative schools or education programs established by the Board. Discipline of students with disabilities who violate the firearm possession policy will be determined on a case-by-case basis in accordance with federal and state law. Parents of students who violate this policy will also be notified by the principal of violations.

2. Employees – Employees will be subject to adverse personnel action, which may include termination.

3. Other Persons – Other persons may be denied re-entry to school property.

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

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

4.2.2 Prohibition on the Possession of Weapons – The possession of a deadly weapon or dangerous instrument in a school building, on school grounds, on school property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel. For purposes of this policy, the terms "deadly weapon" and "dangerous instruments" include but are not limited to explosives, incendiary devices, projectiles, knives with a blade length of more than two (2) inches, archery equipment, devices designed to expel projectiles at a high rate of speed, any device so classified under state or federal law, and any device either used or intended to be used in such manner as to inflict bodily harm, provided that the terms "deadly weapon" and "dangerous instruments" will exclude, to the extent permitted by law, devices and equipment that are used for the purpose of and in connection with school or Board sanctioned educational, team, or competitive activities.

a. Penalties for Violations – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of deadly weapons or dangerous instruments:

1. Students – Students will be disciplined in accordance with the Board's Code of Student Conduct.

2. Employees – Employees will be subject to adverse personnel action, which may include termination.

3. Other Persons – Other persons may be denied re-entry to school property.

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

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

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

a. Penalties for Violations – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of illegal drugs or alcohol:

1. Students – Students will be disciplined in accordance with the Board's Code of Student Conduct.

2. Employees – Employees will be subject to adverse personnel action, which may include termination.

3. Other Persons – Other persons may be denied re-entry to school property.

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

4.2.4 Tobacco, Nicotine, and E-cigarettes (i.e. vapes, etc.) – The use of tobacco/nicotine products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited. This includes products that contain THC and other types of synthetic drugs. This policy will adhere to all laws related to tobacco and nicotine delivery devices

a. Penalties for Violations

1. Students – Students who violate the tobacco prohibition will be disciplined in accordance with the Board's Code of Student Conduct.

2. Employees – Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.

3. Other Persons – Other persons who violate the tobacco prohibition may be denied re- entry to school property.

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

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

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

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

4.2.6 Drug and Alcohol Free Environment – All students, employees, volunteers, parents, visitors, and other persons are prohibited from possessing, using, consuming, manufacturing, or distributing illegal

controlled substances and alcohol while on Board property or while attending any Board sponsored or sanctioned event, program, activity, or function. Persons who are intoxicated or impaired by the use, consumption, or ingestion of any illegal controlled substance or alcohol are not permitted to be on school property, or to attend or participate in any Board sponsored or sanctioned event, program, activity, or function. Any person in violation of the Drug and Alcohol Free Environment policy may be subject to disciplinary action in accordance with board policies and procedures.

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

4.2.7 Adoption of Statutory Penalties and Consequences – Persons who violate the Board's prohibition of firearms, weapons, illegal drugs, or alcohol will be subject to all notification, referral, suspension, placement, re-admission, and other provisions set forth in ALA. CODE §16-1-24.1 and 24.3 (1975).

4.3 Accreditation

The Board will implement and adhere to such accreditation policies, principles, standards, and procedures as may be established or required by Advanced as a condition to receiving or maintaining accreditation.

4.4 Use of Board Equipment, Supplies, Materials, Vehicles

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

4.5 Use of Board Facilities

Use of Schools and other Board owned or controlled facilities may be made available for use by sanctioned or generally recognized school support organizations if the use of the facility will not disrupt school operations or be inconsistent with the purpose and mission of the school system, and if adequate advance provision is made for security, supervision, maintenance, damage prevention, post-event clean-up, liability insurance, and other risk management measures appropriate to the proposed use. Use of Board facilities for non-school organizations may be approved if the foregoing conditions are satisfied and a rental contract (or the equivalent thereof) that includes a reasonable fee or rental charge and other appropriate terms and conditions is approved by the Board. Board approval is required to use Board facilities. All necessary documentation must be submitted and approved before the Board has the authority to the use. Moreover, a certified board employee or principal designee must be present when board facilities are being used.

4.6 Complaints and Grievances

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

4.6.2 Limitations Regarding Availability and Application of General Complaint/Grievance Policy – The general complaint/grievance policy and

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

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

4.6.4 Student Disciplinary Matters – The Board may consider appeals of student disciplinary decisions or actions in accordance with standards and procedures specified in the policy and the Code of Student Conduct.

4.6.5 Americans with Disabilities Act Complaint Procedure

a. Complaint Criteria – Persons who believe that they have been discriminated against on the basis of disability in the provision of services, activities, programs, or benefits covered by Title II of the Americans with Disabilities Act may file a written complaint with the ADA Coordinator.

b. Complaint Form – The complaint should be in writing and contain information about the alleged discrimination including the name, address, phone number of complaining party and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

c. Complaint Process – The complaint should be submitted to the ADA Coordinator as soon as possible, but no later than thirty (30) days after the alleged violation. The ADA Coordinator will meet with the complaining party to discuss the complaint and possible resolutions. Within fifteen (15) calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complaining party, such as large print, Braille, or audio tape. The response will explain the position of the Board and offer options for substantive resolution of the complaint.

d. Appeal Procedure – If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complaining party may appeal the decision within fifteen (15) calendar days after receipt of the response to the Superintendent. Within fifteen (15) calendar days, the Superintendent will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

e. Records Retention – All written complaints received by the ADA Coordinator, appeals to the Superintendent, and records relating thereto will be retained by the Board for at least three (3) years.

f. Additional Procedures Authorized – The Superintendent is authorized to develop such procedures as are necessary to implement this policy.

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

4.7 Risk Management

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

4.8 Emergency Closing of Schools

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

4.8.2 Make-Up Dates – To the extent not provided for in the school calendar, any days lost by reasons of an emergency closing will be made up and a revised school calendar approved, if necessary, to reflect any extension or adjustment of the school year required by such action. However, when under a State of Emergency issued by the governor of Alabama, the school day is not required to made up.

4.9 Internet Safety and Use of Technology

[Aligned with HB166, Ala. Act 2025-386, CIPA, and 47 U.S.C. §254(h) and (l)]

4.9.1 Access to Technology Resources

The Board permits restricted and conditional access to district-owned technology resources, including computers, Internet access, network storage, and electronic communication tools. Access is limited to employees, students, and authorized users engaged in bona fide educational or administrative activities.

All users must sign the district's updated **Acceptable Use Agreement (AUA)**, which reflects HB166 requirements and is approved by the Board. The Superintendent shall oversee the annual revision of the AUA.

4.9.2 Internet Safety Policy

This policy:

1. **Restricts access** to only **age-appropriate educational content**.
2. **Filters or blocks** access to content that is **obscene, harmful to minors**, or constitutes **child pornography**.
3. **Protects student safety** during the use of **email, chat rooms, and direct communication platforms**, with clear supervision protocols.
4. **Prevents access** to or distribution of unlawfully obtained materials (e.g., hacking tools, pirated content).
5. **Blocks or restricts access** to websites, web applications, or software that collect, misuse, or disseminate personal student data.
6. **Prohibits access to social media platforms**, unless explicitly authorized by a teacher for an instructional purpose.
7. **Educates minors** on appropriate online behavior, interactions on social media, chatroom etiquette, cyberbullying awareness, and response.
8. **Prohibits access** to unlawfully obtained information, hacking activity, or any unauthorized access to files or databases.

4.9.3 Enforcement Responsibility

Each school principal shall ensure:

- Consistent and visible enforcement of the Internet Safety Policy

- Oversight of technical filtering tools and their functionality
- Staff training on monitoring and supervising student online activity

4.9.4 Acceptable Use Agreement (AUA)

The AUA requires each student, parent/guardian, and staff member to:

- Acknowledge the terms of the Internet Safety Policy
- Consent to content filtering, device monitoring, and disciplinary action for violations
- Recognize the District's authority to inspect any user activity or content
- Acknowledge that no personal expectation of privacy exists when using district devices or networks

4.9.5 Monitoring, Filtering, & Protection Systems

The District shall implement and regularly update tools and systems to:

- Filter Internet content to block inappropriate or harmful material
- Restrict access to unauthorized social media and risky web applications
- Monitor electronic communications (emails, chats) for policy violations
- Maintain annual reviews of filtering rules, protection protocols, and device security

4.9.6 Restriction or Loss of Technology Privileges

Violations of the Acceptable Use Agreement or this policy may result in:

- Temporary or permanent revocation of technology privileges
- Disciplinary action consistent with the Student Code of Conduct and Board policy
- Reporting to law enforcement when appropriate

4.9.7 Ownership and Inspection Rights

All technology resources owned, leased, or managed by the District are the property of the Board. The District reserves the right to access, inspect, or retrieve any files, emails, or usage logs at any time. Users should have no expectation of privacy when using district resources.

4.9.8 Limitation of Liability

The Board provides no warranties regarding the availability, security, or accuracy of its technology resources. The Board is not liable for:

- Loss of data
- Service interruptions
- Unauthorized disclosure of personal information due to user behavior

4.9.9 Cyberbullying

Cyberbullying is strictly prohibited. It includes, but is not limited to, harassment or threats via text, email, chat, social media, or any digital platform.

- Reports must be submitted by the student or guardian using the **Jamari Williams Bullying Complaint Form**
- Incomplete or anonymous reports may not be acted upon for discipline
- Retaliation against anyone reporting cyberbullying is strictly prohibited and will result in disciplinary action

4.9.10 Social Media Safety Course

In compliance with **HB166 §6**, the District shall ensure that:

- All students **complete a state-approved social media safety course** before entering **eighth grade**
- The course shall also be provided to transfer students or others who have not completed it
- The course will include instruction on privacy protection, safe online behavior, cyberbullying, and digital literacy

4.10 Political Activity

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

a. Employees may not appropriate Board property, resources, or funds for use in political campaigns, and may not engage in partisan political activities (including but not limited to the distribution of campaign material or literature, displaying sign, etc.) during regular school or duty hours or at Board sponsored or sanctioned events, functions, or at activities at which the employee is on duty or assigned official responsibilities;

b. Employees may not represent their political beliefs or positions on political matters to be those of the Board or other Board officials, or to falsely assert or imply that their political activities or positions are endorsed by or undertaken in the name of the Board or other Board officials;

c. In order to avoid disruption to the classroom and the school, employees may not wear or display political buttons, clothing, or banners during regular school or duty hours or at Board sponsored or sanctioned events, functions, or activities at which the employee is on duty or assigned official responsibilities;

d. In order to avoid obstructing the parking lot or otherwise disrupting school activities, employees may not place signs, or billboards in or on personal vehicles in the school parking lot;

e. Candidates and representatives of candidates for political office may not invite or allow announced candidates for political office to address student groups except when such candidates are participating in a forum or like format that is designed to provide all candidates the opportunity to participate. Such forums may be

conducted only for appropriate age groups, and with the advance approval of the school principal and the Superintendent; and

f. Political signs may not be placed on schools or school board property (including signs/stickers affixed to personal vehicles) during normal school hours (7:30am-3p.m). Campaign literature and other material may not be distributed on Board property during the regular school or work day, and may not be distributed at school or Board sponsored events or activities in a manner that impedes the normal and safe movement of pedestrian or vehicular traffic, that creates any other safety hazard or risk, or that disturbs or disrupts the function, activity, or event.

g. Employees are forbidden from soliciting funds or contributions for political purposes from subordinate employees at any time.

h. Employees seeking public office may continue to hold their employment positions as long as all political activities are conducted on their personal time.

i. For board employees seeking election of public office, all relevant election laws shall be followed to maintain the integrity and professionalism of the school system.

Notwithstanding these restrictions, any common area that is available for use by the general public may be used for political purposes as long as such area is available to all candidates on an equal basis and such activity does not disrupt the normal business of the property.

Additionally, if the Board determines that promotion of a ballot initiative (e.g., tax referendum) furthers the purpose and mission of the school system

or serves a public purpose, the Board may use public funds, not otherwise restricted, and other public property to seek support for the ballot initiative.

4.11 Communicable Diseases

Staff will observe the current guidelines and advisories for the control of communicable diseases in public schools as recommended by the state Department of Public Health. In the event a student or employee contracts a communicable disease not presently controlled by the Health Department, the superintendent will request the department to advise the board regarding appropriate infection prevention.

School staff members are expected to alert their supervisors if a student's health condition or behavior or their own health condition presents reasonable risk of transmitting any infection.

If a situation occurs at school in which a person might have been exposed to an infectious agent, such as an instance of blood to blood contact, school authorities will counsel that person, (or, if a minor, alert a parent or guardian) to seek appropriate medical evaluation.

4.12 Data Governance

4.12.1 Purpose

a. It is the policy of Winston County Schools that data or information in all its forms (written, electronic, or printed) is protected from accidental or intentional unauthorized modification, destruction or disclosure throughout its life cycle. This protection includes an appropriate level of security over the equipment, software, and practices used to process, store, and transmit data or information.

b. The data governance policies and procedures will be documented and reviewed annually by the data governance committee.

c. Winston County Schools will conduct annual training on their data governance policy and document the training.

d. The terms data and information are used separately, together, and interchangeably throughout the policy. The intent is the same.

4.12.2 Scope -The Superintendent is authorized to establish, implement, and maintain data and information security measures. The policy, standards, processes, and procedures apply to all students and employees of the district, contractual third parties and agents of the district, and volunteers who have access to district data systems or data.

This policy applies to all forms of data and information, including but not limited to:

a. Speech, spoken face to face, or communicated by phone or any current and future technologies,

b. Hard copy data printed or written,

c. Communications sent by post/courier, fax, electronic mail, text, chat and or any form of social media, etc.,

d. Data stored and/or processed by servers, PC's, laptops, tablets, mobile devices, etc., and

e. Data stored on any type of internal, external, or removable media or cloud based services.

4.12.3 Regulatory Compliance - The district will abide by any law, statutory, regulatory, or contractual obligations affecting its data systems. Winston County Schools complies with all applicable regulatory acts including but not limited to the following:

a. Children's Internet Protection Act (CIPA)

b. Children's Online Privacy Protection Act (COPPA)

c. Family Educational Rights and Privacy Act (FERPA)

d. Health Insurance Portability and Accountability Act (HIPAA)

e. Payment Card Industry Data Security Standard (PCI DSS)

4.12.4 Risk Management

a. A thorough analysis of all Winston County Schools' data networks and systems will be conducted on a periodic basis to document and eliminate any threats and vulnerabilities to stored and transmitted data.

b. The Superintendent or designee administers periodic risk assessments to identify, quantify, and prioritize risks. Based on the periodic assessment, measures are implemented that mitigate the threats by reducing the amount and scope of the vulnerabilities. The Data Governance Committee will be informed of this assessment and action plan.

4.12.5. Data Classification **–** Classification is used to promote proper controls for safeguarding the confidentiality of data. Regardless of classification, the integrity and accuracy of all classifications of data are protected. The classification assigned and the related controls applied are dependent on the sensitivity of the data. Data are classified according to the most sensitive detail they include. Data recorded in several formats (e.g. source document, electronic record, report) have the same classification regardless of format.

4.12.6 Systems and Information Control **-** Any computer, laptop, mobile device, printing and/or scanning device, network appliance/equipment, AV equipment, server, internal or external storage, communication device or any other current or future electronic or technological device may be referred to as systems. All involved systems and information are assets of Winston County Schools and are expected to be protected from misuse, unauthorized manipulation, and destruction. These protection measures may be physical and/or software based.

a. Ownership of Software: All computer software developed by Winston County Schools employees or contract personnel on behalf of Winston County Schools, licensed or purchased for Winston County Schools use is the property of Winston County Schools and must not be copied for use at home or any other location, unless otherwise specified by the license agreement.

b. Software Installation and Use: All software packages that reside on technological systems within or used by Winston County Schools must comply with applicable licensing agreements and restrictions and must comply with Winston County Schools' acquisition of software procedures.

c. Virus, Malware, Spyware, Phishing and SPAM Protection: Virus checking systems approved by the District Technology Department are deployed using a multi-layered approach

(computers, servers, gateways, firewalls, filters, etc.) that ensures all electronic files are appropriately scanned for viruses, malware, spyware, phishing and SPAM. Users are not authorized to turn off or disable Winston County Schools' protection systems or to install other systems.

d. Access Controls: Physical and electronic access to information systems that contain Personally Identifiable Information (PII), Confidential information, Internal information and computing resources is controlled. To ensure appropriate levels of access by internal workers, a variety of security measures are instituted as recommended by the data governance committee and approved by Winston County Schools. 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 information, Internal information and computing resources include, but are not limited to, the following methods:

- Authorization: Access will be granted on a "need to know" basis and must be authorized by the Superintendent, administrator, or immediate supervisor with the assistance of the Technology Director and/or Information Security Officer (ISO). Specifically, on a case-by- case basis, permissions may be added in to those already held by individual users in the student management system, again on a need-to-know basis and only in order to fulfill specific job responsibilities.

- Identification/Authentication: Unique user identification (User ID) and authentication are required for all systems that maintain or access PII, Confidential information, and/or Internal Information. Users will be held accountable for all actions performed on the system with their User ID. User IDs must NOT be shared.

- Data Integrity: Winston County Schools provides safeguards so that PII, Confidential, and Internal Information is not altered or destroyed in an unauthorized manner. Core data are backed up to onsite and offsite storage for disaster recovery. In addition, listed below are methods that are used for data integrity in various circumstances:
    - transaction audit
    - disk redundancy (RAID)
    - ECC (Error Correcting Memory)
    - checksums (file integrity)
    - data encryption
    - data wipes

- Transmission Security: Technical security mechanisms are in place to guard against unauthorized access to data that are transmitted over a communications network, including wireless networks. The following features are implemented:
    - integrity controls and
    - encryption, where deemed appropriate

Note: Only WCS district-supported email accounts should be used for communications to and from school employees, to and from parents or other community members, to and from other educational agencies, to and from vendors or other associations, and to and from students for school business.

- Remote Access: Access into Winston County Schools' network from outside is allowed using the WCS Portal. All other network access options are strictly prohibited without explicit authorization from the Technology Director, or Superintendent. Further, PII,

Confidential Information and/or Internal Information that is stored or accessed remotely must maintain the same level of protections as information stored and accessed within the Winston County Schools' network.

- Physical and Electronic Access and Security: Access to areas in which information processing is carried out must be restricted to only appropriately authorized individuals. At a minimum, staff passwords must be changed annually.

  - No PII, Confidential and/or Internal Information should be stored on a device itself such as a hard drive, mobile device of any kind, or external storage device that is not located within a secure area.
  - No technological systems that may contain information as defined above should be disposed of or moved without adhering to the appropriate Purchasing and Disposal of Electronic Equipment procedures.
  - It is the responsibility of the user to not leave these devices logged in, unattended, and open to unauthorized use.

e. Data Transfer/Exchange/Printing

- Electronic Mass Data Transfers: Downloading, uploading or transferring PII, Confidential Information, and Internal Information between systems must be strictly controlled. Requests for mass download 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 Superintendent. All other mass downloads of information must be approved by the Superintendent and/or the Technology Director and include

only the minimum amount of information necessary to fulfill the request. A Memorandum of Agreement (MOA) must be in place when transferring PII to external entities such as software or application vendors, textbook companies, testing companies, or any other web based application, etc. unless the exception is approved by the Superintendent.

- Other Electronic Data Transfers and Printing: PII, Confidential Information, 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 is downloaded for educational purposes where possible should be de-identified before use.

f. Oral Communications: Winston County Schools' staff should be aware of their surroundings when discussing PII and Confidential Information. This includes but is not limited to the use of cellular telephones in public areas. Winston County Schools' staff should not discuss PII or Confidential Information in public areas if the information can be overheard. Caution should be used when conducting conversations on campus and off campus in: semi-private rooms, waiting rooms, corridors, elevators, stairwells, cafeterias, restaurants, or on public transportation.

g. Audit Controls: Hardware, software, services and/or procedural mechanisms that record and examine activity in information systems that contain or use PII are reviewed by the Data Governance Committee annually. Further, the committee also regularly reviews records of information system activity, such as audit logs, access reports, and security incident tracking reports. These reviews should be documented and maintained for six (6) years.

h. Evaluation: Winston County Schools requires that 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.

i. IT Disaster Recovery: Controls must ensure that Winston County Schools can recover from any damage to critical systems, data, or information within a reasonable period of time. Each school, department, or individual is required to report any instances immediately to the Superintendent, Technology Director and/or ISO for response to a system emergency or other occurrence (for example, fire, vandalism, system failure and natural disaster) that damages data or systems. The IT Disaster Plan includes the following:

- A prioritized list of critical services, data, and contacts.

- A process enabling Winston County Schools to restore any loss of data in the event of fire, vandalism, natural disaster, or system failure.

- A process enabling Winston County Schools to continue to operate in the event of fire, vandalism, natural disaster, or system failure.

- Procedures for periodic testing of written contingency plans to discover weaknesses and the subsequent process of revising the documentation, if necessary.

4.12.7 Compliance - The Data and Information Governance and Use Policy applies to all users of Winston County Schools' information including: employees, staff, students, volunteers, and outside affiliates. Failure to comply with this policy by employees, staff, volunteers, and

outside affiliates may result in disciplinary action up to and including dismissal in accordance with applicable Winston County Schools' procedures, or, in the case of outside affiliates, termination of the affiliation. Failure to comply with this policy by students may constitute grounds for corrective action in accordance with Winston County Schools' policies. Further, penalties associated with state and federal laws may apply. Possible disciplinary/corrective action may be instituted for, but is not limited to, the following:

- Unauthorized disclosure of PII or Confidential Information.
- Unauthorized disclosure of a log-in code (User ID and password).
- An attempt to obtain a log-in code or password that belongs to another person.
- An attempt to use another person's log-in code or password.
- Unauthorized use of an authorized password to invade student or employee privacy by examining records or information for which there has been no request for review.
- Installation or use of unlicensed software on Winston County Schools' technological systems.
- The intentional unauthorized altering, destruction, or disposal of Winston County Schools' information, data and/or systems. This includes the unauthorized removal from WCS of technological systems such as, but not limited to, laptops, internal or external storage, computers, servers, backups, or other media, copiers, etc. that contain PII or confidential information.
- An attempt to gain access to log-in codes for purposes other than official business, including the completion of fraudulent documentation to gain access.

4.13 Seizure Safe School Act

It is the policy of the Winston County Board of Education to follow The Alabama Health Services Seizure Safe Schools Curriculum. This curriculum is the framework in which the Winston County Board of Education implements the Alabama Seizure Safe Schools Act (Alabama Act No. 2021-76). This act allows registered nurses to delegate to unlicensed school personnel in the school setting the nursing act of administering pre-measured medication for treatment of a seizure to students. The curriculum was developed to ensure that local school districts are adequately prepared to delegate the administration of seizure medication to school-age children with epilepsy and to provide continuity in training school personnel. The Alabama State Department of Education (ALSDE), in collaboration with the Alabama Board of Nursing (ABN), developed a standardized training program for registered nurses to educate and validate the competency of those unlicensed school personnel to whom administration of medication may be delegated. The purpose of this curriculum is to provide a standardized, evidence based training program for the school registered nurse to utilize in training seizure management and medication administration to unlicensed personnel in schools. All Staff (Board Employees) are required to follow all annually required training protocols.

(ref. Ala. Code § 16-30C-4 (1975) Added by Act 2021-519, § 1, eff. 8/1/202)

4.14 Extra-Curricular Athletic Programs

The Winston County School System offers extra-curricular athletic programs as an extension of the academic classroom to promote the continuing educational opportunities to the students of Winston County Schools. The Winston County Board of Education strictly adheres to the rules set forth by the Alabama High School Athletic Association (AHSAA), ensuring fair play, sportsmanship, and compliance with regulations. Winston County School employees must hold a commitment to integrity and the development of students' understanding that commitment is paramount in fostering a positive and competitive environment.

a. The Winston County Board of Education, while participating within the constraints of the AHSAA, reserves the right

to self-govern each school to ensure compliance with the rules, policies and procedures set forth by the AHSAA.

b. In the event a school is reprimanded by the AHSAA for violating any rule, policy, or procedure, the Winston County Board of Education reserves the right to add additional stipulations or reprimands to the violating school.

c. The Winston County Board of Education reserves the right to establish a local coaching association encompassing all schools with required membership by each. The Local Coaches Association shall be governed by local by-laws voted on and approved by its membership.

4.15 Automatic External Defibrillator (AED)

A program to place and monitor Automatic External Defibrillators (AEDs) and train school personnel shall be provided as required by Act 2009-754, Section 16-1-45. A procedural guideline will be at the Superintendent's office and at each school. The local emergency communication/dispatch center is aware of the location and type of AEDs used in the school system per Code of Alabama (1975) §6-5-332.3 (d)(1)(2)(3), §6-5-332.3(e)

4.16 Service Animals

The Board acknowledges its responsibility to permit students and/or employees with disabilities to be accompanied by a "service animal" in its school buildings, in classrooms, and at school functions, as required by the Americans with Disabilities Act, 28 CFR Part 35, subject to the following:

a) Service Animal – A "service animal" means a dog that has been 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the

handler's disability or necessary to mitigate a disability. The crime deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of this definition.

School officials may ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person's disability and may not require documentary proof of certification or licensing of the animal as a service animal.

b) Requirements that must be Satisfied Before a Service Animal will be Allowed:

1. Request – Any request for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent of Schools and must contain documentation of vaccinations. This written request must be delivered to the Superintendent prior to bringing the service animal to school or to school functions. The request must be renewed each school year.

2. Vaccinations – The service animal must be immunized against diseases common to that type of animal. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, hepatitis, Leptospirosis, Parainfluenza, Coronavirus), Bordetella, and Rabies.

3. Health – The service animal must be in good health. The service animal must be kept clean and groomed to avoid shedding and dander. The service animal must be treated for, and kept free of, fleas and ticks. The service animal must be spayed or neutered.

4. Control – A service animal must be under the control of its handler at all times. The service animal must have a harness, backpack, vest identifying the service animal as a trained service animal, leash (blaze orange in color for hearing service animals), or other tether unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal's safety or effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.

c) Service Dogs in Training – Experienced trainers of service animals may be accompanied on school property by a dog that is in training to become a service animal. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons conducting continuing training of a service animal may be accompanied by a service animal while on school property for the purpose of school business. Persons who are part of a three-unit service dog team may be accompanied by a service dog while on school property provided that person is conducting continuing training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

a. Use of Harness, Vest, etc. – A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.

i. A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on a blaze orange leash.

ii. A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in a harness, backpack, or a vest identifying the dog as a trained service dog.

iii. The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

iv. All requirements of this policy which apply to service animals, such as health certificates, annual written requests, and supervision, care and damages, also apply to dogs in training.

d) Miniature Horses - The school district will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school district must consider the following factors:

a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;

b. Whether the handler has sufficient control of the miniature horse;

c. Whether the miniature horse is housebroken; and

d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

i. All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

e) Extra Charges – The owner or handler of a service animal cannot be required to pay an admission fee or a charge for the animal to attend events for which a fee is charged.

f) Supervision and Care of Service Animals – The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal. In the case of a young child or student with disabilities who is unable to care for or supervise the service animal, the parent is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis at the discretion of the Superintendent or his/her designee.

g) Damages to School Property and Injuries – The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

h) Removal of Service Animals from School Property – A school administrator can require an individual with a disability to immediately remove a service animal from

school property under the following circumstances:

a. The animal is out of control or acts aggressively and the animal's handler does not take effective action to control it;

b. The animal is not housebroken;

c. The presence of the animal poses a direct threat to the health or safety of others;

d. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division;

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

i) Denial of Access and Grievance – If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school's Section 504 Coordinator.

4.17 Copyright Restrictions

It is the policy of the Board to abide by and enforce at every school and work site all copyright laws and regulations, in all formats, including electronic-based works or processes.

4.18 Artificial Intelligence Acceptable Use Policy

This policy outlines the acceptable use of artificial intelligence (AI) tools and applications within Winston County Schools to ensure their safe, ethical, and responsible use.

Winston County Schools acknowledges that technology is ever-changing and has a tremendous impact on our global society, local community, and classrooms. Artificial intelligence (AI), including generative forms of AI, is becoming more a part of our everyday lives. It is our responsibility to educate and train students to utilize AI in an ethical and educational way. Therefore, Winston County Schools is not banning the student or teacher use of AI, but each student will need to be aware of the limitations and guidelines of its usage:

a) Winston County Schools student email accounts and Chromebook access to specific open AI software, such as ChatGPT, are blocked due to data and security concerns. Any misuse of AI tools and applications, such as hacking or altering data, is strictly prohibited.

i. Teachers may allow the use of AI for curriculum purposes. Access to specific websites will be granted on an as needed basis, adhering to specific data and privacy guidelines regarding age restrictions and usage.

ii. College Board and Dual Enrollment college and university classes may have additional restrictions and limitations regarding the use of Artificial Intelligence.

b) Students who use AI software with a personal device and/or personal credentials should do so at their own risk - acknowledging that each platform is collecting various forms of data.

c) Students must acknowledge the use of AI in any capacity related to their school work: text, image, multimedia, etc.

i. The use of AI could be subject to the Academic Dishonesty Policy.

d) Students should acknowledge that AI is not always factually accurate, nor seen as a credible source, and should be able to provide evidence to support its claims. All users must also be aware of the potential for bias and discrimination in AI tools and applications.

4.19 Volunteer Campus Chaplains

The Board authorizes volunteer campus chaplains to provide support, services, and programs to teachers in the school system, provided that such services are rendered exclusively at the request of a teacher in the school system.

To ensure the orderly operation of school campuses, the implementation of this program shall be subject to the following criteria:

a. Volunteer campus chaplains must provide any information necessary to determine he or she meets all state statutory requirements to serve in that capacity.

b. Requested chaplain services or programs shall not be provided during the specific times a teacher is expected to be on active duty unless approved by the teacher's immediate supervisor.

c. Participation in any volunteer chaplain program is completely voluntary. No school employee shall be pressured, coerced, or otherwise incentivized to request or participate in these services.

d. Volunteer campus chaplains are subject to the same check-in processes as other campus visitors.

e. Volunteer campus chaplains are strictly prohibited from providing or attempting to provide counseling, spiritual mentoring,

religious guidance, or any other services to students pursuant to this policy.

A volunteer campus chaplain is not authorized to provide services under this policy unless he or she has been approved for that purpose by the Superintendent or designee. The Superintendent is authorized to develop administrative procedures and verification forms to administer this volunteer program.

[Reference: Ala. Code § 16-1-20.7]

V. Personnel

5.1 Employee Qualifications and Duties

5.1.1 General Requirements **–** Employees have a duty to perform their jobs responsibly and in a conscientious manner. In addition to any specific job requirements set forth in job descriptions or elsewhere, employees are expected to meet the following general performance and service standards:

a. Employees are required to be punctual and to attend work regularly.

b. Employees are required to perform the duties and responsibilities that are assigned to them by the Board, the Superintendent, or their supervisor(s). Such duties and assignments may extend beyond or outside the instructional day and may include off-campus functions, events, and activities.

c. Employees are expected to treat all students, co-employees, visitors, and guests of the Board with respect. Employees are expected to demonstrate moderation, restraint, and civility in their dealings with others and, in general, to serve as appropriate role models for students in their behavior and demeanor.

d. Employees are required to obey all laws, ordinances, Board policies, supervisory directives, and other pertinent authority while carrying out duties for the Board.

e. Employees whose duties include the instruction or supervision of students must provide effective supervision, discipline, organization, and instruction of the students.

f. Employees must complete and submit required reports accurately and in a timely fashion.

g. Employees must respect, protect, and exercise due care in the handling, use, and operation of Board property and equipment.

h. All employees will be expected to adhere to the current adopted Alabama State Board of Education Code of Ethics.

i. All employees are required to complete all state and local mandated trainings as required by Alabama State Law.

j. It is the policy of the Winston County Board of Education to follow all State mandated training related to Mental Health Awareness.

(Ref. Ala. Code 16-1-44 (1975) Added by Act 2021-424)

5.1.2 Lesson Plans

a. The Board requires a general plan of work, including daily schedules and brief lesson plans to be prepared by each teacher and available to the principal upon request.

b. Specific (detailed) lesson plans shall be prepared by the teacher in his/her absence for use by the substitute teacher. Such plans shall be in sufficient detail to permit the substitute teacher to conduct instructional activities that will benefit students educationally.

5.1.3 Special Requirements

a. Work Schedules (Teachers) – Supervisory and instructional duties of teachers commence at a reasonable time prior to the actual arrival and conclude fifteen (15) minutes after the departure of students. Assignments and duties may extend beyond the instructional day and may include off-campus functions, events, and activities; conferences and meetings with parents; supervision of student arrival and departure; and preparation for the following instructional day. Teachers will be provided a minimum of thirty (30) minutes free of instructional and supervisory responsibilities each instructional day.

b. Work Schedules (Support Personnel) – The Superintendent is authorized to establish work schedules, including minimum work times, for support personnel.

c. Professional Certification – In addition to requirements established by the State Board of Education and the pertinent job description, professional employees must hold a degree from an accredited college or university and hold a current, valid, and properly endorsed Alabama Teacher's Certificate, which will be maintained in the Superintendent's office. A teacher who has completed the certification process but has not received the certificate may be employed on tentative or temporary compensation pending verification of certification from the State Department of Education. Upon receipt of such verification, appropriate adjustments will be made to the teacher's salary. If a teacher earns a higher certificate that merits increased compensation under the approved salary schedule, any salary increase will become effective upon Board approval following receipt of documentation of the new certification from the State Department of Education.

d. Substitute Teachers – Substitute teachers must, at a minimum, be age 21, possess a high school diploma and valid and current Alabama Substitute Teacher's Certificate or Alabama Teacher's Certificate or have two years of college credit.

Substituting for Extended Periods – In the event professional teaching personnel are temporarily unable to perform their assigned duties for an extended period of time, the Superintendent may authorize the employment of temporary teaching personnel.

The certified substitute shall be paid according to the Board-approved pay rate.

In the event a teacher's sick leave days are exhausted, the Superintendent may recommend the substitute be paid at a teacher's rate of salary if he/she possesses the following:

1. At least a bachelor's degree.

2. Valid Alabama teacher's certificate.

3. Be available to teach until the regular teacher is able to assume normal duties.

In unusual cases where a teacher who has a large number of sick leave days is out for an extended period, the Superintendent may recommend to the Board that the substitute teacher be paid at a teacher's rate of salary if he/she possesses the above qualifications.

e. Instructional Assistants/Aide – Instructional Assistants/aides must, at a minimum, possess (i) a high school diploma or its equivalent; (ii) a two-year diploma from a college or university (or the equivalent hours) or pass an approved state assessment; and (iii) a certificate from the State Department of Education verifying a "clear" status resulting from a background check.

f. Bus Drivers – In addition to the requirements established by the State Board of Education, a bus driver must: (i) hold a valid commercial driver's license, (ii) complete a minimum of twelve (12) hours of approved instruction in school bus driving, and (iii) satisfactorily complete a written examination driver's performance test approved or administered by the State Department of Education of State Superintendent. A bus driver must also meet any requirements of the entity providing the Board's automobile liability coverage.

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

5.2 Hiring

5.2.1 Application Procedures – Job applicants for all positions must file an application with the Board and through the State of Alabama's online application process. Applications must be completed in full. All information provided in the application must be truthful. Any misrepresentation of a material fact on an employment application may disqualify the applicant from consideration for the position and may subject an employee to adverse employment action, including termination.

5.2.2 Qualifications – Applicants must meet the minimum qualifications of the position as provided in Board policy, the job description for the position, the posted advertisement for the position, or as may otherwise be established by the Board, applicable law, or regulation. Applicants must hold such degrees, licenses, certificates, and like credentials as may be necessary, appropriate, or customary for the position in question.

5.2.3 Hiring Authority – The Board is responsible for making all final hiring decisions, and no hiring decision is official, final, or effective unless and until it is approved by a vote of the Board. No principal, administrator, supervisor, or other employee has authority to hire an applicant without Board approval or to commit the Board to specific action regarding employment.

5.2.4 At-Will Employment – Except as may otherwise be provided or required by law, by contract, or by the specific terms of their appointment, all personnel are deemed "at-will" employees and may be terminated, demoted, reassigned, suspended, or disciplined with or without pay, or with reduced pay, and with or without cause.

5.2.5 Nepotism - Employment of Family Members – Board members, administrators, or supervisors may not use their positions to directly or indirectly seek or secure the employment of any family member as defined in the Alabama Ethics Law.

5.3 Tuberculosis Tests for Employees

The following provisions shall apply to employees of the School System with respect to testing for tuberculosis: Newly employed personnel, including teachers, janitors, bus drivers, food handlers, aides, and other persons who have direct contact with children are recommended for an initial examination for tuberculosis.

1. New employees should be tuberculin skin tested initially at the time they are employed. If the skin test is negative, no further skin testing or examinations are required.

2. If the tuberculin test is positive, a chest x-ray is recommended. If the chest x-ray is essentially negative, INH preventive therapy will be highly recommended for persons under 35 years of age, unless there are medical contradictions.

3. Persons over 35 with a positive skin test and negative chest x-ray will be considered for INH preventive therapy on an individual basis, depending upon other risk factors and the clinical judgment of the physician.

4. After the initial examination of all new employees for tuberculosis, no further annual skin testing or x-raying is recommended unless the local health officer or physician considers it necessary. Further procedures, such as sputum examinations, may be requested by the local health officer or clinician as deemed necessary.

a. If a female employee is employed in the first trimester of her pregnancy and is found to be skin test positive and asymptomatic, she may be x-rayed on the anniversary date of her employment or within a calendar year.

b. The State Committee of Public Health recommends that routine measures of supervision, as indicated by the Tuberculosis Control Program Guidelines, should be followed where a case is found in a school. The contacts should be investigated, examined, and considered for preventive therapy in accordance with the tuberculosis program guidelines.

c. Educational programs relating to respiratory diseases, including tuberculosis, for students and employees should be encouraged at both the local and state levels.

5.4 Probationary Employment

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

5.5 Non-Teaching Supplemental Duties

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

a. In the event a board employee receiving compensation for non-teaching supplemental duties resigns, is terminated, or cannot fulfill the assigned non-teaching supplemental duties, the board of education reserves the right to prorate the remaining supplemental compensation at the Superintendent's discretion.

5.6 Professional Development

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

activities may constitute grounds for termination of employment or other disciplinary action.

5.7 Employee Conflicts of Interest

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

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

No employee, officer, or agent of the board shall participate in selection, or in the award or administrations of a contract supported by federal funds if he or she has a reals or apparent conflict of interest. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs, or is about to employ any of the parties indicated herein, has a financial or other interest in 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.

The board's conflict of interest policies include adherence to the Alabama Ethics Law, which defines a conflict of interest as:

A conflict on the part of a public official or public employee between his or her private interests and the official responsibilities inherent in an office of

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

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

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

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

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

b. Employees will not accept outside employment that would interfere with or impair the ability of the employee to perform duties as a Board employee effectively;

c. Employees may not accept work that could compromise the employee's independent judgment in the exercise of duties for the Board;

d. Employees may not use or disclose confidential information acquired through Board employment for their personal gain or for the benefit of a third party.

5.7.3 Gifts

a. By Students – Staff members may accept gifts from students on special occasions. Staff members should always use good taste and adhere to the code of professional ethics when accepting gifts from students. In no case shall school funds be used to purchase said gifts unless the funds are raised for that purpose.

b. By Staff Members – Staff members may accept gifts from other staff members provided they are given on a voluntary basis. In no case shall school funds be used to purchase said gifts.

c. By Outside Agencies or Individuals – Staff members shall not accept gifts from outside agencies or individuals that are a result of, or a precondition to, business transactions between the School System and said agency or individual. Meals or "hospitality houses" provided by vendors at conventions or sponsored workshops are deemed appropriate and will be exceptions to this policy.

5.7.4 Tutoring for Pay by Professional Personnel

a. Private Tutoring - Professional personnel shall not receive pay or its equivalent for out-of- school tutoring of students in their classes when the outside tutoring is in subject areas taught during the regular school day by said employees. Tutoring for any form of remuneration shall not be done during the regular school hours.

b. School Sponsored Tutoring - Professional personnel may engage in tutoring of students in their classes when such tutoring is a part of school sponsored programs. Such remuneration for such tutoring shall be paid through the School System.

5.8 Employee Evaluations

5.8.1 Certified Personnel – Certified employees (other than contract principals) will be evaluated in accordance with an evaluation program approved for use by the Alabama State Board of Education. Contract principals will be evaluated in accordance with rules, regulations, and requirements promulgated by the State Department of Education or as may otherwise be permitted by law.

5.8.2 Non-Certified Personnel – Non-certified personnel will be evaluated in accordance with criteria and procedures to be developed by the Superintendent and approved by the Board. The evaluation criteria and procedures will, at a minimum, include the following:

a. A structured evaluation cycle or schedule that may include unannounced observations or assessments during the course of the evaluation period;

b. A written evaluation form that specifies job-related evaluation criteria;

c. Group or individual employee orientation regarding the evaluation process;

d. An opportunity for the employee to confer with the evaluator following the evaluation; and

e. An opportunity for the employee to disagree (in writing) with the evaluation and to have the disagreement maintained with the evaluations.

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

5.8.4 Special Evaluation Situations – The Superintendent, the Chief School Financial Officer, and other employees who serve in positions of special trust or sensitivity may be evaluated by such means as the Board deems appropriate and as may be permitted by law or applicable regulation.

5.8.5 Exempt Personnel – Except when required by law or contract, temporary, substitute, and occasional employees, or employees appointed to supplemental positions (e.g., coaches, extracurricular activity sponsors) will not be formally evaluated in those roles.

5.9 Personnel Records

5.9.1 Content of Personnel Files – A central personnel file will be maintained for all regular employees. The personnel file may contain information regarding the employee's current assignment, payroll status, and work history, including but not limited to job qualifications, certification, licenses, employment contract(s), evaluation data, disciplinary information, and such other documents, written materials, and data as may be reasonably deemed necessary and appropriate by the Board for sound and efficient personnel administration. Anonymous material and other matters that are prohibited by law, regulation, or Board policy from being maintained in personnel files may not be included therein. An employee may inspect and review the contents of their own personnel file upon request. Employees may reasonably supplement or respond in writing to any material contained in the personnel file with which they disagree and such responses will also be included in the personnel file.

5.9.2 Alternate Data Storage – Personnel file data may be stored or maintained electronically or digitally.

5.9.3 Confidentiality – In general, the contents of an employee's personnel file will be deemed confidential except for documents, information, and materials that are matters of public information or public record under applicable state or federal law.

5.9.4 Access to Personnel Files – Board members, the Superintendent, Board administrators (including principals), employees with duties pertaining to human resources, and other persons whose duties reasonably require access to personnel files are authorized to view, copy, and use the contents of personnel files for purposes that are required by or in keeping with their official duties on behalf of the Board.

5.10 Employee Leave

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

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

a. Illness, injury or other qualifying reason for sick leave or on-the-job injury leave under state law or the Family Medical Leave Act;

b. Personal leave;

c. Vacation leave;

d. Professional leave;

e. Military leave;

f. Voting service;

g. Court leave;

h. Other unpaid leave that is specifically approved by the Board upon a showing of substantial hardship or extraordinary circumstances.

Employees who know in advance that they will be absent from work must notify the Board of the expected absence in accordance with procedures specified by the Superintendent or the Board and building administrator. In the event of an emergency or incapacity that makes advance notice impractical, employees must notify the Board of their absence as early as possible. Except as otherwise provided or permitted, an employee who is absent from work without approved leave will be considered absent without leave in violation of Board policy and subject to appropriate disciplinary measures. Employees who are approved for paid leave or absences will be paid at the regular daily rate of pay; however, a day of paid leave of absence

will not be counted as a day worked for the purposes of computing overtime under the Fair Labor Standards Act. Pay will be reduced on a pro rata basis for leaves or absences not covered by sick, vacation, personal, or other appropriate form of paid leave. The continuation of benefits during an approved absence is subject to the provisions of the particular benefit policy or plan.

5.10.3 Paid Sick Leave

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

b. Earning and Accumulation of Paid Sick Leave – All eligible employees earn sick leave days at the rate provided for in state law. Nine or ten month employees who work during summer school earn one sick day for the entire summer session. Eligible employees may accumulate sick leave as provided by state law.

c. Use of Sick Leave – Eligible employees may only use paid sick leave for absences caused by the following:

1. Personal illness;

2. Incapacitating personal injury;

3. Attendance upon an ill member of the employee's immediate family, defined as a spouse, parent, child, sibling or any person with a close personal tie;

4. Death of a family member, including a spouse, parent, child, sibling, mother or father- in-law, son or daughter-in-law, brother or sister-in-law, nephew or niece, grandparent, grandchild, aunt or uncle;

5. Death or care of an individual with whom unusually strong personal ties exist because of a relationship other than those listed above.

d. Certification – Employees must certify that sick leave was used for one of the reasons provided in state law and specify the reason. If the employee's principal or department head has probable

cause to believe that an employee has abused or misused sick leave, a physician's statement verifying the existence and nature of the illness or medical condition may be required by the Board. Abuse of sick leave may subject the employee to disciplinary action.

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

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

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

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

Upon a determination that the employee has been injured on the job and cannot return to work, the Board may maintain the employee's salary and benefits for the period of incapacity caused by the injury, not to exceed ninety (90) days. An employee who is injured on the job may file a request for unreimbursed medical expenses and costs with the State Board of Adjustment. The Board will provide such reasonable assistance to the employee in filing the Board of Adjustment claim as is required by law, but assumes and will have no responsibility or liability for processing the claim or directly reimbursing the employee any unreimbursed medical expenses

and costs. On-the-job injury leave will be administered in accordance with and subject to the requirements and limitations imposed by state law regarding such leave.

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

5.10.5 Personal Leave

Eligibility

- All *regular, full-time employees* are granted **two (2) non-cumulative personal leave days** each school year **without loss of pay**.

Unused Leave – Certified Employees

- At the end of the school year, unused personal leave may be:
    1. **Paid out** at the daily rate of pay for substitute teachers, **OR**
    2. **Converted to sick leave days**.

Unused Leave – Support Personnel

- All unused personal leave will be **converted to sick leave days** at the end of the school year.

Additional Personal Leave

- In addition to the two (3) paid days, all regular, full-time employees may take **up to four (4) additional personal leave days** per year.
- For each additional personal leave day taken, the employee will be charged an amount equal to the **average daily rate of pay for a substitute teacher** (regardless of whether a substitute is actually required).

Cost to Employee for Additional Leave

Years of Service	Days Paid by Employee
0–10	4
11–15	3

Years of Service	Days Paid by Employee
16–20	2
21+	0

Conversion of Unused Additional Leave

- All unused *additional* personal leave days will be **converted to sick leave days** on June 30 each year.

[Reference: *Ala. Code* §16-8-26 (1975)]

5.10.6 Vacation

a. Eligible Employees – Twelve-month full-time employees are eligible for paid vacation.

b. Vacation Benefits – Eligible employees will earn vacation benefits as follows:

Twelve-month employees will be granted 1 vacation day leave per month (12 days per year).

c. Only consecutive service with the Board will be considered in establishing length of service for purposes of determining vacation benefits.

d. Accrual and Accumulation of Vacation Time – For the purpose of calculating vacation leave, July 1 and June 30 will be the beginning and ending dates, respectively, for all full-time, twelve-month employees regardless of contract date or hire date.

f. No employee shall be paid for unused vacation leave days. Vacation leave will not be converted to sick leave.

g. All vacation days should be approved by your immediate supervisor and the Superintendent prior to taking vacation. Taking unearned vacation shall not be allowed without permission of the Superintendent.

5.10.7 Professional Leave – The Superintendent is authorized to grant professional leave with pay to Board employees to engage in educational activities which, in the judgment of the Superintendent, serve the needs and interests of the school system. The number of days approved for such leave will be at the discretion of the Superintendent. Professional Leave requires prior approval.

5.10.8 Unpaid Study Leave – Professional non-probationary certified personnel are eligible for and may be granted leaves of absence at the discretion of the Board. Except as provided to the contrary by applicable law, the employee shall not be entitled, upon completion of leave, to return to the school and position occupied when leave was granted. The employee may be assigned a different work position or location upon return at the discretion of the Board. Leaves of absence shall be without pay, and in accordance with laws of the Alabama Teacher Retirement System, and leave time will not count for retirement purposes. A leave of absence does not impair the tenure status of an employee. The causes for which leaves of absence may be granted are military service and other good and just causes as specified by ALA. CODE §16-24-13.

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

5.10.10 Court Leave - Permanent and full-time employees are entitled to regular compensation while performing jury duty (ALA. CODE §12-8-25), or when the employee is summoned under subpoena or other legal requirement to testify at trial in a court of law or in an administrative proceedings constituted under the statutory authority of the agency conducting the proceedings. Paid leave is not authorized for employees to meet with attorneys, to attend depositions, or to otherwise prepare for legal proceedings unless the presence of the employee is requested or required by the Board.

5.10.11 Court Leave – Personnel may not be excused with pay for serving as a voting official at a polling place.

5.10.12 Conferences and Visitations – Professional personnel holding primary offices (President or President's designee) or other similar offices in professional

organizations may be granted a reasonable number of days leave (not to exceed 3 per year) to attend professional meetings related to the organization. Application to and approval by the Principal and Superintendent must be made in adequate time for arrangements to be made to protect the interest of students. The Board will pay the expense of a substitute teacher in cases where such leave is granted to professional personnel. The salary of said personnel will not be reduced for approved leave time.

5.11 Family and Medical Leave Act (FMLA)

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

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

a. The birth and first year care of a newborn child;

b. The placement of a foster child or adoption;

c. The care of an immediate family member, defined as a spouse, child or parent, with a serious health condition;

d. The taking of medical leave because of the employee's own serious health condition.

For the birth, adoption, or foster placement of a child, the entitlement to leave for child care expires at the end of the twelve (12) month period beginning on the date of birth, adoption, or placement. Leave associated with the illness of a child will

only be provided if the child is under eighteen (18) years of age or is incapable of self-care due to physical or mental disability.

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

a. Any period of incapacity in connection with or following inpatient care in a hospital, hospice, or residential medical care facility.

b. Continuing treatment by a health-care provider, to include any period of incapacity due to:

1. A health condition, including treatment and recovery, lasting more than three (3) consecutive days, and any subsequent treatment or period of incapacity relating to the same condition;

2. Pregnancy or prenatal care;

3. A chronic, serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve episodes of incapacity (e.g., asthma and diabetes);

4. A permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer's, severe stroke) and for which supervision of a health-care provider is required;

5. Multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three (3) days if not treated.

5.11.4 Military Family Leave Provided by the Act

a. Qualifying Exigency Leave – Under the FMLA, an eligible employee with a spouse, child, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may utilize the twelve (12) week medical leave entitlement to address qualifying exigencies resulting from that service.

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

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

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

5.11.7 Use of Vacation and Sick Leave – If an employee has available sick leave, vacation leave or other applicable paid leave, the employee must utilize those forms of leave before taking unpaid leave under the FMLA. In that instance, the paid leave and the FMLA leave will run concurrently and the employee's twelve (12) weeks of unpaid FMLA leave will be reduced by the paid leave utilized, as long as the need for such leave results from one or more of the qualifying reasons under the FMLA.

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

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

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

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

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

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

5.12 Sick Leave Bank

A "Sick Leave Bank" plan for full-time certified and classified employees is hereby established in accordance with applicable provisions of state law. The plan shall allow each employee to deposit into the bank an equal number of his/her earned sick leave, not to exceed five days. These days shall be available for loan to any other participating employee whose leave days have been exhausted.

1. Sick Leave Bank Committee – The Sick Leave Bank Committee will be composed of one member representing the Board and four members representing participating members of the sick leave bank. The Member representing the Board will be appointed by the Superintendent, subject to Board approval. The participant representatives will be selected by the sick leave bank members. Nomination – Before each election of participant representatives, the Board will hold an open nomination period. Any employee who is eligible to participate in the sick leave bank may be nominated for one of the participant representative positions.

2. Voting – Each eligible nominee will be placed on the Sick Leave Bank Committee ballot. Voting will take place by ballot at Board facilities at the time specified or as may otherwise be provided by the Board. Supervision of voting will be by local facility personnel. Voting members will be required to verify their ballot by signing the Board's voter record. Votes will be forwarded to the Human Resources Department for final tabulation. The four candidates receiving the highest number of votes will serve as participant representatives on the Sick Leave Bank Committee.

3. Term of Committee Members – Sick Leave Bank Committee members will serve for a term of one year and may not serve for more than five years. The term will begin on September 1st and end on August 31st. Vacancies occurring on the SLB Committee shall be filled by appointment by the SLB Committee. An individual filing an unexpired term will serve the duration of the unexpired term.

4. Chairman of the Sick Leave Bank Committee – The Sick Leave Bank Committee will elect a chairman from among its representatives at its first annual meeting. The chairman will be responsible for conducting meetings, and for organizing meetings as necessary.

5. Meetings – The Sick Leave Bank Committee will meet at least annually following each enrollment period.

6. Sick Leave Bank Committee Duties – The Sick Leave Bank Committee will develop proposed rules and regulations for the Sick Leave Bank, to be submitted to participating members for approval. At a minimum, said rules and regulations must include those terms and provisions that are required by statute. The Committee has the authority to review both participation in the Bank and requests for leave to ensure compliance with state law and Board policy. The respective committee shall submit said proposed rules and regulations to the Board of Education for approval. The SLB Committee shall make available contribution forms to all eligible employees. Forms for requesting loans from the SLB shall be available at the Central Office, in the principal's office at each school and on the Winston County BOE website.

Employee Participation – Participation in the Sick Leave Bank is voluntary and open to all full- time employees of the Board.

1. Enrollment – Any full time employee of the Winston County Board of Education shall be eligible to join the Sick Leave Bank during "Open Enrollment" (July & August), provided that such employee has accrued the minimum amount of five (5) unused sick leave days. Eligible personnel shall be allowed to become members of the bank by depositing five (5) of their unused sick leave days into the bank and having completed the appropriate forms. If new-hire employees do not have the minimum number of days required to join, the local board can advance to employees the prerequisite number of days to join.

2. Loan Eligibility – A sick leave bank member shall not be eligible to use sick leave from the SLB until he/she has exhausted all earned sick, vacation and personal leave days. The maximum number of days that can be borrowed by an individual from the SLB shall be 15 days, including the five (5) days the individual has on deposit, unless over 50% of the participating members of the SLB vote to extend said limit. Request for loans must be turned in to the committee by the 10th of each month. The SLB Committee will meet to approve or disapprove loan request.

3. Definition of Sick Leave – Any sick leave days drawn from the SLB by a participating employee shall be used in accordance with the definition of sick leave set forth in the Code of Alabama.

4. Repayment of Loan for SLB – Sick leave days owed to the SLB shall be repaid at the rate of one day per month beginning with the next sick leave day earned after the loan was granted by the SLB and continuing until the days loaned have been completely repaid. Loans not exceeding the 5 days you have on deposit in the SLB will be handled by the Payroll Department at the Central Office. Request for loans exceeding the 5 days must be approved by the

SLB committee. Participating employees cannot leave the School System without repaying the sick leave days to the SLB. If the employee has no sick leave days remaining, then the said value of the loan shall be deducted from the individual's final pay check at the prevailing daily rate of said employee, as set forth on the pay

scale of the Board of Education. If an employee's final check is not sufficient to repay the sick leave days owed, the money will be owed by the employee or the estate of the employee.

5. Termination of Membership – A participating member of the bank who wishes to voluntarily withdraw from participation in the bank may do so by completing the notice of withdrawal form during "Open Enrollment" (July & August). All days previously deposited will be returned to the employee's regular account.

6. Unused Sick Leave Days – If more days are borrowed than are needed by a participating employee, the unused days will revert to the SLB.

7. Additional Loans from SLB – A doctor's statement must be attached to the request form for any additional requests for sick leave days in one school year.

8. Abuse of the SLB – The SLB Committee shall investigate all allegations of abuse of the SLB. Should there be any finding of wrongdoing, the employee shall repay all sick leave days drawn from the SLB and be subject to the other appropriate disciplinary action as determined by the Board of Education.

Catastrophic Sick Leave -

1. Catastrophic Illness Defined – Legislative Act 93-753 defines catastrophic illness as "any illness or injury certified by a licensed physician which causes the employee to be absent from work for an extended period of time." The recipient employee may use catastrophic sick leave days for himself or herself or for other covered persons as provided in Policy 5.10.3c. The extended period of time will be determined on a case- by-case basis by the Board.

2. Eligibility – In order for an employee to participate in the

Catastrophic Sick Leave plan as defined in Legislative Act 93-753, he/she must meet the following eligibility criteria:

a. Be a full-time employee

b. Be a member of the school System's Sick Leave Bank

c. Have exhausted all earned sick, annual, and personal leave days.

i. Beneficiary Employee Eligibility – In order for an employee to receive and use donated catastrophic sick leave days from employees of the Winston County School System or from employees of another Alabama school system, the beneficiary employee must be a member of the SLB.

ii. Donating Employee Eligibility – An employee of the

Winston County School System must be a member of the SLB to donate catastrophic sick leave days to another employee of the Winston County School System. The transfer of such days must be from the SLB to and through the beneficiary's school system SLB.

iii. Donating Limits – An employee, at his/her discretion, may donate up to 30 days to be used by an employee of the Winston County School System. If the employee is a member of the SLB, he/she may also donate such sick leave days to an employee in another Alabama public school system.

iv. Beneficiary Limits – There is no limit on the number of sick leave days a beneficiary employee may receive under the catastrophic sick leave plan.

v. Donated Days Defined – The sick leave days donated by an employee to the SLB or an employee in another Alabama public school system for catastrophic illness purposes are regular sick leave days and are deducted from the donating employee's state accumulated sick leave days. Therefore, the individual employee(s)

donating such days will not be able to recover the donated days. However, if the beneficiary employee is employed in the Winston County School System and does not use all sick leave days donated to him/her, the days will revert to the credit of those employees who donated the days.

vi. Procedures for Obtaining Approval – Inter-System – Prior to participating in the catastrophic sick leave plan, employees of the Winston County School System must receive approval from the SLB. To initiate the approval process, employees must:

a. Complete Sections I and II of the Catastrophic Sick Leave Approval Form.

b. Have the attending physician complete Section III of the Catastrophic Sick Leave Approval Form.

c. Transmit the completed Catastrophic Sick Leave Approval Form to the Human Resource/Payroll Department at the Winston County Board of Education for review and approval. Once approved, documentation will be submitted to the board for notification.

vii. Procedures for Donating: Inter-System – To donate catastrophic sick leave days to another employee of the Winston County School System an employee should:

a. Determine if the employee to whom the days are to be donated has been approved for catastrophic leave by the SLB.

b. Complete Sections I, II, and III on the Catastrophic Sick Leave Transfer Authorization Form. All items on the form should be completed to include date, signature of donating employee and a witness.

c. Transmit the completed form to the Human Resource/Payroll Department.

d. Must be a member of the Sick Leave Bank.

viii. Procedures for Obtaining Approval and Donating: Intra-system – All sick leave days transferred for use by an employee in another Alabama public school system must be transferred through the Winston County School System SLB, i.e. no days may be transferred employee to employee. An employee of the Winston County School System desiring to transfer catastrophic sick leave days to an employee in another Alabama public school system he/she must:

a. Be a member of the system's SLB.

b. Contact the recipient to have the appropriate official in the Alabama Public School System where he/she is employed to transmit a completed approved copy of their catastrophic sick leave form to the Payroll Department of the Winston County School System.

c. After receiving the above form, the Superintendent or designee will notify the Winston County School System Employee. The employee desiring to transfer days should complete the Transfer Authorization Form. The total number of days donated will then be transferred by the

Superintendent or designee to the school system's sick leave bank.

ix. Earning Sick Leave Days while on Catastrophic Leave – A beneficiary employee on catastrophic sick leave will earn regular sick leave days while on such leave at the rate of one per month; however, the earned sick leave day must be used each month as it is earned.

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

5.13 Administrative Leave

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

5.14 Equal Employment Opportunity

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

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

5.15 Sexual Harassment

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

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

a. Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of employment or other employment benefits provided by the Board;

b. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment, or other benefits provided by the Board; or

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

5.15.2 Examples of Prohibited Conduct – The following are examples of conduct that may constitute sexual harassment, depending on individual circumstances (This is not an exclusive list):

a. Verbal harassment or abuse of a sexual nature, including graphic or derogatory comments, the display of sexually suggestive objects or pictures, and sexual propositions;

b. Repeated unwelcome solicitation of sexual activity or sexual contact;

c. Unwelcome, inappropriate sexual touching;

d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to an individual's employment status.

5.15.3 Employee Complaint Resolution Procedure

a. Reporting – Any employee with reason to believe that he or she has been or is being subjected to any form of sexual harassment should report the matter immediately. Under no circumstances will an employee be required to present the complaint to the person who is the subject of the complaint.

b. Informal Complaint – An employee may choose to submit a sexual harassment complaint to a supervisor for investigation and resolution at the departmental or local level without resorting to formal complaint procedures. If the supervisor is the subject of the complaint, the complaint may be submitted to the Superintendent for resolution. If the complaint is not resolved informally to the satisfaction of the complaining employee, the employee must contact the Superintendent to initiate formal complaint procedures.

5.15.4 Formal Complaint Procedure

a) Persons Responsible for Receiving and Investigating Formal Complaints – The Superintendent is responsible for receiving and investigating formal complaints regarding sexual harassment. The

Chief School Financial Officer (CSFO) is an additional official to which formal complaints can be reported. If the Superintendent is unavailable or is the subject of the complaint, the alternate should be contacted regarding the formal complaint.

b) Complaint form, contents – Formal complaints should be made in writing, signed by the complainant, and fully describe the circumstances surrounding the alleged harassment. Harassment complaints that cannot be made in writing should be memorialized by the Superintendent or designated alternate official.

c) Investigation – The Superintendent will promptly investigate the complaint, review the results of any investigation with legal counsel or other appropriate officials, make any findings that are supported by the investigation, and recommend appropriate action based on these findings. The complainant will be informed of any action that is taken as a result of the investigation.

d) Review by the Superintendent and the Board – A complaining party who is not satisfied with the investigation or resolution of the complaint may request that the Superintendent take additional or different action or present the complaint to the Board for its review and action. In such case, the Board will render a final decision as soon as practicable.

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

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

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

5.16 Reduction-In-Force

5.16.1 Definition and Scope

a. This policy applies to reductions-in-force that are implemented by "layoffs" contemplated by Ala. Code § 16-1-33 (1975).

b. A reduction-in-force may be declared by the Board of Education and layoffs approved thereunder if the Board determines that the decreased student enrollment or a shortage of revenues requires a reduction in the work force (beyond normal attrition) in order to maintain effective provision of educational services or to meet the Board's financial, legal, or operational obligations.

c. A "layoff" within the meaning of this policy is an unavoidable reduction in the workforce beyond normal attrition due to decreased enrollment or shortage of revenues. As provided by Section 6(h)(3) of the Students First Act, Ala. Act 2011-270, layoffs based on such reasons are not subject to challenge or review under said Act. Employees who are laid off under authority of this policy are eligible for recall to employment as conditionally provided in this policy.

5.16.2 Criteria for Implementing Layoffs

a. The order, priority, rank, or selection of individual employees who are to be laid off under authority of this policy shall be determined on the basis of objective criteria. However, nothing herein shall be deemed or construed to limit or abridge the Board's legislative discretion to identify areas, departments, groupings, or classifications for reductions (layoffs). (For example, the Board is not required to justify by objective criteria or otherwise a decision to implement layoffs in non-instructional categories or employees before doing so with instructional staff.)

b. The criterion or criteria on which the layoffs are to be based shall be announced or otherwise made known by the Board to employees affected by the layoff no later than the date notice of the layoff is provided to the employees.

c. "Objective criteria" within the meaning of this policy may include any lawful selection standard (or combination of standards) that is verifiable, calculable, measurable, or otherwise determinable by means or methods other than the personal or subjective judgments or opinions of the person(s) applying the criteria, and that would be expected to produce the same result if applied to the same employees or group of employees by different persons. For purposes of this policy, objective criteria may include, but are not limited to:

i. Seniority, longevity, or time in service that will be more specifically described in the notice of layoff that is provided to affected employees;

ii. Years of experience;

iii. Degrees, certification, or licensure;

iv. Specialized training and experience with particular educational programs or initiatives including but not limited to the Alabama Reading Initiative (ARI), and/or the Alabama Math, Science and Technology Initiative (AMSTI);

v. Job classification;

vi. Any requirements that may be imposed by state or federal law or court order;

vii. Written or otherwise documented performance evaluations that can be fairly, accurately, and objectively compared to current evaluations of other similarly situated employees for the purpose of ordering or ranking, provided that such evaluations predate the RIF announcement or declaration by not less than thirty days.

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

a. The nature of and qualifications for the position have not materially changed;

b. The laid-off employee remains properly qualified, licensed, or certified; and

c. The laid-off employee confirms in writing his or her availability for and interest in re-employment to the Board's Director of Human Resources in accordance with any directives that may be contained in or transmitted in conjunction with the notice of layoff.

Circumstances permitting, and to the extent practicable, the selection of employees for recall will be based on the criteria that were applied to the layoffs themselves if there are more employees eligible for recall than positions available to fill. When layoffs occur over a period of time, the Board will take relative length of separation from service into consideration in assigning recall priority, other factors being equal. In no case will any right to be recalled to employment extend beyond one year from the effective date of the employee's layoff. Recalled employees will retain credit for the tenure, years of service, and the pay and benefit status they held on the effective date of their layoff. No pay, benefits, status, or additional rights will accrue or be credited to the recalled employee for the time he or she has been laid off.

5.16.4 Notice - Notification of layoff and recall shall be by United States certified or registered mail, hand delivery, or such other means as are reasonable under the

circumstances. Notice sent by certified mail will be deemed delivered two days after the date of the certified mail. Upon delivery of notification of recall, a laid-off employee shall respond affirmatively to the notice of recall in accordance with such specific directions or instructions as may be contained therein. Any laid-off employee who does not so respond or who otherwise declines an offer of re-employment by the Board will be deemed to have waived any right to be recalled under the terms of this policy.

5.16.5 Reservation of Board Authority – Nothing in this policy will be deemed or construed to restrict or impair the authority of the Board to reorganize, consolidate, eliminate, reallocate, or otherwise modify the nature and configuration of its workforce in accordance with Alabama law.

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

5.17 Unauthorized Payments

5.17.1 Notification to the Employee – Upon discovery of any unauthorized or erroneous payment or disbursement of funds to an employee, the Board will attempt in good faith to notify the employee of such unauthorized payment and to reach agreement with the employee, if possible, regarding the amount and terms of repayment. Notification to the employee will consist of a letter mailed or delivered to the employee's last known address. The notice will specify the amount owed, the method by which the amount was calculated, a proposed schedule of repayment, an opportunity for the employee to review or examine any documents or other evidence supporting the claimed overpayment, and an opportunity for the employee to object in person or in writing to the amount or manner of the proposed withholding to provide an alternative plan of repayment. Unless the Board's ability to recover funds in question could be jeopardized by doing so, the Board will arrange a reasonable schedule of repayment so as to avoid undue hardship to the employee.

It is the responsibility of the employee to check his/her paystub to check for inaccuracies. If recognized by the employee, the employee has 90 days to respond to payroll in writing to rectify the situation.

5.17.2 Retention and Recovery Authorized – If no objection to the proposed withholding is received within a reasonable time (to be specified in the notification

letter), monies may be retained in the manner and to the extent described in the notification. If the employee objects to the proposed withholding, the Superintendent or his designee may, upon consideration of the objection and information and argument (if any) submitted in connection therewith, take such action as may be warranted under the circumstances and inform the employee in writing of the decision. If the employee is dissatisfied, he may contest the decision through the Board's complaint procedure. Monies may be withheld by the Board pending completion of the grievance process, provided that, should the Board later pay over to the employee monies that have been retained under authority of this policy, such payment(s) will reflect all appropriate deductions and will include accrued interest from the date of withholding at the rate specified by the then-effective rate applicable to interest on unpaid judgments under Alabama law. If, after exhausting reasonable efforts to do so, the Board is unable to contact the employee in the first instance, the Board may retain or withhold from compensation or other payments due the employee an amount sufficient to satisfy the indebtedness; provided that any such retention or withholding will be subject to review and reconsideration at the request of the employee.

5.17.3 Repayment Required as a Condition of Reemployment – The Board reserves the right to require repayment of any outstanding indebtedness as a condition to reemployment of any former employee.

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

5.18 Drug and Alcohol Testing of Employees

5.18.1 Scope -The Winston County Board of Education recognizes that our employees are our greatest asset. Our employees are the key to our goal of providing the best possible education program for our students. To achieve our

goal, and to maximize the skills and talents of our employees, it is important that every employee of our school system understands the dangers of drug and alcohol abuse and is aware of the state and federal requirements concerning substance abuse. This policy statement is offered to clarify our position on employee drug and alcohol use. This policy and procedures should not be construed as contractual in any nature.

Policy Objectives:

1. To create and maintain a safe, drug-free working environment for all employees

2. To encourage any employee with a dependence on, or addiction to, alcohol or other drugs to seek help in overcoming the problem

3. To reduce problems of absenteeism, tardiness, carelessness and/or other unsatisfactory matters related to job performance

4. To reduce the likelihood of incidents of accidental personal injury and/or damage to students, employees, visitors or property

5. To meet the requirements of 49 C.F.R. Part 40, as amended, and the Omnibus Transportation Employee Testing Act of 1991

6. To reduce the likelihood that school property will be used for illicit drug activities

7. To protect the reputation of the school system and its employees within the community

Substance abuse is a serious threat to the school system, its employees and students. Though the percentage of substance abusing employees may be relatively small, practical experience and research indicate that appropriate

precautions are necessary. It is the belief of the Board that the benefits derived from the policy objectives outweigh the potential inconvenience to employees. The Board earnestly solicits the understanding and cooperation of all employees in implementing this policy.

The Board requires that all employees report to work without any alcohol or illegal or mind altering substances in their system. No employee shall report for work or remain on duty requiring the operation of a motor vehicle or other hazardous equipment or performing job duties in a hazardous environment when the employee is using any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's work, the school system's relationship with the government or reflects badly on the school system.

In order to avoid creating safety problems and violating the Drug and Alcohol Policy, employees must inform their supervisor or the school system's Medical Review Officer when they are legitimately taking medication which may affect their ability to work.

The school system also prohibits employees from using, possessing, manufacturing, distributing or making arrangements to distribute illegal drugs while at work or on school system property.

5.18.2 Enforcement

In order to enforce these rules, the school system reserves the right to require all employees (defined as all employee's subject to 49 C.F.R. Par 40 and the Omnibus Transportation Employee Testing Act of 1991 as well as other employees subject to testing under the authority of the Board) to submit to drug tests to determine the presence of prohibited substances any time an employee is on duty or at any time an employee may normally be called to be on duty. The School Board is required to and will develop, implement, and enforce a drug and alcohol policy for its

employees as a condition of compliance with the Omnibus Transportation Employee Testing Act of 1991.

Pursuant to Board policy and regulations, applicant testing may be required. All current employees may be required to undergo testing at scheduled physical examinations, and/or in circumstances where the Board has reasonable suspicion to believe an employee has violated its Alcohol and Drug Policy, and/or on a random basis without advance notice. Employees are required to report all accidents involving school property or personnel, or accidents that occur during school hours, or on school-related activities. Employees involved in such accidents may be required to submit to alcohol screening within two (2) hours and to drug screening within thirty-two (32) hours of a reportable accident. Employees who return to work following rehabilitation will be required to undergo return-to-duty or follow-up testing in addition to the general school system testing requirements.

The Board also reserves the right to search desks, cabinets, tool boxes, vehicles, including personal vehicles brought on the school system's property, bags or any other property at the school or in vehicles when the Board has reasonable cause to believe an employee has violated its Alcohol and Drug Policy.

Violation of these rules, including testing positive, will subject the employee to discipline, including discharge. Refusal to cooperate with the School Board in any test investigation will result in discipline, including discharge as appropriate under the applicable state and federal laws.

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

Any questions should be directed to the person assigned by the Superintendent and/or School Board as its Drug Testing Program Coordinator.

5.18.3 General Policy

Practical experience and research has proven that even small quantities of narcotics, abused prescription drugs or alcohol can impair judgment and reflexes. Even when not readily apparent, this impairment can have serious results, particularly for employees operating vehicles or potentially dangerous equipment. Drug-using employees are a threat to students, co-workers, and themselves, and may make costly errors. For these reasons, the school system has adopted a policy that all employees must report to work completely free from the effects of alcohol and/or the presence of drugs, unless used as prescribed by a physician.

5.18.4 Drug Use/Distribution/Impairment/Possession

All employees are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, abused prescription drugs or any other mind altering or intoxicating substances present in their system while at work or on duty.

5.18.5 Alcohol Use/Possession/Impairment

All employees are prohibited from possessing, drinking or being impaired or intoxicated by alcohol while at work or on duty. While employees are prohibited from having any alcohol present in their system while on duty, a Breath Alcohol Concentration (BAC) of .04 will be accepted as presumptive evidence of intoxication. Additionally, mandated employees (employees subject to provisions of 49 C.F.R. Part 40 and the Omnibus Transportation Employee Testing Act of 1991) with a BAC of .02 - .039 will be placed out-of-service for a period of no less than 24 hours. Evidential breath testing devices (EBTs) on the National Traffic Highway Safety Administration Conforming Products List will normally be used to determine BAC.

5.18.6 Off Duty Conduct

Off-the-job use of drugs, alcohol or any other prohibited substances which results in impaired work performance, including, but not limited to, absenteeism, tardiness, poor work product, or harm to the school system's image or relationship with the government is prohibited. Employees should realize that these regulations prohibit all illicit drug use—on and off duty.

5.18.7 Prescription Drugs

The proper use of medication prescribed by a physician is not prohibited; however, the school system prohibits the misuse of prescribed (or over the counter) medications and requires all employees using drugs at the direction of a physician to notify the School Board's Medical Review Officer (MRO) or their supervisor prior to beginning work when these drugs may affect their job performance, such as by causing drowsiness.

An employee or job applicant (with the exception of mandated employees) shall be allowed to provide notice to the school system of currently or recently used prescription or nonprescription drugs at the time of the taking of the specimen to be tested, and such information shall be placed in writing upon the employer's drug and alcohol testing custody and control form prior to initial testing.

5.18.8. Substance Screening

A. Applicants

Substance screening may be required for all final applicants. Such testing may be required either alone or as part of a pre-employment physical examination. Applicants are required to sign a consent/release form before submitting to screening. Applicants will be disqualified for hire if they test positive, refuse to submit to a test, substitute or dilute their specimen, or refuse to execute the required consent/release form.

B. All Current employees

1. Reasonable Suspicion

All employees may be required to submit to screening whenever a supervisor observes circumstances which provide reasonable suspicion to believe an employee has used a controlled substance or has otherwise violated the substance abuse rules. The supervisor's determination that reasonable suspicion exists to require the employee 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 employee.

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

The supervisor or supervisors 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 one supervisor may request a reasonable suspicion test, when feasible, supervisors are encouraged to obtain a second supervisor as a witness.

2. Random Testing

The Board may conduct random unannounced screening of all employees. Tests of employees for illicit drugs will be conducted in a number equal to or greater than 50 percent of the affected work force - - without advance notice - - in any given 12-month period. Tests of employees for alcohol will be conducted in a number equal to or greater than 25 percent of the affected work force - - without advance notice - - in any given 12-month period. There will be no maximum number of samples that any one individual will be required to provide during the testing schedule. Subsequent testing will

be conducted at levels equal to or greater than the initial testing level. A private testing contractor will provide computerized random sample lists to the Drug Program Coordinator. The list of employees in the random pool will be updated on a monthly basis. Employees will be required to report to the school system's designated collection site for testing immediately following notification. The tests will be spread reasonably over 12 months on an annual basis.

All employees may be tested during the initial implementation of the program.

3. Post-Accident Testing

Employees are required to immediately notify the Drug Testing Program Coordinator of any accident resulting in injury or damage to school system property. The Department of Transportation (DOT) requires post-accident drug and alcohol testing following any accident which results in the: (1) loss of human life, or (2) receipt of a citation under State or local law for a moving traffic violation arising from the accident.

The school system may require an employee involved in any accident resulting in injury that requires more than simple first aid or results in damage to property, to undergo alcohol screening within 2 hours and drug screening within 32 hours of the occurrence of the accident. The school system will discipline any employee who fails to report an accident or submit to substance screening where required by law or this policy. The Drug Testing Program Coordinator shall complete an Accident Report in compliance with school system policy and applicable laws and regulations.

4. Return to Duty/Follow up Testing

All employees referred to rehabilitation through administrative channels, or suspended for violation of this policy, may be subject to unannounced testing following return to duty for a period of 12 to 60 months. Such employees shall be tested at the frequency stipulated in the abeyance

contract or as scheduled by the MRO. The employee will be tested a minimum of six (6) follow up tests during the first twelve months. Testing will be on a daily, weekly, monthly or longer basis at the discretion of the MRO and will be in addition to the other types of tests provided in this policy.

Employees testing at a level of 0.04 BAC for alcohol or positive for drugs must be assessed by a Substance Abuse Professional (SAP), satisfy the recommendations of the assessment, test negative for drugs and below 0.02 BAC for alcohol and be released as drug-free by the Medical Review Officer prior to returning to duty.

5. Recertification: Physical Examination

All mandated employees may be required to undergo urinalysis as part of a recertification physical examination.

C. Testing Procedures

1. General Guidelines

The School Board and its lab shall rely, when practical, on the guidelines of the Federal Department of Transportation, Procedures for Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40.413, and on the further guidance of the Omnibus Transportation Employee Testing Act provided in 49 C.F.R. Parts 382, 391, 392 and 395.

2. Substances Tested for All Employees

Employees may regularly be tested for: amphetamines, cannabinoids, cocaine, opiates, phencyclidine and alcohol. Testing for alcohol will also be conducted subject to the final provisions of the Omnibus Transportation Employee Testing Act of 1991. Employees may be tested for other

substances without advance notice as part of a separate test performed by the school system for safety purposes. Such tests will be coordinated with the Designated Employer Representative.

3. Testing Procedures

The School Board reserves the right to utilize blood, hair, breath, saliva or urinalysis testing procedures. Only urinalysis and breath tests will be utilized in the pre-employment and random testing. All initial urine specimens will be confirmed by gas chromatography/mass spectrometry (GC/MS).

D. Collection Sites

The school system will designate collection sites in areas where it maintains facilities or job sites where individuals may provide specimens.

E. Collection Procedures

The School Board and the private testing contractor have developed and will maintain a documented procedure for collecting, shipping and accessing urine specimens. The School Board and the private testing contractor will utilize a standard Urine Custody and Control Form for all employee drug testing. The School Board and the private testing contractor will utilize a standard Breath Alcohol Testing Form for all employee alcohol testing. A tamper-proof sealing system, identifying numbers, labels will also be used for urine sample transportation. Alcohol results will use approved tamper evident tape.

Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure as reasonable. All collectors will undergo basic knowledge training, qualification training and an initial proficiency

demonstration. A person who collects or takes a specimen for drug test pursuant to this policy shall collect an amount sufficient for two (2) drug tests as defined by the Department of Transportation. Where the school system has an employee collect the specimen, the Board will provide instruction and training to that employee. All alcohol testing will be performed by a certified Breath Alcohol Technician (BAT).

All employees will also be required to execute the school system Applicant/Employee Consent Form.

F. Occasions when the Collection Personnel Should Directly Observe the Specimen Being Provided

The school system has adopted the direct observation procedures as set out in Section 40.67 of the Department of Transportation regulations. An Employer or Medical representative at the collection site may directly observe an employee provide the specimen where there is reason to believe that an individual may alter or substitute the specimen. Section 40.67 sets out the only circumstances where direct observation is appropriate:

1. An employer MUST direct an immediate collection under direct observation with no advance notice to the employee if:

a. The laboratory reported to the MRO that a specimen is invalid, and the MRO reported to the employer that there was not an adequate medical explanation for the result.

b. The MRO reported to the employer that the original positive, adulterated or substituted test result had to be cancelled because the test of the split specimen could not be performed.

2. An employer MAY direct an under direct collection observation of an employee if the drug test is a return-to-duty test or a follow-up test.

3. A collector MUST immediately conduct a collection under direct supervision if:

a. The Designated Employer Representative directs the collector to do so;

b. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;

c. The temperature on the original specimen was out of range; or

d. The original specimen appeared to have been tampered with.

The collector or the employer must explain to the employee the reason for the direct observation.

Where necessary, a school system representative or medical personnel may obtain a specimen outside of a designated collection site (such as, a public restroom at an accident investigation).

G. Evaluations and Return of Results to the school system

\The laboratory will transmit (by fax, mail, or computer, but not orally over the telephone) the results of all tests to the school system's MRO. The MRO will be responsible for reviewing the quantified test results of employees and confirming that the individuals testing non-negative have used drugs or adulterated, substituted or diluted the specimen in violation of school system policy. Prior to making a final decision, the MRO shall give the

individuals an opportunity to provide a medical explanation for the positive test result either face to face or over the telephone.

The MRO shall then promptly report to the Drug Testing Program Coordinator which employees or applicants test positive for drugs or adulterants, or a substituted or diluted specimen.

H. Request for Retest

All urine collections will include a split specimen. An employee may request a retest of the split specimen within 72 hours of notification of the final test result. Request must be submitted to the MRO.

The employee may be required to pay the associated costs of retest in advance.

I. Release of Test Results

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the employer through its drug and alcohol testing program are confidential communications and may not be released except in accordance with the Policy Consent/Release Form. Information may be released without the employees consent in certain legal proceedings, including a lawsuit, grievance, or administrative proceeding brought by, or on behalf of, an employee and resulting from a positive, adulterated or substituted drug test or alcohol test or a refusal to test. Such information may only be released to the decision maker in such action and only with a binding stipulation that the decision maker will make it available only to parties to the proceeding.

All employees will be required to execute a consent/release form permitting the Board to release test results and related information to the

Unemployment Compensation Commission, or other relevant government agencies.

The MRO shall retain the individual non-negative test results for five (5) years and negative test results for one year.

5.18.9. Discipline

The School Board will discipline, including discharge, employees for any violation of the policy, including refusing to submit to screening, to execute a release, or otherwise cooperate with an investigation or search by the school system. Disciplinary measures will be instituted in accordance with state and federal laws.

All employees who test positive in a confirmative substance test will be subject to discipline up to and including discharge. Any applicant or employee specimen that is found by the collection site, laboratory or MRO to have been adulterated or substituted will be considered equivalent to a positive test. All current employees who test positive for adulterants or for substituting the specimen will be subject to discipline up to and including discharge.

Rehabilitation, at a pre-approved treatment provider, may be available to individuals who violate the policy. However, unless other provisions are available to the affected individual, assistance will be limited to the degree of treatment provided within the school system's Employee Benefits Plan. The Drug Program Coordinator should be contacted for guidance.

No employee may be returned to regular duties after any rehabilitation or testing positive unless released for duty by the school system's MRO. The employee must be seen by a Substance Abuse Professional (SAP) and follow the SAP's recommendation for education and treatment. Prior to returning to work, the employee must have a negative drug or alcohol test.

Any employee returned to duty after violating the policy or testing positive will be subjected to aftercare and random testing as set out in a written Probation Agreement.

5.18.10 Training

Supervisors who are authorized to determine reasonable suspicion testing must receive a minimum of 60 minutes of training on alcohol abuse and an additional 60 minutes of training on controlled substance use and abuse.

The training shall cover the physical, behavioral, speech and performance indicators of probable use and misuse of alcohol and controlled substances. Documentation of training attendance must be maintained.

The Drug Testing Program Coordinator should be contacted for further guidance.

5.18.11 Investigation/Searches

Where a supervisor has reasonable cause to suspect that an employee has violated the substance abuse policy, he or she may inspect vehicles which an employee brings on the School Board's property, lockers, work areas, desks, purses, briefcases, tool boxes or other belongings, and at locations where school related activities are being conducted without prior notice in order to ensure a work environment free of prohibited substances. An employee may be asked to be present and remove a personal lock. Where the employee is not present or refuses to remove a personal lock, the site administrator will do so for him or her. The School Board may release any illegal, or controlled drugs, or paraphernalia to appropriate law enforcement authorities.

All searches should be coordinated with the site administrator.

NOTE: These procedures should not be construed as contractual in any nature. They represent the School Board's current guidelines in dealing with a developing

problem under evolving laws and facts, and may be changed in accordance with school system policy and state and federal law.

5.19 Employee Admission to Sporting Events

a. An employee with a valid Winston County Schools identification card will be admitted free of charge to any regular season and county tournament sporting event sponsored by Winston County Schools.

b. State Playoffs are excluded from this free admission policy.

c. The Winston County Schools valid identification card is for free admission of the individual employee only and does not include any family members or guests.

5.20 Searches (Personnel)

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

2. Employee Property – The Board reserves the right to inspect employees' vehicles, purses, files, and other personal property if a supervisor forms a reasonable individualized suspicion that the property contains evidence of a violation of Board policy or contains any material, object, or substance that otherwise creates or presents a risk of harm or injury to the school, the workplace, or persons therein.

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

5.21 Transfer of Sick Leave

Unused sick leave days may be transferred into the school system provided employee seeking to have such days transferred earned the sick days at schools/agencies/institutions covered by either the Teachers' Retirement System of Alabama or the Employees' Retirement System of Alabama. Sick leave days will not be transferred into the school system from any other sources, i.e. out of state, private schools, business and industry, etc...

5.22 Self-Reporting Arrest or Conviction

Reporting Event:

The Winston County Board of Education insists upon maintaining a safe and secure environment for all students and employees. In that regard, all employees shall self-report to the superintendent within three business days any arrest or conviction of a felony, any arrest or conviction related to child abuse or crime of violence whether a felony or misdemeanor, any conviction of any other misdemeanor, and any arrest for illegal use or possession of drugs, driving under the influence (DUI) or driving while impaired (DWI), but excluding minor traffic offenses such as speeding, running stop signs, or running red lights.

Failure to follow this policy is considered insubordination and may subject employees violating this policy to disciplinary action.

Definitions:

Arrest – the taking of a person into legal custody.

Conviction – the act or process of judicially finding someone guilty of a misdemeanor or felony in a court of law.

Self-Reporting – to notify the Superintendent in writing of a reporting event.

5.23 Social Media

This policy is intended to address Board employee use of all social media networks, applications, websites, and messaging applications and is intended to complement existing Board policies.

Board employees who engage in the use of social media are expected to maintain professionalism in any such use. In addition, when using social media, Board employees are expected to comply with all Board policies and procedures, as well as all state and federal laws. At all times, Board employees must adhere to the Board's policy on Copyright Restrictions (Policy § 4.18) in the use of social media. Board employees may not use or post any WCS logo or other Board intellectual property on any social media network, application, website, or messaging application without permission from the Superintendent.

Nothing in this policy should be construed as restricting the ability of the Superintendent or the Board to use social media and other communication technologies to fulfill their responsibilities for effectively communicating with students, families, Board employees, and the public.

The Board authorizes the Superintendent to create procedures to effectively implement the policy. Except as otherwise provided or permitted, a Board employee who fails to comply with this policy or its accompanying procedures may be subject to appropriate disciplinary measures, up to and including termination.

The Winston County Board of Education and the Superintendent strives to create procedures to effectively implement the Board's Social Media policy. These Social Media Procedures, established by the Board and Superintendent, create specific substantive standards and requirements, including standards of personal and professional conduct, the violation of which may result in adverse consequences.

The Superintendent recognizes that social media technology can serve as a powerful tool to enhance education, communication, and learning. However, the Superintendent is committed to ensuring that all Board employees who utilize social media technology do so in a safe and responsible manner. Thus, these Social Media Procedures provide guidance on how Board employees should use both professional and personal social media technology.

I. Definitions

A. "Social Media" includes but is not limited to the following:

1. Social networks including dedicated websites or applications, generally available to the public that enable users to communicate with each other by posting information, comments, votes/likes, and/or images. This definition encompasses blogs, online forums, chatrooms, virtual worlds, public comments sections on web pages, and other similar web-based or mobile applications. Current and historical examples of social networks include Facebook, Twitter, Myspace, Pinterest, YouTube, Instagram, Vine, Flickr, Tumblr, LinkedIn, Reddit, Yelp, Snapchat, Slack, TikTok and Venmo.

2. Personal messaging applications, including websites and applications that allow for an exchange of communication, typically consisting of text, images, and/or video. Current and historical examples of personal messaging applications include Facebook Messenger, WhatsApp, GroupMe, FaceTime, Skype, Kik, Snapchat, Telegram, Signal, Viber, Google Hangouts, Google Allo or Duo, and Snap Chat.

3. Social Media does not include Approved Technology and Official Winston County Schools Social Media, as defined in sub-section (B) and (C) below.

B. "Approved Technology" means any technologies provided by or approved by the Board, including Board-approved social networks and e-learning technologies such as the Student Management and Learning Management System, Google Classroom, and other similar Board approved technologies.

C. "Approved WCS Social Media" means social media accounts and profiles that are managed by Board employees and are deemed approved by the Superintendent, his or her designee, or the school principal of the school affiliated with the social media account or profile. This definition includes, but is not limited to, the Facebook, Twitter, and Instagram pages of Winston County Board of Education and all Winston County schools. This definition may also include the Facebook, Twitter, and Instagram pages of Winston County school organizations and clubs.

II. General Use of Social Media

The below policies apply to all Board employee use of Social Media:

A. Professionalism - Board employees who engage in the use of Social Media should maintain their professionalism as Board employees in any such use. Board employees should be professional and respectful in all communications.

B. Classroom Use – Social Media shall not be used by Board employees for classroom instruction or other education related activities. Board employees may use Approved Technology for classroom instruction or other education related activities.

C. Compliance with Board Policy and Law - When using Social Media, Board employees shall comply with all Board policies, and all state and federal laws.

D. Grievances Restricted to Appropriate Channels – Board employees must comply with all Board policies and procedures regarding employee complaints and grievances.

E. Copyright and Intellectual Property – Board employees must adhere to the Board's policy on Copyright Restrictions (Policy § 4.18) in the use of Social Media.

III. Use of Personal Social Media

The below policies apply to all Board employee use of personal Social Media:

A. Personal Use Restricted to Personal Time – A Board employee's use of personal Social Media must be limited to off-duty time and designated breaks. Board employees shall not engage in the use of personal Social Media during classroom instruction time or other duty periods. When using Board technology resources, electronic communication is governed by Internet Safety and Use of Technology.

B. Personal Social Media Profiles – Board employees may include information about their work with or for the Board as part of their personal Social Media profiles provided the employee complies with all other provisions of this policy. Information may include the Board employee's job title, his or her job duties, and information identifying the Board as his or her employer. Such information may also include the Board employee's personal participation in Board-sponsored events, including volunteer activities. However, it is recommended that Board employees who have identified themselves as associated with the Board or Winston County Schools include a disclaimer, in a prominent location on all Social Media, making it clear that any views expressed are the employee's own and do not necessarily reflect the views of their school or the Board.

Board employees should remain aware that the public may view the employees as representatives of their schools and the Board on Social Media. This is particularly the case where a Board employee identifies himself or herself as an employee of

the Board. Board employees are therefore expected to maintain their professionalism and to respect the privacy of students and colleagues at all times.

IV. Use of Professional Social Media

The below policies apply to all Board employee use of Approved Technology and Approved Winston County Schools Social Media:

A. Use Limited – Board employees should limit the use of Approved Technology and Approved Winston County Schools Social Media to education related activities such as contact with students and parents/guardians, instruction related posts, and posts related to school events and extracurricular activities.

B. Professionalism – Board employees should maintain their professionalism as Board employees in all use of Approved Technology and Approved Winston County Schools Social Media. Board employees should treat the use of Approved Technology and Approved Winston County Schools Social Media like a classroom and/or a professional setting. The same standards expected in Winston County Schools professional settings is expected on Approved Technology and Approved Winston County Schools Social Media.

C. Compliance – Board employees should be in compliance with all Winston County Schools policies and procedures and applicable federal and state laws when engaging in the use of Approved Technology and Approved Winston County Schools Social Media.

V. Communications

The below policies apply to all Board employees:

A. Refrain from Communicating – Board employees shall refrain from communicating with students regarding school or Board-related matters through Social Media. If a Board employee receives an inquiry pertaining to these topics through Social Media, he or she should respond to the student through Approved Technology, or otherwise direct the student to such Approved Technology.

B. Student Work – Board employees shall not post student work, pictures, or information on Social Media that includes a student's name or other personally identifiable information.

C. Images of Co-Workers – Board employees shall not post any images of any co-worker on Social Media without the co-worker's consent.

VI. Notification

Each school year, school principals and teachers should ensure that students, parents, and guardians are notified about the Approved Technology that their child is expected to use. In addition, parents and guardians should be notified of the appropriate Approved Technology that should be used to communicate with the school, principal, and teacher.

VII. Enforcement

Except as otherwise provided or permitted, a Board employee who fails to comply with the rules set forth in this policy may be subject to appropriate disciplinary measures, up to and including termination.

5.24 Teachers Bill of Rights

The Teachers' Bill of Rights requires every teacher to have an approved classroom management plan and affords teachers the right to exclude disruptive students from their classrooms in certain circumstances. 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 exclusion 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.

For purposes of this policy, the term principal also includes assistant principal, vice principal, or his or her designee.

A. <u>Classroom Management Plans</u>: Each classroom plan must be approved by the principal before the tenth day of instruction for students during each academic year. Principals are authorized to set a deadline for submission of classroom management plans by teachers that provides them with ample time to review and approve plans and seek revisions.

B. <u>Exclusion of Student from Classroom by Teacher</u>: A teacher may exclude a student from his or her classroom due to their behavior only if:

- The student has:
  - o Engaged in disorderly conduct, which is defined by the Act as any conduct that intentionally disrupts, disturbs, or interferes with the teaching of students or disturbs the peace, order, or discipline at any school;
  - o Behaved in a manner that obstructs the teaching or learning process of others in the classroom;
  - o Threatened, abused, intimidated, or attempted to intimidate an education employee or another student;
  - o Willfully disobeyed an education employee;
  - o Used abusive or profane language directed at an education employee;
- The referring teacher followed his or her approved classroom management plan before excluding the student from the classroom; and
- The referring teacher completes any required referral form and submits it to the principal or his or her designee when the student is excluded and referred to school administration.

C. <u>Principal Review and Decision</u>: The Superintendent shall develop guidance and procedures for principals to handle instances of student exclusion pursuant to this policy and consistent with Alabama and Federal law.

D. <u>Appeal</u>: An appeal may be filed by a teacher if (1) a principal refuse to allow a student to be excluded from the classroom under this policy, or (2) a teacher believes the school principal has prematurely ended the exclusion of a student from the classroom under this policy.

The appeal process available under this policy may not be invoked if:

- The decision not to 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 Conduct or state or federal law;

- A 504 or IEP team or other 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

- The student is otherwise legally entitled to remain in or return to the classroom.

1. <u>Filing of Appeal</u>: The teacher must complete and submit the approved appeal form to the Superintendent within two school days of the principal's refusal to exclude the student from the classroom or the return of the student to the teacher's classroom.

2. <u>Status of Student During Appeal</u>: During the pendency of an appeal, the decision of the principal regarding the placement of the student, if any, will remain in effect.

3. <u>Administrative Review</u>: Upon receipt of a timely appeal, the Superintendent or designee shall start 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.

Upon completion of the investigation, the Superintendent or designee shall prepare a written recommendation regarding the issues raised in the appeal.

The written recommendation of the Superintendent shall be transmitted to the teacher within seven school days of the date on which the appeal is filed. Should the Superintendent need such additional time to issue a written decision, the teacher shall be notified of same in writing and advised of when the decision will be issued.

4. Appeal to Local Board of Education: A teacher may appeal the decision to the Local Board of Education by filing a written notice of appeal with the Superintendent within two school days of receipt of the Superintendent's written decision.

The Superintendent shall transmit to Local Board Members for their review a copy of the written appeal, the decision, and all evidence considered at any stage of the administrative review process.

Following receipt of the notice of appeal by the Superintendent, the Local Board shall place the appeal on the next Board Agenda. After consideration of the appeal and administrative record, the Local Board may, by majority vote:

a) Affirm the decision of the Superintendent;

b) Reverse or modify the Superintendent's decision; or

c) Defer final action pending a hearing before the Local Board.

5. Hearing Process: If a hearing is requested by a majority of the Local Board, the hearing shall be set within fourteen school days. The hearing procedures shall be determined by the Local Board. A final Local Board decision on the appeal shall be issued within seven school days after the hearing

ends. The Local Board shall give written notice of its final decision to all parties.

6. Local Board's Decision. The Board's decision shall be final, and the Superintendent will take steps to implement the decision.

5.25 Staff Internet Safety Compliance Survey & Student Social Media Safety Course

[HB166 Compliance – Effective July 1, 2025]

Annual Staff Internet Safety Survey

In accordance with HB166, each public school shall ensure that all principals administer an **annual anonymous survey** to staff regarding internet safety compliance and digital usage practices within their school. This survey must:

- Be completed **no later than the last instructional day of each academic year**
- Include questions developed or approved by the **Alabama State Department of Education (ALSDE)**
- Remain **anonymous and confidential**; no personally identifiable information will be collected

The purpose of this survey is to assess the enforcement and effectiveness of the district's Internet Safety Policy, including filtering tools, supervision of student online activity, and overall technology usage practices. Survey results will be compiled by each principal and submitted to the Superintendent, who will forward district-wide results to the ALSDE as required by law.

Student Social Media Safety Course Requirement

As mandated by HB166, the Winston County School System shall ensure that:

- All students **before entering Grade 8** complete a **state-approved asynchronous course on social media safety**
- The course may also be completed by students in higher grades or transfer students who have not yet met the requirement
- The course will address safe social media use, digital footprints, privacy protection, cyberbullying prevention, and recognizing misinformation

- Course access instructions and deadlines will be communicated annually to students and parents/guardians
- Completion of this course is **required** and shall be documented in each student's educational record

School administrators are responsible for ensuring timely access to the course, verifying completion, and assisting students who may require accommodations.

5.26 Military and Veteran Employment Preference

The Board authorizes a voluntary employment preference in hiring and promotion for specific military-connected individuals in accordance with Alabama law.

A. Minimum Qualifications and Certification Required – The employment preference authorized by this policy shall only apply to applicants who are otherwise fully qualified for the vacant position. To be eligible for preference consideration, the applicant must:

1. Possess the valid Alabama educator certification, license, or endorsement required for the position at the time of application (if applicable); and

2. Meet or exceed all minimum qualifications, experience levels, skills, and knowledge requirements established by the Board in the official job description.

This policy does not require or authorize the Board to hire or promote any applicant who does not meet the baseline prerequisites for the job, nor does it guarantee employment.

B. Eligible Individuals – Subject to the minimum qualification standards above, an employment preference may be extended to applicants who submit proper verification proving they fall into one of the following categories:

1. Eligible Veterans: Individuals who have served in the National Guard, a reserve component, or an active component of the U.S. Armed Forces and received an honorable discharge.

2. Spouses of Eligible Veterans: Spouses of individuals who meet the veteran eligibility criteria.

3. Spouses of Active-Duty Service Members: Spouses of individuals currently on active duty in the National Guard, a reserve component, or an active component of the U.S. Armed Forces.

4. Surviving Spouses: The surviving spouse of a deceased eligible veteran.

C. Application of Preference (Tie-Breaker Method)— The school system utilizes a merit-based selection process. In hiring and promotion decisions, if the Superintendent or the designated interviewing committee determines that two or more candidates are substantially equally qualified based on their certification status, qualifications, interview performance, reference checks, and overall merit, the position should be offered to the preferred military-connected applicant.

D. Verification Process –To claim the preference, applicants must indicate their eligibility on the standard employment application and upload required supporting documentation (e.g., a DD-Form 214 showing an honorable discharge, a valid marriage certificate, and/or active-duty military orders) prior to the closing date of the job posting. The administration is not responsible for investigating an applicant's unstated or undocumented eligibility status.

[Reference: Ala. Act No. 2026-574]

VI. Students

6.1 Admissions and Attendance

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

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

a. Kindergarten Age Requirement

1. A child five years of age on or before September 1 shall be entitled to admission to kindergarten at the opening of that school year or as soon as practicable thereafter.

2. A child less than five years of age on September 1 shall not be entitled to admission during that school year.

3. An underage child transferring from the public school kindergarten in another state, and whose parents were residing in that state at the time of the transfer, may be admitted to kindergarten on a space available basis with Board approval. The child shall be admitted to first grade upon successful completion of kindergarten.

b. First Grade Age Requirement.

1. A child six years of age on or before September 1 shall be entitled to admission to first grade at the opening of school for that school year or as soon as practicable thereafter.

2. A child under six years of age on September 1 shall not be entitled to admission to the first grade during that school year.

3. An underage child who has moved into this state having successfully completed a mandated, public school kindergarten program in another state shall be admitted to first grade.

c. Age Determination.

Age is computed by including the day of birth so that a given age is attained the day before the birthday anniversary. Therefore, a child whose fifth or sixth birthday falls on September 2 is entitled to attend kindergarten or first grade, respectively, at the opening of schools for that school year.

d. Transfers from Out-of-State Public Schools.

Children not six years old on September 1 who transfer from the first grade of a public school in another state, and whose parents resided in that state at the time of the transfer, may be enrolled on a space available basis with the approval of the Superintendent, and must meet the requirement of having been six years of age on or before January 1 of the school year they enrolled in the first grade.

e. Transfers from Private or Parochial Schools.

Students may enroll in second grade after having attended first grade in an accredited private or parochial school the previous year, but must be seven years old on or before January 1 of the year for which enrollment is requested.

6.1.2 Admission to Schools

a. Resident Students – School-aged children who reside within Winston County, Alabama, and not within the limits of a city operating an independent municipal school system, may be admitted to Winston County Schools. For purposes of this policy, the residence of the student will be the residence of the custodial parent or legal guardian. If custody of the child is shared, alternating, or unclear, of if the child does not reside with a custodial parent or legal guardian, the domicile or actual physical residence of the child will control, except when there is evidence that the claimed residence of the child is not his actual residence, or that the claimed residence is fraudulently given as a means of avoiding or violating admission, enrollment, attendance, and residency standards and requirements.

b. Non-resident Students – The Board may permit students who do not reside within the Winston County School District to attend schools within the school system. The Board may establish criteria for admission of nonresident students. The Board will not provide transportation to and from school or homebound instruction outside of the county limits of Winston County district.

c. Admission Policy for Homeless, Children in Foster Care, Migratory, Immigrant, and Limited English Proficient Students – Pursuant to the requirements of the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act and the McKinney-Vento Homeless Education Act of 2001, all homeless, children in foster care, migrant, immigrant, and English language learners must have no barriers to the same free appropriate public education, including public preschool education, provided to other children and youth. This shall be the policy of the Winston County School System. Such children will be provided the opportunity to meet the same challenging state content and state student performance standards to which all students are held without being stigmatized or isolated.

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

e. Requested Documentation – Students entering the school system for the first time, regardless of grade level, will be asked to submit a certified birth certificate, documentation or other proof of residency, and such other registration materials as school officials may reasonably expect, including but not limited to a certificate of immunization or an exemption as prescribed by the Department of Health and signed by a private physician or appropriate health department official. The Superintendent may accept alternate forms of evidence or modify otherwise applicable requirements as necessary and appropriate to accommodate migrant, immigrant, or homeless students.

f. Placement of Students – The Board will determine the placement of newly enrolled students in accordance with state law. The Winston County Board of Education adheres to all First Grade Readiness standards set forth in Administrative Code 290-3-1-.04.

[Reference: Code of Alabama 1975 16-28-4; 16-3-12]

g. Advanced Enrollment for Military Families - It is the policy of the Winston County Board of Education to allow for advanced enrollment for military families by remote means, including electronic means, prior to commencement of the student's residency if the following applies:

i. A parent or legal guardian is on active military duty and is transferred or pending transfer to a military installation or reservation in this state.

ii. Upon request by the local board of education, a parent or legal guardian provides a copy of the official military order transferring to a military installation or reservation located in this state.

iii. A parent or legal guardian completes and submits the board of education's required enrollment forms and documentation, except that proof of residency shall not be required until the student physically transfers to this state, at which time the student shall be required to provide proof of residency prior to commencing attendance.

The local school of enrollment shall make available to the student who registers in this manner the same opportunities for school assignment and selection of courses and sporting activities as those offered to resident students.

Students entering the school system for the first time, regardless of grade level, will be asked to submit the following:

- A certified birth certificate
- Documentation or other proof of residency
- Other reasonable registration materials as determined by school officials, which may include:
    - A certificate of immunization or an exemption form as prescribed by the Alabama Department of Public Health, signed by a private physician or appropriate health department official

In accordance with **SB59**, no student shall be required to disclose, nor shall the school system inquire about, the student's or their parent or

guardian's immigration or citizenship status during the enrollment process or as a condition of enrollment. Any documentation requested shall not be used to determine or infer immigration status.

The Superintendent may accept alternate forms of documentation or waive certain requirements when necessary to accommodate the enrollment of students who are migrant, immigrant, homeless, or otherwise facing barriers to enrollment, consistent with applicable federal and state law.

(Ref. Ala. Code 16-28-60 (1975) Added by Act 2022-90, effective May 2022)

6.1.3 Attendance Zone and Class Assignment

a. Attendance Zone Assignment – Students will be assigned to the school serving the attendance zone in which his parent(s) or legal guardian reside(s). Any exception must be approved by the Principal. A student whose parent or legal guardian moves from one attendance zone to another during the school year will be transferred to the school attendance zone in which the new residence is located. The student may be permitted to remain in the school attendance zone that serves the former residence until the end of the semester with the approval of the Superintendent. A parent or legal guardian who has documented plans to move to a new attendance area during the first or second grading period of the school year may have his child enrolled in the school serving the new residence upon approval by the Principal. The Winston County Board of Education recognizes the use of conditional enrollment of all students' enrolled.

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

6.1.4 Absences/Excuses/Tardiness/Attendance

a. Students are not permitted to be absent from school without a valid excuse. Absences will be designated as excused or unexcused. Excused absences will be permitted for the following reasons:

- Illness that endangers the student's health or the health of others.
- Students who are deemed ill by the school nurse on a given day.
- Death in the immediate family.
- Quarantine.
- Students who are receiving healthcare or are hospitalized.
- Exemptions for exams.
- Inclement weather that would be dangerous to the life and health of the student as determined by the school system.
- Legal requirements for students.
- Military deployment date of a student's parent.
- Emergency conditions as determined by the school system.
- Absences approved by the principal.
- Any other permissible reason for absence contained in the Student Handbook (NOTE: Include the correct name of the pertinent document, e.g., Student Handbook, Student Code of Conduct, etc.).

Documentation supporting an excused absence must be submitted in two (2) days or the absence will be deemed unexcused. Excessive unexcused absences may result in a loss of academic credit or referral of the matter to juvenile or other appropriate legal authorities for investigation. Procedures related to absences may be found in the Student Handbook.

b. Make-up Work. Students absent for any excused reason shall be allowed to make-up work and examinations missed. Documentation supporting an excused absence must have submitted in a timely manner or the absence will be deemed unexcused.

1. Excessive Excused Absences. Excessive excused absences may result in a loss of academic credit or referral of the matter to juvenile

or other appropriate legal authorities for investigation. Students are limited to 7 excused absences per year, not including school extracurricular activities or functions.

c. Unexcused Absences. The student whose absence is unexcused is not entitled to make-up instructional work or test(s) except when the unexcused period covers a nine weeks or term test which would place the student in danger of failing to obtain a final course credit or being promoted to the next highest grade. A student on external suspension will have absences treated as unexcused. Excessive unexcused absences may result in a loss of academic credit or referral of the matter to juvenile or other appropriate legal authorities for investigation.

The procedure that will be used for unexcused absences are outlined in the Student Handbook.

d. Parent Excuse Covering Absences. State law requires parents or guardians of students to explain the cause of any absence of students under their control or supervision. Every student returning to school after being absent shall present to the designated school official a written excuse signed by the parent or guardian within three school days of the absence. In accord with State Law and Board policy, the determination of whether an absence is excused or 'unexcused' shall be made by the principal. Any absence not excused shall be considered unexcused (7 parent notes will be accepted for excused. All other notes will be determined by local administration The school system reserves the right to apply the “Parent Note” attendance code for the seven unexcused absences since those “notes” are allowed by district policy. The application of “parent notes” by the school system shall not exceed the allotted seven (7) notes per school year.)

e. Tardiness. Students are required to report to their individual schools at the beginning of the school day. Also, students are required to be on time for each class. Students who receive three (3) tardies in class or to school may be referred for appropriate disciplinary action.

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

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

6.1.6 Communicable Diseases and Parasites – A student with a communicable or contagious disease or a parasite will 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, a statement of clearance from the Department of Health, school nurse, or physician will be required before the student may re-enter schools of the School System. The school system reserves the right to develop procedures to respond to any situation relating to communicable diseases and parasites (i.e. bed bugs, head lice, influenza, COVID, etc.)

6.2 Home Schools

6.2.1 Alabama Laws Governing Private Tutors – Title 16-28-5, The Code of Alabama, 1965, reads as follows:

"Instruction by a private tutor means and includes only instruction by a person who holds a certificate issued by the State Superintendent of Education and who offers instruction in the several branches of study required to be taught in the public schools of this state, for at least three hours (3 hours) a day for 140 days each calendar year, between the hours of 8:00 A.M. and 4:00 P.M., and who uses the English language in giving instruction. Such private tutor shall, prior to beginning the instruction of any child, file with the county superintendent of education, where his place of instruction is in territory under the control and supervision of the county board of education, or the city superintendent of schools, where his place of instruction is in territory under the control and supervision of a city board of education, a statement showing the child or children to be instructed, the subjects to be taught and the period of time such instruction is proposed to be given. Such tutor shall keep a register of work, showing daily the hours used for instruction and the presence or absence of any child being instructed and shall make such reports as the State Board of Education may require."

6.2.2 ***Board Requirements*** – The Board hereby notifies persons desiring to tutor their children at home that they must meet all requirements as noted above in Title 1628-5 of The Code of Alabama and any other applicable laws of the state of Alabama. Therefore, persons residing in an area served by the School System who are planning to tutor their children at home in lieu of enrolling them to a public, private, or parochial school should complete a "Registration for Private Home Tutoring Form" prior to beginning such instruction.

6.2.3 ***Penalties*** – Failure to enroll children in an approved school or tutoring program may result in misdemeanor charges and upon conviction shall be fined not more than $100.00 and may also be sentenced to hard labor for the county for not more than 90 days. The absence of a child without the consent of the principal teacher of the school he attends or should attend or the tutor who instructs or should instruct such child shall be prima facie evidence of the violation of this section.

6.3 Homebound

The Superintendent is responsible for appointing a qualified person(s) to provide homebound for eligible students. Any exceptional student who cannot attend school because of a physical condition (even with special transportation) must be scheduled to receive instruction according to his/her individualized education program within the home. To be eligible for homebound services a student must have a physician referral for such service and have an anticipated absence from school for at least six weeks. The parent/guardian is responsible to communicate with the local school and provide all required documentation. It is the responsibility of the student's principal and/or teacher to notify the Superintendent' office to provide the required information if it appears that homebound services are necessary. The homebound student's regular teacher is responsible for providing an instructional plan, including an outline of assignments, preparation of any exams, grading of assigned work/examination, etc., with the homebound teacher being responsible for carrying out the teacher's instructions during the three (3) hours per week required for homebound instruction.

6.3.1 Eligibility for Homebound Services

The following criteria shall determine eligibility for homebound services:

a. A homebound placement is a least restrictive environment option, not a handicapping condition. Eligibility determination for this type of LRE shall be made by the student's IEP Committee.

b. Regular education students who are performing satisfactorily in a regular school program do not become eligible for special education services just because they may have a temporary health or medical problem which requires a temporary recuperative period. These students are best served by the regular education program. Only special education students can be considered for homebound services under special education. However, if a regular education student who have severe health issues may be provided homebound services. This is based on individual student needs.

c. Pregnancy and the normal recuperative period following delivery do not automatically make a special education student eligible for services in a homebound program. A physician may make a written referral for homebound services if there are serious complications during pregnancy or following delivery which requires a student to remain within the home.

6.4 Transfers and Withdrawals

6.4.1 ***Transfers*** – The Board may permit transfers between schools within the school system for good cause.

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

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

6.5 Student Fees, Fines, and Charges

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

6.6 Extracurricular Activities

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

a. The organization or activity must be approved by the school principal and must have an assigned faculty supervisor or sponsor;

b. The organization or activity must promote or serve the intellectual, cultural, personal, or physical development of the student in a manner that is consistent with the purposes of public education, the Board's legal mandate, mission statement, policies, and regulations, and with applicable requirements of state and federal law.

c. The organization or activity must operate under and subject to general supervision of school officials; and

d. The nature of the organization and its activities are not inconsistent with and do not interfere with instructional activities of requirements.

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

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

a. Students must complete all required state and local documentation.

b. Students must attend 51% of the school day to be able to participate in athletic contest. Principals may give approval to participate in certain circumstances.

6.6.3 ***Academic Ineligibility*** –The Board prescribes the following regulations for eligibility in this school system to participate in all extracurricular activities.

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

a. Physical education may count as only one (1) unit per year.

b. No more than one (1) Carnegie unit may be made up during summer school. If a unit(s) or subject(s) is repeated in summer school, the higher numerical grade for the unit(s) or

subject(s) may be used to compute the composite grade average.

c. Eligibility will be determined on the first day of the local school year and will remain in effect for one (1) complete school year. Students ineligible at the beginning of an academic year may become eligible at the end of the first semester if they meet all academic requirements at that time. Bona fide transfers may be dealt with according to the rules of the Alabama High School Athletic Association for sports and rules to be developed by this Board of Education as they pertain to other extracurricular activities.

d. Each eligible student must have a minimum composite numerical average of 70 on the six (6) Carnegie units from the preceding year, including summer school. Summer school work passed may substitute for regular school work repeated in computing the 70 average.

e. Each eligible student involved in athletics must meet the definition of a regular student as defined by the Alabama High School Athletic Association.

f. Any student who earns more than four (4) credits in the core curriculum in any given year or who accumulates a total in excess of the required four (4) per year may be exempt from earning the four (4) core courses in the succeeding year as long as that student remains on schedule for graduation with his/her class.

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

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

For the purposes of this subsection, extracurricular activities associated with athletics are defined as those recognized and sanctioned by the Alabama High School Athletic Association, and other extracurricular activities are defined as those that are sanctioned by a public school that are not related to a student's academic requirements or success in a course(s). Regular curricular activities are defined as those that are required for satisfactory course completion. School sponsors are required to submit a request for each curricular activity that occurs outside the regular school day and/or school to the principal, Superintendent, and the local Board of Education for approval. Each request for full participation by all students, regardless of academic standing, in a curricular activity will be granted if the principal, Superintendent, and the local Board of Education approve participation in the activity as an extension of a course(s) requirement(s) and it is an event sanctioned by a state/national subject matter association. Notwithstanding anything to the contrary in this policy, student participation in extracurricular activities offered by the school through math, science, band, choral, music, and other courses at events such as athletic events (pre-game, game, halftime, or other breaks), club conventions, parades, amusement park trips and competitions, trips by tour companies, performance at various meetings, etc. are extracurricular, and students academically ineligible under this policy will not be allowed to participate.

[Reference: Ala. Admin. Code 290-3-1-.02(19)]

6.7 Off-Campus Events

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

a. The destination is an activity, event, or function that services a bona fide educational or related extracurricular purpose, or is an athletic event or function sponsored or sanctioned by the school or the school system and the state athletic association;

b. Adequate information regarding the trip (e.g., destination, duration, purpose, and educational purpose, mode of transportation, nature and extent of student participation) has been provided to the principal, program director, and Superintendent.

c. Adequate arrangements are made for supervision and other risk management considerations (e.g., parental permission, medical treatment authorization, special insurance requirements);

d. Properly certified and qualified drivers have been selected and arrangements for the costs of the trip (e.g., salary, fuels, maintenance, lodging) have been made; and

e. Board approval of the trip is required for overnight or out of state travel.

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

6.8 Student Publications

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

6.9 Equal Educational Opportunities

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

6.10 Title IX

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

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

6.11 Student Sexual Harassment

6.11.1 Sexual Harassment Prohibited – Sexual harassment in any form that is directed toward students is prohibited. Persons who violate the policy will be subject to the full range of disciplinary consequences up to and including termination (for employees) and expulsion (for students) as dictated by the nature and severity of the violation and other relevant considerations. If appropriate, the circumstances constituting the violation may be reported to law enforcement agencies or child welfare agencies for further investigation and action.

6.11.2 Definition – For purposes of this policy, sexual harassment means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, school employees, or third parties, when:

a. Submission to the conduct is made explicitly or implicitly a term or condition of the student's education, including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education;

b. Submission to or rejection of the conduct is used as the basis for decisions affecting the student's academic performance, participation in school sponsored activities, or any other aspect of the student's education;

c. The conduct has the purpose and effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities or creating an intimidating, hostile, or offensive education environment.

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

a. Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or pictures, and sexual propositions;

b. Repeated unwelcome solicitations of sexual activity or sexual contact;

c. Unwelcome, inappropriate sexual touching;

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

6.11.3 Sexual Harassment of Students

a. General – It is the policy of the Board that sexual harassment of students by other employees is unlawful behavior and will not be permitted in the school setting. The Board is committed to providing an academic environment that is free of unlawful sexual harassment and will seek to utilize available measures to deter such conduct.

b. Sexual Harassment Defined – Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of the student's academic progress or completion of a school-related activity, or

2. Submission to or rejection of such conduct is used as a basis in evaluating the student's performance in a course of study or other school-related activity, or

3. Such conduct has the purpose or effect of substantially interfering with the student's educational performance or creating an intimidating, hostile, or offensive working environment.

c. Examples of Sexual Harassment – Examples of sexual harassment include, but are not limited to the following: continued or repeated offensive sexual flirtations, advances or propositions, continued or repeated verbal remarks

about an individual's body, sexually degrading words used toward an individual or to describe objects or pictures. Sexual harassment does not include personal compliments that are welcomed by the recipient.

d. Designation of Reporting Officer – The Board hereby directs the Superintendent to appoint annually, prior to the beginning of the school year, an administrative employee to serve as the reporting officer for all complaints of sexual harassment involving students of the School System.

e. Reporting Incidents of Sexual Harassment – A student who feels that he/she has been sexually harassed should report the incident to the school principal and the designated reporting officer. Such report shall be made as soon as possible after the incident or, if a series of incidents, as soon as possible after the latest occurrence.

Students are urged to make such report no later than ten (10) calendar days following the incident or the latest occurrence in the series of such incidents. The complaint may be made to the principal in person or may be made in writing, signed by the complainant, and then delivered to the reporting officer. If such report is first made verbally then it will be the responsibility of the complainant to reduce the same to writing and to sign the written complaint. Upon delivery of the written complaint to the reporting officer, he/she shall forthwith commence an investigation of such written complaint. Nothing herein shall relieve the principal or other school personnel from reporting wrongful acts against students to the Department of Human Resources as required by law.

f. Complaint Resolution Procedure –Upon completing an investigation of the complaint, the designated reporting officer shall report to the Superintendent the results of the investigation of the complaint. Such report shall be in writing and a copy thereof shall be provided both the student and the charged employee or student. The school principal shall thereupon meet with the complainant and the charged employee or student, together with the designated reporting officer, and make every effort to resolve such complaint. If such complaint cannot be resolved at this level, the Superintendent shall report the same to the Board, and if in his/her discretion it is warranted, he/she may recommend a hearing be held by the

Board in accordance with the laws and statutes applicable to such charged employee's contract status.

6.11.4 Sexual Harassment Complaint Procedures Authorized – The Superintendent is authorized and directed to establish, implement and revise more detailed sexual harassment complaint procedures that are designed to provide students who believe that they are victims of unlawful sexual harassment with a thorough, discreet, and prompt internal procedure for investigating and resolving sexual harassment complaints. The procedures will be drafted so as to facilitate the gathering of relevant facts and evidence, permit timely assessment of the merits of the complaint, provide an opportunity for informal resolution of complaint where appropriate, eliminate any harassment that is established by the investigation, and prevent any retaliation based upon the filing of the complaint. The procedures will reflect due regard for the legal rights and interests of all persons involved in the complaint, and will be drafted, explained, and implemented so as to be understandable and accessible to all student population groups and ages.

6.11.5 Initial Confrontation of Accused Harasser Not Required – A student who invokes the harassment complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to report allegations of suspected harassment to any appropriate Board administrator, teacher, counselor, or employee, and such persons have a duty to promptly refer such allegations to the Superintendent or to take such action as may be required by the procedures established under "Sexual Harassment Complaint Procedures Authorized" (6.8.3) above. In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decision-making responsibility in connection with the processing of the complaint.

6.11.6 Notice of Policy to be Promulgated – The Superintendent will promulgate and disseminate this policy and the complaint procedures to the schools and will take such other steps and measures as may be reasonably available and expedient for informing the school community of the conduct prohibited by this policy and the recourse available to students who believe that they have been subjected to sexual harassment.

6.12 Protection of Pupil Rights Amendment

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

a. Political affiliations or beliefs of the student or student's parent(s);

b. Mental or psychological problems of the student or student's family;

c. Sexual behavior or attitudes;

d. Illegal, anti-social, self-incriminating, or demeaning behavior;

e. Critical appraisals of others with whom respondents have close family relationships;

f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;

g. Religious practices, affiliations, or beliefs of the student or parent(s); or

h. Income, other than as required by law to determine program eligibility.

6.12.2 Notice and Option to Opt Out – Parents will be provided notice and an opportunity to opt a student out of any of the following:

a. Any survey that is designated to obtain protected information from a student, regardless of the source of funding;

b. Any non-emergency, invasive physical exam or screening that is required as a condition of attendance, that is administered by the school or its agent, and that is not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law; and

c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or for the purpose of selling or otherwise distributing the information to others.

6.12.3 Inspection – Parents will be allowed to inspect, upon request and before administration or use, the following:

a. Protected information surveys of students;

b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and

c. Instructional material used as part of the educational curriculum.

6.12.4 Special Provisions for Certain Students – Students who are at least 18 years old and emancipated minors under state law will be allowed to take the above actions in lieu of their parents or guardians.

6.12.5 Additional Policies and Procedures Authorized – In consultation with parents, the Superintendent is authorized to develop additional policies, and arrangements to protect student privacy in the administration of protected information surveys and in the collection, disclosure, or use of personal information for marketing, sales, or other distribution

purposes. The Board will directly notify parents of these policies and procedures at the beginning of each school year and after any substantive changes are approved.

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

6.12.6 Voluntary Religious Expression - Subject to the requirements and prohibitions of Amendments 1 and 14 to the United States Constitution, it is the policy of this Board that:

a. There shall be no discrimination against students or parents on the basis of their religious viewpoint or the religious content of their expression.

b. Students shall be allowed to express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of those submissions. Homework and classwork assignments shall be judged by ordinary academic standards of substance and relevance, and against other legitimate pedagogical concerns, but may not be penalized or rewarded based on the religious content of the work.

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

d. Students may wear clothing, accessories, and jewelry which display religious messages or symbols in the same manner and to the same extent that students are permitted to wear other types of clothing, accessories, and jewelry that contain messages or symbols.

e. The Board shall not take any actions which establish a religion or prohibit the free exercise of a particular religion.

f. The Board retains the authority to protect the safety of its students, employees, and visitors, and to maintain order and discipline in its schools and on its properties in a content and viewpoint neutral manner.

[Reference: Alabama Code § 16-1-20.5]

6.13 Student Records

6.13.1 Access to Records. Educational records as defined by law or Board policy will be available for examination and review by authorized persons in the manner prescribed and to the extent required by law. Except where the context requires otherwise, the term "educational records" has the meaning given in 20 U.S.C. 1232g (a) (4). Copies of such records may likewise be provided to the extent required and under circumstances specified by applicable law or regulation. The Superintendent is authorized to establish administrative standards and procedures respecting access to such records, including a schedule of reasonable charges for the reproduction thereof. Parents will be provided required annual notification regarding educational records through the student handbook or by other appropriate means.

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

6.13.2 Procedures for Safeguarding Student Records – The following statements are taken from Accreditation Standards for Alabama Elementary and Secondary Schools and are based on Public Law 93-380. The statements that follow shall govern the use of student cumulative folders in all schools of the School System:

a. No funds shall be made available to any educational agency which denies parents of students the right to inspect and review all official records, files, and data directly relating to their children, including their cumulative record folder.

b. Each agency shall establish appropriate procedures for granting parents' request for access to such records within a reasonable period of time but in no case more than 45 days after the request.

c. Parents may request and must be granted a hearing to challenge the content of such records.

d. No grant recipient may release personal identifiable information of students without the written consent of parents, except for the following reasons:

1. Other local school officials who have legitimate educational interest.

2. Officials of other schools in which the student intends to enroll; however, parents must be informed of such release, receive a copy of the record if requested, and have an opportunity for a hearing to challenge the content of the records.

3. Authorized representatives of the following:

i. Comptroller General of the U.S.

ii. The Secretary of the Office of Education

iii. An administrative head of an educational agency

iv. Any state education agency

4. Such persons necessary in connection with a student's application for, or receipt of, financial aid.

e. Anyone desiring access to student records shall be required to sign a written form which shall be kept permanently with the file of the student. Such form shall be available to parents and to the school official responsible for record maintenance.

f. Whenever a student has attained 18 years of age or is attending a postsecondary education institution, the permission or consent required of and the rights accorded to the parents shall thereafter only be required of and accorded to the student.

g. Education agencies are required to inform parents and students who are 18-year-old of their rights relative to this section.

6.14 Harassment, Violence, and Threats of Violence Prohibited

6.14.1 Prohibition - No student shall engage in or be subject to harassment, violence, threats of violence, or intimidation by any other student that is based on any of the specific characteristics that have been identified by the Board in this policy. Students who violate this policy will be subject to disciplinary sanction.

6.14.2 Definitions –

a. The term "harassment" as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth in Section 6.28.3(b) below. To constitute harassment, a pattern of behavior may do any of the following:

1. Place a student in reasonable fear of harm to his or her person or damage to his or her property.

2. Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.

3. Have the effect of substantially disrupting or interfering with the orderly operation of the school.

4. Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.

5. Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

b. 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.

c. 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.

d. 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.

e. The term "student" as used in this policy means a student who is enrolled in the Winston County School System.

Description of Behavior Expected of Students

a. Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting 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.

b. 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:

1. The student's race;

2. The student's sex;

3. The student's religion;

4. The student's national origin; or

5. The student's disability.

6. The student's imbalance of strength, power, or influence; or

7. Other personal characteristics which motivated the action.

c. Except as otherwise provided in this policy, the expectations of students expressed herein are not limited to behaviors which occur only on school grounds. This policy is premised on the notion that violence, threats of violence, intimidation, bullying and cyberbullying of one student by another may be detrimental to the best interest and welfare of students and disruptive of the opportunity for student learning in Winston County Schools without regard to the location where such behaviors occur. It is acknowledged that in some situations the nexus between the regulation of such unacceptable behaviors and Winston County Schools' interest in providing a safe environment for its students may be remote

and thus not an appropriate basis for school disciplinary action. However, where the offending behavior causes a material and substantial disruption to school activities or undermines the ability of a student to learn in a non-hostile environment, students violating this policy may be subject to discipline regardless of where the offending conduct occurs.

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

6.14.4 Reporting, Investigation, and Complaint Resolution Procedures -

Complaints alleging violations of this policy must be made on Board approved complaint forms available at the principal 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 their sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system. The person reporting the violation may, upon request, be given an explanation of the outcome of the investigation and of any steps taken to prevent a recurrence of the violation, subject to any limitations on the disclosure thereof that may be imposed by law. A person reporting a violation who is not satisfied with the outcome of the investigation may appeal the decision in writing to the local Superintendent.

Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary

sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

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

6.14.5 Promulgation of Policy and Related Procedures, Rules, and Forms – This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes.

6.15 Student Health Services

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

6.15.2 Mental Health Services - No student under the age of fourteen may participate in ongoing school counseling services including, but not limited to, mental health services, unless (1) the student's parent or legal guardian has submitted a written opt-in granting permission for the student to participate or (2) there is an imminent threat to the health of the student or others. For purposes of this policy, "mental health services" includes services, treatment, surveys, or assessments relating to

mental health; however, it does not include instructional activities designed to educate students regarding topics related to mental health (1) contained in the school system's approved curriculum or (2) otherwise required to be taught by law (e.g., Erin's Law; Jason Flatt Act). This policy is not applicable to any school counseling services or "mental health services" contained in a student's PST, IEP, or §504 plan. Consent for those services will be obtained in accordance the specific procedures required by federal and/or state law, and information regarding any mental health services will be provided in the pertinent plan.

a. a. It is the policy of the Winston County Board of Education to provide the Alabama Department of Mental Health with any and all required "needs assessments" and "resource maps" for schools within the district.

b. b. It is the policy of the Winston County Board of Education to employ a Mental Health Service Coordinator.

(ref. Ala. Act 2002-442)

6.16 Corporal Punishment

In order to establish and maintain an educational climate conducive to learning, the Board permits reasonable corporal punishment of students in the schools of the School System. If such punishment is required, it shall be administered with care, tact, and caution. Corporal punishment shall be administered by the Principal/Assistant Principal with a witness or a teacher with the Principal/Assistant Principal/certified employee as the witness.

In all cases, corporal punishment shall be administered in accordance with the following guidelines:

a. In cases where a student maintains innocence of the offense, a brief but adequate statement of the reasons and supporting evidence shall be given orally to the student with an opportunity for the student to explain his/her sides of the situation. Based upon all facts, if the

situation warrants it, corporal punishment may then be administered without delay.

b. A teacher with a certified employee as a witness may punish corporally.

c. Corporal punishment should not include more than three (3) licks administered to the buttocks.

d. The person administering the corporal punishment will document it and submit the documentation to the Principal.

e. School Principals/Assistant Principals or teachers who have administered corporal punishment shall provide the student's parents or guardians, upon request, a written explanation of the reason(s) and the name of the witness upon request.

f. Corporal punishment shall be administered in the office of the Principal or in such place or places as may be designated by the Principal.

g. Corporal punishment shall not be administered in the visual presence of other students.

h. Those administering corporal punishment shall consider the age, size, sex, and overall physical condition of the student.

6.17 Student Conduct

The Superintendent will prepare and present to the Board for adoption and periodic revision a Code of Student Conduct ("CSC"), with input from teachers, school personnel, Student Conduct students, parents and guardians, and other members of the education community and, as appropriate, the community at large. The CSC will comprehensively describe the rules and standards of conduct and discipline that will be maintained and enforced within the Winston County School System. 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 in 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]

6.18 Student Discipline

Each classroom teacher will deal with general classroom discipline by taking in class action, by telephoning the parent(s) or guardian(s) when feasible, and/or by scheduling conferences with parent(s) or guardian(s) and other school staff. Only when the action taken by the teacher is ineffective, or the violation is severe, should the student be referred to the principal or his/her designee. In no case shall a student have his/her grade lowered as a method of discipline/punishment.

6.18.1 Seclusion & Restrain for ALL Students **-** Winston County Schools shall prohibit the use of Seclusion – a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving.

Seclusion does not include, so Winston County Schools shall allow, the following situations: 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 below; in-school suspension; alternative school; detention; or a student- requested break in a different location in the room or in a separate room.

Time-Out – A behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used when:

1. The non-locking setting used form time-out is appropriately lighted, ventilated, and heated or cooled.
2. The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however, each time-out shall not exceed 60 minutes.
3. The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student while in time-out.
4. The time-out space is free of objects that unreasonably expose the student or others to harm.

Winston County Schools shall prohibit the use of Prone Restraint – a student is intentionally placed face down on the floor or another surface, and physical pressure is applied to the student's body that restricts the flow of air into the student's lungs.

Winston County Schools shall prohibit the use of Chemical Restraint – any medication that is used to control violent physical behavior or restrict the student's freedom of movement that is not prescribed treatment for the student's medical or psychiatric condition.

Winston County Schools shall prohibit the use of Mechanical Restraint – the use of any device or material attached to or adjacent to a student's body that is intended

to restrict the normal freedom of movement and which cannot be easily removed by the student.

Mechanical Restraint does not include, so Winston County Schools shall allow, 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. In addition, mechanical restraint does not include seatbelts and other safety equipment when used to secure students during transportation.

Winston County Schools shall prohibit the use of Physical Restraint – direct physical contact from an adult that prevents or significantly restricts a student's movement 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 shall not be used as a form of discipline or punishment.

Physical Restraint does not include, so Winston County Schools shall allow, limited physical contact and/or redirection to promote student safety or to prevent self-injurious behavior, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, providing comfort, or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.

Winston County Schools shall utilize the following procedures for use of Physical Restraint:

a. All physical restraint must be immediately terminated when the student is no longer in immediate danger to himself or others or if the student is observed to be in severe distress

b. Parents shall be provided, at least annually, with information regarding the policy for use of physical restraint

c. Annual staff and faculty training on the use of physical restraint as well as the Winston County Schools Seclusion and Restraint Policy.

1. Use of physical restraint

2. Techniques to prevent the need to use physical restraint

3. De-escalation techniques

4. Positive behavioral intervention strategies

5. Maintain written or electronic documentation on training provided and a list of participants for each training.

d. Written parental notification when physical restraint is used to restrain their student within one school day from the use of restraint

e. The use of physical restraint shall be documented by staff or faculty participating in or supervising the restraint for each student, in each instance, in which the student is restrained.

f. Annual report to the Winston County Board of Education for:

1. Use and documentation of restraint

2. Any prohibited use of seclusion, chemical, mechanical or physical restraint

Nothing in this policy shall be construed to prohibit an employee of Winston County Schools, any of its schools, or any of its program employees, from any of the following:

a. Use of any classroom management techniques or approaches, including a student's removal from the classroom, that is not specifically addressed in this policy

b. The rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16- 1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28- 12.

c. Reasonable actions to diffuse or break up a student fight or altercation

d. Reasonable action to obtain possession of a weapon or other dangerous objects on a student or within control of a student

e. Discretion in the use of physical restraint to protect students or others from imminent harm or bodily injury. Nothing in this policy shall be construed to create a criminal offense or private cause of action against Winston County Schools, or program, or its agents, or employees.

f. In instances in which a student is an immediate danger to himself or herself or others, the school or program must determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel. Parents must be promptly informed when students are removed from the school or program setting by emergency medical or law enforcement personnel.

This policy adheres to the Alabama Administrative Code 290-3-1-.02 (1) (f) for seclusion and restraint for all students.

6.18.2 Alternative School - The Winston County Alternative School Program is a single, centrally located facility, which reports directly to the Superintendent. Monitoring, observation, and evaluation of program goals and objectives are under the direction of the Alternative School Administrator. The Winston County Alternative School is a highly structured program designed to provide a cohesive learning environment in which students may develop skills necessary for school success. The program seeks to develop academic success, positive attitudes, and appropriate behaviors. Objectives for the student include improving academics, attendance, behavior, and life skills. Increasing knowledge of consequences of behavior, developing respect for authority, developing skills for conflict resolution, improving self-confidence and self-control, and developing the ability to accept responsibility are additional objectives for student growth. The Winston County Alternative School will work closely with all local school administrators, teachers, and counselors in order to establish a high level of academic success. Winston County Alternative School will also work with community stakeholders to ensure a relevant, safe and orderly learning environment. It is the desire of the Winston County Alternative School to provide instruction and assistance to all students. Quality instruction, positive and caring attitudes, and well-managed classrooms are provided for the success of each student. A student may be placed in the alternative

school for disciplinary reasons as well as an alternative setting as recommended by the local school.

The procedures for alternative will be determined by the Alternative School Administrator under the direction of the superintendent.

6.19 Searches (Students)

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

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

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

practicable under the circumstances. Refusal to submit to a search or to cooperate in a search as provided in this policy may be grounds for disciplinary action.

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

6.20 Due Process Procedures

Students shall be treated with fairness in all disciplinary matters and shall be accorded procedural due process when the disciplinary measures of corporal punishment, short-and long-term suspension, or expulsion are applied. Before being punished for violation of a Board policy or local school rule and regulation, the local school principal or designee shall ensure that students are accorded the following minimal due process procedures:

a. The student shall be given oral or written notice of the charge(s) against him/her.

b. The evidence supporting the charge(s) shall be explained to the student.

c. The student shall be given an opportunity to present his/her own version of the facts concerning the charge(s).

The disciplining authority (principal or teacher, etc.) may impose appropriate disciplinary measures immediately following the informal due process hearing stated above. When a student is facing possible long- term suspension (more than 10 school days) or expulsion, the Board shall ensure that the following formal due process procedures are accorded the student:

a. The right to a hearing.

b. The right to be represented by counsel.

c. The right to cross-examine witnesses.

d. The right to a written record of the hearing.

e. The right to a written record of the Board's decision.

Suspension of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act (IDEA) and implementing regulations.

6.21 Out of School Suspension

The Board recognizes its authority to maintain good order and discipline within the schools of the School System. Therefore, the Board gives the school principal the authority to suspend a student for a period of one to five days. The suspension may be lengthened with approval of the Superintendent.

The principal shall make an immediate effort (same day) to contact the student's parents or guardians about the suspension. No suspended student shall be allowed to leave the school premises during the school day until the student's parent, guardian, or proper school authorities assume responsibility for him/her. When a student's parent, guardian, or other designated individual(s) cannot be notified, the student must remain on the school premises until the end of the school day. At the end of the school day, the student will return home via normal transportation methods.

b. Notification

Prior to suspension, the student will be made aware of the charges and supporting evidence, and given an opportunity to respond to them. The local school principal shall make an immediate effort to contact the student's parent/guardian notifying them of the suspension. To confirm the suspension a written notice of suspension shall be mailed to the parent/guardian.

Immediate removal of the student from school premises is justified when his/her presence threatens himself/herself, endangers school property, or seriously disrupts the orderly educational process. When immediate removal is necessary, the parents/guardians must be notified by phone or personally by the attendance supervisor or other school official. In extreme emergencies, principals are given the authority to call upon law enforcement agencies to remove such students. The Superintendent will be notified of such removals.

c. Terms

1. While suspended a student may not attend or participate in functions or enter school property for any reason during or after the school day except to attend a school function open to the general public on a paying basis.

2. When a student is suspended, his/her teachers and bus driver must be notified immediately concerning the date and duration of the suspension. Teachers shall not give make-up work to students who are suspended from school unless promotion/graduation depends upon completion of work and/or examinations.

3. A suspended student must comply with the full length of the suspension unless the principal approves an alternative.

d. Special Education Students

Suspension of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act (IDEA) and implementing regulations.

e. Readmission

When a student returns to school after the first suspension in an academic year, the readmission must be preceded by a conference with the principal or designee. The conference must include the parents or guardians, unless otherwise approved by the principal.

The student is readmitted on approval of the principal or designee and is given a readmission or absentee slip notice to return to class.

f. Parents Responsible for Damages to School Property –

In accordance with Legislative Act 94-819, parents are liable for damages to school property caused by their child(ren). Act 94-784 amends 16-1-24.1 of the Code of Alabama excludes the following persons from this responsibility: (a) foster parents, (b) parents whose parental control has been terminated by the courts, and (c) parents of exceptional children when the damage sustained is determined to be a result of the impairment(s).

Parents, guardians, custodians, or persons responsible for the care or control of a minor child (excluding foster parent) enrolled in a school are required to attend a discipline conference regarding destructive acts of the child against school property or persons when summoned by appropriate school officials.

Parents, guardians, or other persons having care or control of a minor child under the age of 18 years and with whom the minor is living and who has custody of the minor shall be limited to the financial liability of $1,000.00 for all damages proximately caused by the injury to or destruction of any property by the malicious, willful, or intentional acts of the minor. Foster parents approved by the Alabama Department of Human Resources are excluded from this liability.

6.22 Expulsion

The Board may expel a student from school when, in its judgment, a student has engaged in a serious rule violation(s). The authority to expel shall be retained solely by the Board. The principal shall make the recommendation to the Superintendent for the expulsion of a student(s) who has violated rules which could warrant such action. Upon conferring with the principal, the Superintendent or designee shall consider the recommendation and render a decision to accept the principal's recommendation or to require alternative measures. The principal may suspend a student pending the outcome of the Superintendent's decision regarding expulsion. If the Superintendent concurs with the principal's recommendation to expel, the recommendation will be forwarded to the Board by the Superintendent.

All due process criteria specified in Board policy shall be strictly observed in any expulsion proceedings as well as any preliminary steps prior to the hearing.

a. Procedures and Regulations

1. Responsibilities of the Principal

i. Immediately following an incident or violation of school regulations which may result in a recommendation for expulsion by the principal, the principal, upon verbal approval of the Superintendent, is authorized to suspend the student for a maximum of ten (10) school days pending a recommendation of expulsion by the Superintendent at a subsequent Board hearing.

ii. The principal shall contact the Superintendent personally or by phone to discuss the suspension and the facts which substantiate a recommendation for expulsion. Such facts should be based upon a

thorough investigation by the principal. The Superintendent shall inform the principal of his/her concurrence or non-concurrence with the proposed expulsion recommendation. If the Superintendent does not concur with the principal's recommendations, the student shall be readmitted after the prescribed suspension period or before, based upon mutual agreement of the Superintendent and principal. When there is agreement by both administrators that expulsion proceedings should be initiated, the Superintendent and the principal shall be responsible for notifying the student and parents or guardians of their decision to present the matter to the Board.

iii. The principal will immediately notify the student(s) and his/her parents or guardians of the recommendation to present the matter to the Board and the reasons for this action. A reasonable attempt will be made to personally explain to the parents or guardians the circumstances surrounding the recommendation. The principal will confirm the personal notice within forty-eight (48) hours by certified or registered letter. The letter should contain statements regarding the offense, the date, and location of the alleged rule violation(s).

b. Responsibilities of the Superintendent

1. The Superintendent may concur or reject the recommendation of the principal. If the Superintendent rejects the recommendation, the student shall be readmitted to school upon completion of the prescribed suspension period or before, based upon mutual agreement of the Superintendent and principal. The superintendent shall request an immediate conference with the parents or guardians and the student. In such case, the school principal

or designee shall attend such conference. Prior to the conference, the Superintendent shall personally notify the school principal, the student and parents or guardians about the conference and confirm the notification by registered or certified mail. The personal and written notification shall inform them of the rule violation(s) which could cause possible expulsion and to request the student and parents or guardians to attend the conference within forty-eight (48) hours of the suspension.

2. During the conference, the Superintendent may discuss with the student and parents or guardians whether a mutually agreeable alternative to expulsion is appropriate.

3. Following such conference, if it is deemed by the superintendent that expulsion proceedings should continue, he/she shall be responsible for implementing and following the student due process procedures

c. Terms

1. Expelled students will lose academic credit if passing grades are not maintained; based on the combined judgments of the teacher(s) and principal.

2. A student cannot request makeup work if expelled from school.

3. A student may not participate in extra-curricular or other school activities during the period of the expulsion.

4. A student may attend extra-curricular activities after school hours that are described as public activities such as football, baseball, volleyball, basketball, or tennis games. Public extra- curricular activities are defined as those activities for which a fee or charge is collected. While attending those activities, the student must abide by all regulations regarding the events. Any student who is expelled from school cannot visit or otherwise be in attendance on any school campus in the School System during the school day (7:30 a.m.-4:00 p.m.) while expelled from school.

d. Special Education Students

Provided a special education student with a disability(ies) commits an offense which warrants expulsion, said student's I.E.P. Committee shall be convened to determine if the offense is related to the disability(ies); if not, the student may be expelled but shall be provided an alternative educational program by the School System. Expulsion constitutes a change of placement, which requires due process through IEP committee action. Expulsion of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act ("IDEA") and its implementing regulations.

6.23 Electronic Communication Devices

[Aligned with HB166 / The FOCUS Act and ALA. CODE §16-1-27 (1975)]

6.23.1 Purpose

The Winston County Board of Education adopts this policy to comply with the **Freeing Our Classrooms of Unnecessary Screens for Safety (FOCUS) Act**, which promotes a safe, focused, and distraction-free learning environment by regulating student use of wireless communication devices during the instructional day.

6.23.2 Definition and Possession of Devices

Students are permitted to bring wireless communication devices onto school property. These devices include, but are not limited to:

- Cellular phones
- Tablets
- Laptops
- Smartwatches
- Gaming devices
- Air Pods or wireless earbuds
- Any portable electronic device capable of voice, messaging, or data exchange

Disclaimer: The Board is not responsible for theft, damage, or loss of any device brought onto campus.

6.23.4 General Restrictions and Storage Requirements

Unless otherwise authorized under this policy, devices must be:

- **Turned off**
- **Stored off the student's person** (e.g., in a backpack, locker, vehicle, or designated pouch)
- Not used at any time during the instructional day, including lunch, transitions, and non-instructional periods

Devices may not be used to:

- Record or post video, audio, or images during the school day
- Access or use social media unless directed by a teacher for instructional purposes
- Operate in restrooms, locker rooms, or during testing environments

Each school may establish specific storage procedures under the supervision of the Superintendent or designee.

6.23.5 Exceptions Under HB166

Device use during the instructional day is permitted under the following conditions:

1. The use is specified in a student's **IEP, 504 Plan, or Individual Health Plan**

2. The use is for an **educational purpose** directed and supervised by a school employee
3. The use occurs during an **emergency threatening health or safety**
4. The use is allowed under Board-authorized exceptions not exceeding **10 minutes total per instructional day**

All exceptions must be **documented and pre-approved** by school administration.

6.23.6 School Bus Use

Students may use wireless communication devices while being transported to and from school on a school bus. However, all general restrictions listed in this policy remain in effect during transport.

6.23.7 Testing Environment Restrictions

In compliance with the **ALSDE Digital Device Assessment Policy**:

- **Possession** of a device during a secure test will result in confiscation
- **Use** of a device will lead to test invalidation, immediate dismissal from testing, and the device may be subject to search

6.23.8 Search of Devices

School officials may inspect a student's device if there is **reasonable suspicion** that it contains evidence of a violation of Board policy, the Code of Conduct, or school rules. The scope of the search will be limited to the suspected violation.

6.23.9 Required Staff Survey (HB166 §5)

To evaluate policy enforcement:

- Each school principal shall submit an **anonymous annual staff survey**
- The survey will assess implementation effectiveness and be submitted to the Superintendent for review and reporting to the ALSDE

6.23.10 Policy Oversight and Flexibility

Any variation from this policy requires prior **written approval** from the building administrator. The Superintendent is authorized to develop additional rules and

ensure that this policy is revised as needed to remain in compliance with state and federal law.

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

6.24 Student Attendance: Driver's License/Learner's Permit

6.24.1 Purpose of Act – School attendance by persons 16-19 years of age is a prerequisite for the issuance of a driver's license/learner's permit by the state of Alabama for the operation of a motor vehicle. School attendance standards may be met by enrollment in a school or General Educational Development (GED) program or job training program approved by the State Superintendent of Education.

6.24.2 Penalty Provisions of the Act

a. Enrollment, Schooling, Employment Provisions – Section I of the Act states – "The Department of Public Safety shall deny the issuance of a driver's license/learner's permit or the renewal of a driver's license to operate a motor vehicle to any person under the age of 19 who does not, at the time of application, present a diploma or other certificate of graduation from a secondary high school or documentation that the person

1. is enrolled in a secondary school, or

2. is enrolled and making satisfactory progress toward the GED Certificate, or

3. is participating in an approved job training program approved by the State Superintendent of Education, or

4. is gainfully and substantially employed, or

5. is a parent with care and custody of a minor or unborn child, or

6. has a physician's statement that the parents of the person depend on his/her as their sole source of transportation, or

7. is exempt from this requirement based on statute 16-28-1 of The Code of Alabama.

b. Suspension of Current Driver's License/Learner's Permits – Further, persons 16 years and older who have a driver's license/learner's permit who withdraw or who are absent from school for 10 consecutive days or 15 days total for unexcused reasons during a semester shall be reported by the school authorities to the Department of Public Safety. The Department of Public Safety shall notify persons that their driver's licenses/Learner's Permits will be suspended on the 30th day following notification unless reenrollment occurs or one of the other conditions is documented.

c. Operational Procedures

1. Principals' Responsibilities

i. Principals or designees shall provide students with information relative to the Act and procedures for compliance.

ii. Principals or designees shall complete Part I, Section 1 of the "Student Enrollment/Exclusion Status Form" at the request of students enrolled in their schools. Principals or designees should provide students with information relative to completing Part I, Section 2, and Part 2 sections of the form;

however, it is the responsibility of the student and his/her parent or guardian to secure signatures, documentation statements, etc. for the GED and Exclusion Status Sections.

iii. Principals or designees shall complete and transmit the "Department of Public Safety Notification Form" on each student who drops out or is absent from school for 10 Consecutive days or 15 days total for unexcused reasons during a semester.

2. Students' Responsibilities

i. Students, 15-19 years of age, who are enrolled in a school of the School System and desire to get their driver's license/learner's permit should pick-up a "Student Enrollment/Exclusion Status Form" at the office of the school where they are enrolled prior to going to the Courthouse, Department of Public Safety Department. Students should complete the name, address, etc. Section and request the principal or designee to complete Section 1 of the form.

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

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

e. Exemption – Students may be exempted or excused from otherwise applicable statutory requirements if their withdrawal or nonattendance is caused by circumstances beyond the control of the student. Circumstances beyond the control of the student may be found with respect to:

1. Students who are mentally or physically unable to attend school;

2. Students who are regularly and legally employed in compliance with the provisions of the Child Labor Law; and

3. Students who, because of the lack of public transportation, are compelled to walk more than two miles to attend a public school.

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

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

6.25 Student Parking Privileges – Substance Abuse Policy

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

6.26 Student Competitive Extracurricular Activity Substance Abuse Policy

In order to promote the safety and welfare of students who participate in competitive extracurricular activities, to insure that 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 Board reserves the right to require any student who participates in extracurricular competitive programs or activities to submit to sobriety tests or screening for illegal drugs or controlled substances prior to, during, or following a competitive event, practice, competition, or at any other time while the student is under the supervision of the school system. Such testing or screening may also be performed whenever a school

official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws, and procedures that are developed by the Superintendent for approval by the Board.

6.27 Student Employment (Work Release)

Off school campus student employment during regular school hours may be authorized under and subject to the following terms and conditions:

a. The employment does not violate state or federal law;

b. The employment does not conflict with the student's academic coursework;

c. The employment is necessary for the student to continue in school;

d. Written approval is obtained from the student's parent or legal guardian and the Superintendent or his designee;

e. Other rules, regulations, and requirements, including those pertaining to early dismissal or checkout, are observed; and

f. Other rules and regulations that may be developed by the Superintendent and approved by the Board.

6.28 Suicide Awareness and Prevention

6.28.1 Introduction – Suicide is the tenth cause of death in the United States according to the Center for Disease Control and Prevention. For youth between the ages of 10 and 24, the cause of death rankings is 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 16-28B-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".

6.28.2 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 16-28B-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. The Board will:

(1) Foster individual, family, and group counseling services related to suicide prevention.

(2) Make referral, crisis intervention, and other related information available for students, parents, and school personnel.

(3) Foster training for school personnel who are responsible for counseling and supervising students.

(4) Increase student awareness of the relationship between drug and alcohol use and suicide.

(5) Educate students in recognizing signs of suicidal tendencies and other facts and warning signs of suicide.

(6) Inform students of available community suicide prevention services.

(7) Promote cooperative efforts between school personnel and community suicide prevention program personnel.

(8) Foster school-based or community-based, or both, alternative programs outside of the classroom.

(9) Develop a strategy to assist survivors of attempted suicide, students, and school personnel in coping with the issues relating to attempted suicide, suicide, the death of a student, and healing.

(10) Engage in any other program or activity which the local board determines is appropriate and prudent in the efforts of the school system to prevent student suicide.

(11) Provide training for school employees and volunteers who have significant contact with students on the local board policies to prevent harassment, intimidation, and threats of violence.

(12) Develop a process for discussing with student's local board policies relating to the prevention of student suicide and to the prevention of harassment, intimidation, violence, and threats of violence.

(13) Provide annual training for all certificated school employees in suicide awareness and prevention. This training may be provided within the framework of existing in-service training programs or as a part of required professional development offered by the local school system.

6.28.3 ***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.

6.28.4 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.

6.28.5 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 Board's website.

6.29 Homeless Education

No student will be unlawfully excluded from participation in, be denied the benefits of, or subjected to discrimination in any program or activity offered or sponsored by the Board on the basis of homeless status

6.30 Jamari Terrell Williams Student Bullying Prevention Act Policy

6.30.1 Bullying, Intimidation, Violence, and Threats of Violence Prohibited - No student shall engage in nor should any be subjected to bullying, violence, threats of violence or intimidation by any other student that is based on any of the specific characteristics set forth in this policy. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the Student Code of Conduct and applicable law, subject to the investigating school administrator's authority and decision.

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

a. "Bullying" means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to: cyberbullying or written, electronic, verbal, or physical actions

that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in this policy. To constitute bullying, a pattern of behavior may do any of the following:

- Place a student in reasonable fear of harm to his or her person or damage to his or her property;
- Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student;
- Have the effect of substantially disrupting or interfering with the orderly operation of the school 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; or
- Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

b. "Hostile environment" means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.

c. "Violence" means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

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

e. "Threat of violence" means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.

f. Intimidation" means an unjustified threat or other action that is intended to cause fear or apprehension in a student.

g. "Student" as used in this policy means a person who is enrolled in the Winston County School System.

6.30.3 Description of Behavior Expected of Students -

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

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

- Race
- Sex
- Religion
- National origin
- Disability

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

6.30.5 Reporting, Investigation, and Complaint Resolution Procedures –

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

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

b. Upon receipt of the complaint, the principal or the principal's designee will determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions may be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violations(s) may also be imposed by the principal or the school system.

c. A person reporting a violation who is not satisfied with the outcome of the investigation may appeal the decision in writing to the Superintendent or designee.

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

6.30.6 Promulgation of Policy and Related Procedures, Rules, and Forms – This policy and any procedures, rules and forms developed and approved to implement the policy will be published on the website of each local board of education and school, and shall be available at each school office.

6.30.7 Construction of Policy –This policy is supplemental to other Board policies and procedures and does not repeal, replace, or supersede any other prohibition on bullying, violence, threats of violence or intimidation found

elsewhere in Board policy or procedure, including the Code of Student Conduct. This policy shall not be construed to allow bullying, violence, threats of violence or intimidation for any reason not specifically listed in this policy or to prohibit the Board from disciplining students for acts of bullying, violence, threats of violence or intimidation not specifically listed herein. Students who engage in bullying, violence, threats of violence or intimidation not specifically covered by this policy may be subject to appropriate disciplinary action in accordance with the Code of Student Conduct.

[Reference: Ala. Code §16-28B-1, et seq. (1975)] [added 10-3-2019]

6.31 Supervision of Low Risk Juvenile Sex Offenders

Pursuant to Annalyn's Law, the Superintendent shall be notified 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 for the purpose of appropriate supervision during the school day and during school activities.

6.31.1 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 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" refers to school officials or staff who have a specific responsibility for the Student, including the school principal, the Student's assigned teachers and/or coaches, the Student's counselor, and if applicable, the Student's bus driver, during the subject school year and who will be privy to information regarding the Student's status. Teachers and staff with only

passing and/or general contact with the Student shall not be privy to information regarding the Student's status.

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.

6.31.2 Notification

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

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

c. Students That Change Schools Within the District - In the event a currently enrolled Student transfers to another school in the district or is promoted to another school in the district, the principal of the original school should notify designated law enforcement of the change as soon as practicable.

Following that notification, the principal of the original school should orally or in writing brief the principal of the new school regarding the original Plan and the transferring Student's status and circumstances. Regardless, the principal of the prior school must provide the Student's records and Safety Plan to the principal of the new school as soon as practicable.

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

d. School Staff Changes - In the event the principal or a member of the Supervision Team leaves his position or is no longer responsible for supervising the Student, a replacement team member should be named, if necessary and appropriate, and briefed by the principal or the most senior member of the Supervision Team regarding the Student's status and Plan. The Student, his parent or guardian, and other members of the Supervision Team should be notified of changes to the Supervision Team within a reasonable timeframe.

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

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

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

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

6.31.4 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 on a daily basis should do so in a manner that is discrete and unobtrusive.

6.31.5 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.

6.31.6 Violations of the Plan - In the event 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.

6.31.7 Challenges to the Plan - In the event the Student and/or his parent or guardian object to conditions of the Plan or the application of a sanction, a challenge must be submitted in writing to the Superintendent or his designee to consider whether adjustment of the Plan or response modification is warranted. The Superintendent's decision shall be final. A response that constitutes disciplinary

action will adhere to the applicable School disciplinary policies and procedures and the Student will be afforded process due thereunder.

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

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

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

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

6.32 Child Find

Child Find is a statewide effort by the State Department of Education and the Department of Rehabilitation Services to locate, identify, and evaluate children with disabilities from birth to 21. The Child Find project is an attempt to locate all children with disabilities in Winston County from birth through twenty-one years of age. The Winston County Board of Education serves children ages 3-21. Services are available through Early Intervention for children ages birth-3.

6.33 Use of Video Cameras in Self Contained Classroom

In accordance with Ala. Code 16-39-13, the Winston County Board of Education may install, maintain, and operate video cameras in certain self-contained classrooms that provide Special Education Services in order to promote classroom

and student safety. All recording shall be in accordance with the Family Educational Rights and Privacy Act of (1974) and State Law.

(Ref. Ala. Code 16-39-13 (1975) Added by Act 2023-527, effective September 2023)

6.34 Concussions

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

Develop materials and information that are designed to educate students and their parents or guardians about the nature of concussion and brain injury and the risks of continuing to participate in athletics after receiving a concussion or brain injury;

Suitably summarize such materials on a concussion and head injury information sheet which is to be provided annually to current and prospective student athletes and their parents or guardians. Prior to the student's participation in practice or competition, the head coach of the team must obtain and keep on file a copy of the information worksheet signed by the team member and his or her parent or guardian.

Develop a program designed to educate coaches on how to learn to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion. The training shall be provided by qualified medical personnel or persons with special expertise in recognizing and responding to concussions and brain injuries, and shall be offered to every coach prior to the beginning of practice for the athletic team that he or she coaches.

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

The Board may use information and forms prepared by the Alabama High School Athletic Association, as they may be revised from time to time, but

nothing in any such materials should be interpreted or otherwise understood to create a duty or standard of care on the part of any person charged with its implementation.

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

6.35 No Student Fighting

This policy is designed to prevent and discourage students from getting into a physical altercation. Fighting is unacceptable for any reason and will not be tolerated. A fight is defined as a physical altercation occurring between two or more students. The physical nature of a fight could include but is not limited to hitting, punching, poking, grabbing, pulling, tripping, kicking, and pinching.

Any student who engages in such action as defined above will be disciplined according to school system procedures and state and local laws.

It will be left up to the administrator's discretion as to whether an individual's participation in a fight will be considered self-defense. If the administrator deems the actions as self-defense, then a lesser or no punishment may be issued to that participant.

6.36 Supervision of Low-risk Juvenile Offenders.

Annalyn's law is a state law. The law requires the Board to adopt this policy.

6.36.1 Policy – As required by 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 for the purpose of appropriate supervision during the school day and during school activities. As part of this policy, the Superintendent shall have the authority to develop appropriate training and additional internal procedures for staff members.

6.36.2 Definitions – In this policy, the below terms shall have the following meanings:

a. "Student Safety Plan" means the individualized student safety plan developed following the student's adjudication and/or enrollment in the school. The student safety plan serves as a behavior contract between the student and the school.

b. "School" means 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" means the low-risk juvenile sex offender designated by a juvenile court judge as having a low risk of re-offense.

d. "Supervision Team" means the school officials or staff, as selected by the principal of the student's school, who have a specific responsibility for the student. The supervision team may include 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. Teachers and staff with only passing and/or general contact with the student shall not be members of the supervision team. The supervision team will be privy to confidential information regarding the student's status.

e. "Victim" means the victim, if attending the same school as the Student, of the offense for which the student was adjudicated delinquent.

6.36.3 Notification

a. Current Student - In the event a currently enrolled student is adjudicated delinquent and designated "low risk" by the juvenile court, local law enforcement is expected to notify the local superintendent and principal of the student's school in writing.

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

c. Students that Change Schools within the District - In the event a currently enrolled student transfers to another school in the district or is promoted to another school in the district, the principal of the original school should notify designated law enforcement of the change as soon as practicable.

Following that notification, the principal of the original school should orally or in writing brief the principal of the new school regarding the original student safety plan and the transferring student's status and circumstances. Regardless, the principal of the prior school must provide the student's records and student safety plan to the principal of the new school as soon as practicable.

The new principal should review the student safety plan and meet with the student, the student's parent or guardian, and the anticipated new supervision team to determine whether the current terms are sufficient or should be adjusted based on the student's circumstances.

d. School Staff Changes - In the event the principal or a member of the supervision team leaves his or her 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 student safety plan.

The student, his parent or guardian, and other members of the supervision team should be notified of changes to the supervision team within a reasonable timeframe.

6.36.4 Student Safety Plan Development and Maintenance

a. Initial Meeting - 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 student safety plan. This meeting should take place immediately upon the enrollment of the Student or, for an already enrolled student, upon an adjudication of delinquency or as soon as practicable thereafter. In the event the student's parent or guardian is unable or unwilling to meet, the principal or designee and the supervision team should meet with the student within a reasonable timeframe to develop an appropriate student safety plan. The initial meeting and student safety plan development may include consultation with juvenile probation professionals.

b. Additional Meetings – The supervision team may hold additional meetings after the initial meeting, as frequently as necessary, but at least once annually, to assess the student's status and to discuss adjustments to the student safety plan.

c. Contents of the Plan - The terms of the student safety plan and any updates to it must be memorialized in writing and approved by the principal or designee before being distributed to the student and the student's parent or guardian. At minimum, the student safety plan must contain:

i. An outline of conditions or limitations, or both, on the student's interactions on school property and when participating in school activities;

ii. An effective procedure for communicating concerns relating to the student;

iii. Guidelines for expected intervention actions for high-risk behaviors and for reinforcing positive behaviors based on the needs of the student and the safety of all students and staff;

iv. Procedures for the continual review of each plan; and

v. Safeguards for protecting confidential information.

vi. In the event the victim attends the same school as the student, the plan should include measures to reduce the likelihood of victim and student interaction.

6.36.5 Supervision – The supervision team should supervise the student in a manner consistent with the student safety plan that is discrete and unobtrusive. 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 student should be encouraged to fully integrate into the student body as a successful student. Mistreatment of any student by the supervision team may be cause for discipline.

6.36.6 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.

6.36.7 Violations of the Plan - In the event the student violates the behavioral learning guides or the student safety plan, the student may be subject to discipline pursuant to board policy and/or reassessment of the student safety plan's conditions. Members of the supervision team should report any suspected violations of the student safety plan to the principal or designee.

6.36.8 Confidentiality - Information received by school officials or staff related to the student's delinquent status must be treated as confidential from other students, staff members, officials and stakeholders. Any document identifying the student's status should be safeguarded from disclosure by the members of the supervision team. Any school official or school employee who improperly discloses the student's status to any other person, whether intentional or accidental, may be subject to school discipline and/or criminal charges as provided by law

.

6.37 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 and treated as a Class 3 violation.

Adopted:7/30/24 Ref: Act. No. 2024-98

VII. Instructional Program

7.1 Curriculum

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

7.2 Textbooks

Textbooks will be purchased and distributed in accordance with State Department of Education regulations. Only textbooks recommended by the local textbook committee will be approved by the Board, upon the recommendation of the Superintendent. The local textbook committee will be appointed by the Board and will consist of eleven (11) members, including parents, who will serve a term of one year. Students are loaned textbooks for the duration of the course that requires the textbook and are responsible for the care of the textbook. Students must reimburse the Board for the cost of any textbooks that are lost or damaged beyond reasonable wear and tear.

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

7.3 Evaluation of Instructional Program

The Board requires systematic and comprehensive evaluations of instructional programs and all related areas. Continuous assessments will be conducted within each school as well as on a system-wide basis. Individual schools, as well as the School System, will delineate goals, specific needs for improvement, and plans for organizing the resources of the school and the community in actively seeking solutions.

7.4 Academic Standards

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

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

A	90-100
B	80-89
C	70-79
D	60-69
F	0-59

7.4.2 ***Weighted Grading Scale***--Student electing to participate in rigorous academic courses such as Honors, Dual Enrollment, and Advanced Placement (AP) are given additional weight. Honors courses are weighted 1.1. Dual Enrollment and Advanced Placement courses are weighted 1.2.

7.4.3 ***Transfer Students*** - Students who transfer to Winston County Schools must complete all state mandated minimum graduation requirements and any additional local graduation requirements. For mid-year or mid- semester transfer students from non-block scheduled high schools, credits earned or coursework completed shall be correlated to the block-scheduled courses. Letter grades transferred from previous schools will be placed on Winston County Schools' Grade Point Average (GPA) scale.

7.4.4 ***Special Education Grading Standards*** – Students who are receiving special educational services may be graded according to an individualized educational plan, and nothing in Board policy or procedure prohibits the extension of appropriate academic modifications or accommodations to students who may be eligible for such modifications or accommodations under provisions of state and federal law.

7.4.5 ***Report Cards*** – Report cards reflecting student progress will be provided to the parents or legal guardians of students on a regularly scheduled basis.

7.4.6 ***Promotion*** – Promotion of a student from one grade to the next shall be based on that individual student's having met applicable promotion criteria.

7.4.7 ***Class Rankings*** – Beginning with the ninth grade, students will be ranked using the GPA based upon the Winston County School's grading scale as calculated, weighted and described herein.

7.4.8 ***Credit Recovery*** – The Superintendent is authorized to develop procedures for a program through which a student may recover credits in one or more failed courses, in compliance with regulations promulgated by the State Department of Education. The curriculum will align with the State Board of Education course of study and study content standards in which the student seeking credit recovery is deficient.

[Reference: ALA. ADMIN. CODE 290-3-1-.02(12)]

7.4.9 ***Criteria for Valedictorian/Salutatorian*** - The criteria in determining who may be eligible for Valedictorian and Salutatorian are as follows:

Beginning with students enrolling in the 9th grade for the first time in the 2013-2014 school year, an honors endorsement may be added to the diploma. To be eligible for the honors endorsement, the student must earn 17 honors credits to include a minimum of 1 foreign language and/or a CTE credential with a minimum of 2 dual enrollment/AP credits.

ALL ADVANCED PLACEMENT/ Dual Enrollment COURSES… Weight 1.2

Specific Courses are as follows:

Advanced Math Pre-Calculus Calculus Geometry Algebra I Algebra II w/Trig Chemistry Physics

Anatomy & Physiology Biology Adv. English 9 – 12 Adv. All other advanced/honor courses

REQUIRED COURSES-Basic and/or Elective Weight 1.0

This category includes all General academic classes and Career and Technical Education classes

Procedure for Determination of Candidates

Grades earned in credit bearing classes from the first term 8th grade through the 1st Semester of 12th grade in core classes will be used in calculations. The grade point average (GPA) is calculated by dividing the total amount

of grade points earned by the total amount of credit attempted. The candidates must have been enrolled at the local high school for one (1) full school year prior to the date of their graduation. The student must complete and pass all eligible honors courses.

(change effective 8-17-21) The criteria in determining who may be eligible for Valedictorian and Salutatorian are as follows:

The Valedictorian and Salutatorian for the graduating class of each high school must qualify for the most advanced academic diploma offered. The student with the highest numerical unweighted grade average will be the class Valedictorian. The student with the second highest numerical unweighted grade average shall be the class Salutatorian.

Grades earned in credit bearing classes from the first term 8th grade through the 1st semester of 12th grade in core classes will be used in calculations. The grade point average (GPA) is calculated by dividing the total amount of grade points earned by the total amount of credit attempted. The candidates must have been enrolled at the local high school for 3 semesters and complete course work at the school site.

To be eligible for the honors endorsement, the student must earn credits from the highest level core classes offered. An embedded credit does not qualify as a core class.

Graduates with Distinction--A student that is seeking an Alabama High School Diploma may graduate with distinction if the student has an unweighted grade point average of 93 to 100. Based on the unweighted numeric GPA for earned credit core courses taken will be calculated at the end of the first semester of the senior year for the following recognition:

Summa Cum Laude--With Highest Honor 98-100 Magna Cum Laude--With High Honor 93-97.999 Cum Laude--With Honor 90-92.999

This policy will be applicable to the 2020-2021 sophomore cohort and all cohorts that follow. Winston County Schools will continue to review and consider policy changes as the ALSDE updates graduation options and diploma pathways.

7.5 Testing

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

7.6 Summer School Operations

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

[Reference: ALA. ADMIN. CODE 290-3-1-.02(6)]

7.7 Dual Enrollment

Upon recommendation of the Superintendent, the Board may establish guidelines in accordance with the regulations of the State Department of Education by which qualified high school students are allowed to take post-secondary college courses for high school credit.

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

7.8 Correspondence, Virtual School, or Online Courses

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

[Reference: ALA. ADMIN. CODE 290-3-1-.02(12, 13)]

7.9 Career and Technical Education Programs

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

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

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

work. Any money collected for live work will be accounted for in accordance with applicable district procedures.

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

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

7.10 Foreign Exchange Programs

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

7.11 Extended Programs: Community Education

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

[Reference: ALA. ADMIN. CODE 290-8-5-.01]

7.12 Graduation, Certificate of Completion, and Commencement

Students who have satisfactorily completed the requirements for a diploma or certificate are eligible for graduation. Student participation in graduation ceremonies and related graduation activities will be subject to the principal's approval and payment of outstanding financial obligations. The principal may prohibit participation in a graduation-related ceremony 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. Fifth Year Seniors – Upon the recommendation of the counselor and approval of the principal, a student who has completed four full academic years of high school but who has not completed the required course work for graduation will be allowed to attend the number of class periods necessary to complete the courses required for graduation.

7.12.1 Adult High School Diploma Program – The Superintendent is authorized to establish an adult diploma program in conformity with regulations issued by the State Department of Education and such additional requirements as may be approved by the Board.

[Reference: ALA. ADMIN. CODE 290-3-1-.02(17)]

7.13 School Wellness

7.13.1 General- The Winston County Board of Education is committed to providing a school environment that enhances learning and the development of lifelong wellness practices. In accordance with Federal Public Law (PL 108.265 Section 204), this policy has been developed under the direction of parents, students, the Child Nutrition Program manager, the Board, school administrators, and the public.

7.13.2 Implementation and Monitoring- The superintendent or his designee will prepare and approve procedures and designate one or more persons to implement, monitor, and evaluate the healthy school environment.

7.14 Selection of Instructional Materials and Materials for the School Media Centers

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

7.15 Family Involvement – Meeting the Requirements of ESSA

Pursuant to every Student Succeeds Act, the Winston County Board of Education is committed to parent involvement and will ensure that parents of children who are being served in the Title I Program will have an adequate opportunity to participate in its design and implementation of ESSA.

7.15.1 Title I Family Engagement

a. The Winston County School District will involve parents in the joint development of this plan by:

1. Inviting Title I families to be part of each school improvement committee with the given task of developing individual Title I School Plans and parent involvement procedures;

2. Convening district Title I Advisory Committee meetings and school annual meetings to inform parents of their school(s) participation in the development of the Family Engagement Plan and their right to be involved.

b. The Winston County School District will provide coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective family engagement programs by:

1. Providing materials and training not otherwise available to help parents with their child's achievement;

2. Educating teachers, pupil services personnel, administrators, and staff on how to reach out to parents, communicate with parents and work with parents as equal partners;

3. Ensuring, to the extent possible, that information is sent home in language and form parents can understand;

4. Providing information on literacy training to the community;

5. Ensuring school-parent compacts are being used to outline responsibilities of the school, staff, parents and students in striving to raise student achievement and explain how an effective home-school partnership will be developed;

c. The Winston County School District will build the school(s) capacity for strong family engagement by:

1. Providing assistance to participating families in such areas as understanding the state and local content standards and individual student achievement regarding these standards;

2. Providing resources for families to learn about child development, child rearing issues and student achievement that are designed to help parents become full partners in the education of their child;

3. Involving families in the development, implementation and participation in professional development activities to improve the effectiveness of instruction and services to participating children;

4. Coordinating and integrating family engagement strategies with available community resources (when applicable);

5. Ensuring, to the extent possible, that information is sent home in language and form parents can understand;

6. Providing information on literacy training that is available in the community;

7. Approving reasonable and necessary expenses associated with family engagement activities, including transportation and child care costs, to enable parents to participate in school related meetings and training sessions;

8. Encouraging the formation of partnerships: parents to parents, parents to school and parents to community;

9. Encouraging meetings at a variety of times, such as mornings and evenings, in order to maximize the opportunities for parents to participate in school related activities/conferences with the option for in-home conferences as needed;

10. Adopting and implementing scientifically research-based programs for improving family engagement as needed;

11. Conducting district Title I Advisory Committee meetings;

12. Providing any reasonable support for family engagement activities at the request of a participating Title I parent;

13. Providing information about the availability of federally funded Parent Information and Resource Centers (PIRS).

7.15.2 Annual Evaluation of Initiatives –The Winston County School District will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the Family Engagement Plan.

7.15.3 Allocation of Funds –The Winston County School District will ensure that a minimum of one percent of the total District Title I allocation will be used to implement Family Engagement Plans and that 95% of these funds will be spent at the school level.

[References: Every Student Succeeds Act, 2015]

7.16 Extended Learning Opportunities

In 2021, the Alabama Legislature passed the Alabama Extended Learning Opportunities Act (Act 2021-428) mandating that the Alabama State Board of Education (SBOE), each local board of education shall routinely inform students and their parents of the ability to earn elective credit for participating in an Extended Learning Opportunity (ELO). ELOs are defined as approved out-of-classroom learning experiences that provide a student with enrichment opportunities; career readiness or employability skills opportunities, including internships, pre-apprenticeships, and apprenticeships; or any other approved educational opportunities.

It is policy of the Winston County Board of Education to offer Extended Learning Opportunities under the provisions of Alabama Act 2021-428.

(Ref. Ala. Code 16-46 c-5 (1975) Added by Act 2021-428, effective 2022 school year)

7.17 ALABAMA RELEASED TIME CREDIT ACT POLICY

A. Alabama Released Time Credit Act – Pursuant to the Alabama Released Time Credit Act, school systems may offer released time classes and, in grades where credit is earned, award students elective credit for classes taken during the school day in approved released time programs.

"Released time" is defined by the Act as a period of time during the school day when a student is allowed to participate in an approved elective course in religious instruction, conducted off school district property, by a sponsoring entity, defined as a church or other local community-based organization.

B. Student Participation and Earned Credits

1. A student may participate in released time elective courses if all requirements of the LEA's Released Time Program and all the following are satisfied:

a. The parent or guardian of the student gives written consent, and completes the local board of education's standard checkout process;

b. The sponsoring entity maintains attendance records and makes them available to the public school the student attends;

c. The sponsoring entity makes provisions for and assumes liability for the student who is excused from school to attend religious release time;

d. No public funds are expended other than de minimis administrative costs;

e. No public school personnel are involved in providing the religious instruction; and

f. The sponsoring entity conducts criminal history background checks for all employees or contractors of the entity who are likely to have direct, ongoing contact with a student who is excused from school to attend religious release time.

2. Elective course credit may be earned if the course content and curriculum are approved by the local board in accordance with the Alabama Administrative Code and other ALSDE guidelines.

C. Attendance

1. No student may be excused from the minimum instructional time for any course or subject as prescribed by the State Board of Education, or from any student intervention required under state or federal law, to attend released time.

2. Student attendance in released time shall be calculated as part of the school day and subject to all normal attendance rules.

3. The student shall assume responsibility for completing any school work missed as a result of participation in released time.

D. Transportation

Transportation to and from the place of released time, including transportation for any student with disabilities, is the complete responsibility of the sponsoring entity, parent, guardian, or student and may not be arranged, coordinated, or provided for by public school personnel.

[Reference: Ala. Act No. 2026-376]

7.18 Non-Traditional Student Enrollment Policy

Purpose

The Winston County Schools Career and Technical Education (CTE) Program recognizes that students educated through home school or other legally recognized non-traditional educational programs may desire to participate in career and technical education opportunities. This policy establishes the requirements and expectations for enrollment while ensuring the integrity, safety, and effectiveness of the instructional program.

Eligibility

Students who are legally enrolled in an approved home school or other recognized non-traditional educational program may apply for enrollment in Winston County Schools' Career and Technical Education programs.

Enrollment is a privilege and is not guaranteed. Admission shall be based upon available space within the requested program and the instructional capacity of the classroom.

Enrollment Criteria

Approval for enrollment is subject to the following:

Availability of classroom space.

Class size limitations established by the Alabama State Department of Education, local board policy, and program safety requirements.

Completion of all required enrollment documents and applicable state and local forms.

Compliance with all prerequisites required for the requested program, if applicable.

Approval by the Career and Technical Director and school administration.

If the number of applicants exceeds available space, priority shall be given to students enrolled full-time in Winston County Schools unless otherwise required by law.

Attendance Requirements

Students enrolled under this policy shall be subject to the Winston County Schools attendance policy while participating in Career and Technical Education classes.

Students are expected to:

Attend all scheduled class periods.

Arrive on time and depart as scheduled.

Provide appropriate documentation for absences when required.

Maintain satisfactory attendance in accordance with district policy.

Excessive absences, tardiness, or failure to comply with attendance requirements may result in disciplinary action or removal from the program.

Student Conduct

Non-traditional students enrolled in Winston County Schools Career and Technical Education programs are expected to conduct themselves in a manner consistent with all Winston County Schools expectations.

These students shall be subject to:

The Winston County Schools Student Code of Conduct.

All behavioral expectations contained in the Student Handbook.

Classroom rules established by the instructor.

School safety procedures.

Laboratory and equipment safety requirements.

Technology and acceptable use policies.

Violations of district or classroom policies may result in disciplinary action, suspension from the program, or termination of enrollment.

Transportation

Transportation to and from the Career and Technical Center shall be the responsibility of the parent or legal guardian unless otherwise approved by Winston County Schools.

Academic Expectations

Students are expected to:

Complete all required coursework.

Meet program competency requirements.

Follow all instructor expectations regarding assignments, projects, certifications, and laboratory work.

Failure to maintain satisfactory academic progress may result in probation or dismissal from the program.

Revocation of Enrollment

Enrollment may be suspended or revoked for reasons including, but not limited to:

Failure to comply with attendance requirements.

Violations of the Student Code of Conduct or Student Handbook.

Safety violations.

Disruptive behavior.

Failure to meet program expectations.

Loss of eligibility under applicable state or local regulations.

Non-Discrimination

Winston County Schools provides equal educational opportunities without discrimination as required by federal and state law.

Policy Review

This policy may be amended by the Winston County Board of Education as necessary to comply with changes in state law, Alabama State Department of Education regulations, or local board policy.