ENTERPRISE CITY BOARD OF EDUCATION

POLICY MANUAL

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

Title: Assistant Superintendent, Human Resources

Address: 220 Hutchinson Street, Enterprise, AL 36330

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Enterprise City Board of Education
Policy Manual

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Preface

The Enterprise City Board of Education is established under authority of state law for the purpose of exercising general supervision and administration of the public schools serving school age children who reside within the city limits of the City of Enterprise, and of promoting the interests of the Enterprise City 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 decisionmaking are established.

Policies are generally broad statements of principle and purpose, and are intended to serve as a framework for decisionmaking and administrative action rather than as a manual for day-to-day decisionmaking 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Any provision, feature, or aspect of Board policy that does not conform to governing law should be deemed void and superseded by such law.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 Enterprise City Board of Education.

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

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

d. "State Board of Education" means and refers to the Board that exercises general control and supervision over the public schools of the State of Alabama as constituted and authorized by ALA. CODE § 16-3-1, et seq. (1975).

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

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

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

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

i. "Classified" or "support," when used to modify the words "personnel," "employee," "staff," or similar terms, means and refers to Board employees who do not hold certificates issued by the State Superintendent of Education under authority of ALA. CODE §16-23-1 (1975) and who, in general, hold employment positions of the type identified in ALA. CODE §16-24C-3(2) (1975), of the Code of Alabama (1975).

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

I. Governing Principles

Vision

To develop principled students prepared for life after graduation.

Seven Guiding Principles to Success:

Integrity – *Work at being honest at all times in all things.*

Fidelity – *Commit to performing quality work (my best work).*

Courage – *Face difficult academic situations without fear.*

Consideration – *Respect ideas that are different than my own.*

Compassion – *Demonstrate concern for the misfortune or suffering of others.*

Justice – *Treat others justly; fairly.*

Responsibility – *Take ownership of my own behavior.*

We believe in:

1. Building *Relationships* upon strong foundations of trust.
2. Creating *Environments* that are safe, clean, and intellectually stimulating.
3. Performing *Quality Work* (our best work).

Development of Vision

With the assistance of the Superintendent, the Board may periodically assess the system's vision to gauge its efficacy. The vision must be established with Board input and approval.

II. School Board Operations

2.1 *Board Composition and Organization*

2.1.1 Composition – The Enterprise City Board of Education is composed of 5 members who are appointed to five-year staggered terms by the Enterprise City Council. The following qualifications are legally required to become one of the members of the Enterprise City Board of Education:

a. The individual must be a resident of the city of Enterprise, Alabama.

b. The individual shall not be employed by the Enterprise City School System.

c. The individual shall not be a member of the City Council or County Commission.

d. The individual shall be considered to be of good character.

e. The individual must have obtained a high school diploma or equivalent.

f. The individual cannot be on the national or state registry of sex offenders.

g. The individual has not been convicted of a felony.

h. The individual is not serving on the governing board of a private elementary or secondary educational institution.

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

2.1.2 Officers – The Board will elect from its members a President and Vice-President at the annual meeting of the Board held in May of each year.

The President shall preside at all meetings of the Board and he or she will call special meetings when circumstances require such meetings. The President shall sign official documents which require his or her signature. The President shall perform other duties as prescribed by law or specified in the policies of the Enterprise City School System. The President shall preside at all School Board meetings and perform such other duties as may be prescribed by law or by action of the School Board. The Vice-President shall preside in the absence of the President and shall perform such other duties of the President as required by circumstances. If the President and Vice-President are absent from a meeting at which a quorum is present, the Board will elect an acting president.

The Superintendent will serve as both the Board's chief executive officer and secretary. If the Superintendent's position is vacant, the Board may appoint one of its members to act as secretary until such time as the Superintendent's position is filled.

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

2.1.3 Committees – The Board President may divide the Board 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.

2.1.4 Vacancies – Vacancies of Enterprise City Board of Education positions are appointed to be filled according to legal procedures including:

a. *Filling of an Unexpired Term*

In the event a vacancy occurs in the office of members of the Enterprise City Board of Education, the vacancy shall be filled by appointment by the Enterprise City Council.

b. *Resignation of Board Members*

1. Enterprise City Board of Education members may submit resignations at any time during their term of office.

2. In the event a Board member chooses to resign, a written statement of resignation should be submitted to the Enterprise City Board of Education as far in advance of the effective date of resignation as possible.

3. Board members shall be considered resigned when they permanently establish their residence outside the district they were elected to represent, outside the corporate limits of the City of Enterprise, or become a member of the City Council or County Commission, or become an employee of the Enterprise City Board of Education.

c. *Removal from office*

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

2. Causes for impeachment of any Board member shall be those applicable to all public officers, namely:

a) willful neglect of duty;

b) corruption in office;

c) incompetence;

d) intemperance in the use of intoxicating liquors or narcotics to such an extent that it renders the officer unfit to discharge duties of the office;

e) or any offense involving moral turpitude while in office, or connected therewith.

2.2 *Duties and Authority of Board Members*

The Enterprise 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 attend its schools, and of promoting the interests of the Enterprise City Schools and the children they serve. 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.

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

a. To select the Superintendent to serve as Chief Executive Officer and to support the Superintendent in the discharge of his/her duties.

b. To approve policies relating to the operation of the public schools.

c. To adopt a school calendar for each ensuing year, which shall be distributed to the teachers and others as deemed necessary.

d. To adopt the annual budget and approve expenditures of funds.

e. To monitor the financial status of the system.

f. To appoint employees only upon the written recommendation of the Superintendent, except for the Superintendent, Chief School Financial Officer, and Board Attorney.

g. To approve salary schedules upon the recommendation of the Superintendent.

h. To consider reports of the Superintendent on the progress of the schools and advise him or her on recommended changes in educational programs.

i. To adopt plans for structural improvements and construction of new facilities and determine the means to finance them.

j. To inform the citizens of the community and pertinent governing bodies of the needs of the schools.

2.2.2 Code of Conduct –The duties and obligations of an individual Enterprise City Board of Education member shall include, but not be limited to the following:

a. To attend all meetings, so far as possible;

b. To assist in establishing the highest goals and objectives for the Enterprise City School System which realistically can be achieved;

c. To vote and act in the Board meetings for the total good of the school system;

d. To accept the will of the majority vote and give support to the resultant policy or personnel selection;

e. To represent the Enterprise City Board of Education in such a way as to promote public interest in and support for Board-related activities;

f. To refer complaints and inquiries to the proper school authorities and to abstain from individual counsel and action that promises a particular outcome;

g. To recognize that candid discussions based on objective rationale are vital to the ultimate success of the school system;

h. To act ethically in all matters at all times, thereby representing the school system to the best of one's ability; and

2.2.3 Code of Ethics – The Enterprise City Board of Education adopts for its members the following Code of Ethics:

As a member of the Enterprise City Board of Education, I will strive to improve public education and governance, and to that end I will:

a. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning the issues to be considered at those meetings;

b. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings and/or work session;

c. Render all decisions based on the available facts by independent judgment and refuse to surrender that judgment to any individual or special interest group;

d. Encourage respectful and free expression of opinion by all Board members and seek systematic communication among the Board and students, staff, and all elements of the community;

e. Work with other Board members and the Superintendent to establish effective Board policies and to delegate authority for the administration of the Enterprise City Schools to the Superintendent;

f. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;

g. Inform myself about the current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations;

h. Support the employment of those persons best qualified to serve as school staff and insist on a regular and impartial evaluation of all staff and to support consistent, fair, and appropriate evaluation of staff members;

i. Avoid being placed in a position of conflict of interest and refrain from using my Enterprise City Board of Education position for personal or partisan gain;

j. Take no private action that will compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law; and

k. Remember always that my first and greatest concern must be the educational welfare of the students attending the Enterprise City School System public schools.

2.3 *Board Member Compensation*

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

2.4 *Board Member Orientation and Training*

As soon as possible after the election or appointment of a new Enterprise City Board of Education member, the Superintendent should provide the system's policy manual, current budget of the school system, strategic or other long-range plans and other materials as deemed appropriate by the Superintendent.

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

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

2.5 *Board Meetings*

2.5.1 General Provisions – The Board will hold regular and specially called meetings in accordance with applicable statutory requirements and as dictated by the needs of the school system. All meetings of the Board will be open to the public except as may otherwise be required or permitted by law. The Board may elect to go into executive session, as provided in the Alabama Open Meetings Act. Executive meetings shall not be open to the public and may be held for any reason allowed by law.

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

2.5.2 Time and Place – Regular meetings of the Enterprise City Board of Education shall be held on the last Tuesday of each month. These meetings shall be held in the Board Room of the Central Office at 220 Hutchinson Street at 6:00 pm unless otherwise announced, provided that the Board may modify its meeting schedule in the exercise of its sound discretion. Regular meetings shall be open to the public except as provided in accordance with the Open Meetings Act. Public notice of the dates, times, and places of meetings of the Board will be given in the manner prescribed by law. Board members will be given such advance notice of specially called meetings as is practicable under the circumstances.

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

2.5.3 Special Meetings –Special meetings may be held at the call of the president or Superintendent, or at the request of two member of the Board. Notice of special meetings shall reach each member at least 24 hours preceding the date the meeting is to be held unless unanimous consent of the Board members allows for shorter notice, and allowance for said meeting exists under the Alabama Open Meetings Act.

2.5.4 Prospective Agenda – The order of business for regular meetings shall be as follows unless the rules are suspended by common consent; this shall serve as the prospective agenda for all meetings, except for special meetings:

a. Call to order

b. Pledge of Allegiance

c. Approval of minutes of previous meeting

d. Financial reports

e. Superintendent's report

1. Presentations

2. Reports

3. Business

4. Personnel

f. Reports of committees (if any)

g. Communications

h. Superintendent Comments

i. Board Comments

j. Executive Session (if necessary)

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

A majority of the whole Board will constitute a quorum for purposes of transacting Board business except as may otherwise be provided by law. If a quorum is not present at the time set for a meeting, the president may adjourn the meeting to another time. It is imperative that members be in regular attendance. If a member must be absent from a meeting, the Board president or the Superintendent shall be notified as far in advance as possible.

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

2.5.6 Recording of Meetings – Alabama law allows persons in attendance at Board meetings to record the meetings openly, however, the law also allows the Board to adopt reasonable rules to regulate such recordings. In an effort to reasonably regulate the manner of recording, and the prevent disruption of the conduct of the meeting, the Board adopts the following rules applicable to recording:

a. Small recording devices (defined as devices which may be held in the palm of a hand) may be placed upon the Board's bench, provided that such device will not disrupt any Board business.

b. Larger recording devices must be placed in one of the following three places:

1. On the person or in the lap of the attendee.

2. Below the chair of the attendee, provided that the said device does not extend into walking areas.

3. For free-standing devices, such as television cameras, the device shall be placed along the wall, such that it does not pose a danger to other persons taking a seat or attending the meeting.

c. Persons leaving their seats to take photographs may do so only at times which do not cause a disruption to the meeting. Generally, the president will allow for photographs during awards and presentations.

d. Floodlights or other lights that cause a disruption shall not be allowed.

e. No recording devices that make a disruptive noise or disturb the conduct of the meeting will be allowed.

f. The President of the Board shall serve as the officer of the Board charged with enforcement of these rules; except that, no person shall be excluded from the meeting for violation, until after having been given one warning, and after the Board votes to exclude such person.

2.5.7 Direct Notification of Meetings – If practicable, direct notification shall be provided to persons who ask to be placed on the Board's direct notification list. The following rules are adopted to govern direct notification:

a. The Board's primary method of direct notification shall be by electronic mail.

b. All persons or media wishing to register for direct notification must access and register their desired contact information through our public notification system on the school system's website.

c. The Superintendent or his/her designee may change the address from which the direct notification is sent, as necessary to protect against spam or harm to the Board's computer system.

d. For all persons who wish to receive notice in a manner other than by email, the Board will provide said notice by mail, to an address of the person's choosing. The Board will impose and collect a fee of $15 per year for said mail notification.

2.5.8 Public Participation – Any request to appear before the Board should be submitted via the designated form and received by the Superintendent no later than five (5) business days prior to the regularly scheduled board meeting time and should include: the date of regular board meeting that the person wishes to appear; the name of person(s) requesting to appear; the organization or group (if any) represented; and the nature of business to be brought before the Board.

Speakers may make statements about their particular concern with school operations and programs. The Board will not hear comments regarding individual students, personal complaints against particular school personnel or any person connected with the school system. The Board President and Vice President shall review the request prior to the board meeting to approve or deny its inclusion. If the Board President and Vice President cannot come to a unanimous decision to approve or deny its inclusion, the item shall be included on the agenda. The Superintendent's office will notify the speaker of the approval or denial of the request via email and/or phone call. Individuals or groups shall be called upon for

presentations at the appropriate time. One person at a time is allowed to speak at the podium. A person shall be allowed three (3) uninterrupted minutes to make his/her presentation or two (2) minutes if it is old board business that has been discussed by the Board at previous board meetings. The person addressing the board shall present his/her views, concerns, suggestions and recommendations in an objective manner, free of profanity and obscenity, and free of personal attacks which impugns the good name and character of any individual. The Board President, or acting President, may terminate any comments that do not conform to the criteria specified above or for any other good or just cause.

[Section 2.5.8 Updated August 25, 2026]

2.6 *Policy Development and Adoption*

The local board of education shall, upon the written recommendation of Superintendent, determine and establish a written educational policy for the board of education and its employees and shall prescribe rules and regulations for the conduct and management of the schools. An alteration to any policy of the Board shall be submitted in writing, presented at a meeting, and held over until the next meeting at which time the vote of a majority of Board members shall be necessary for its adoption (unless unanimous consent is given for its adoption at the same meeting at which the amendment is proposed).

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

The written policies, rules, and regulations, so established, adopted, or promulgated shall be made available to all persons affected and employed by the board. Any amendments to the policies, rules, and regulations shall be developed in the same manner and furnished to the affected persons employed by the board within 20 days after adoption.

[Reference: ALA. CODE §16-1-30 (1975)]

2.7 *Superintendent's Responsibilities, Qualifications, and Appointment*

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

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

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

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

The Enterprise City Board of Education considers the formulation and adoption of policies as its most important function. The execution and implementation of adopted policies shall be the function of the Superintendent. Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy-making and judicial and evaluative functions. The Superintendent is responsible for carrying out the Board's policies within established guidelines and for keeping the Board informed about school operations. In an effort to keep the Board informed, the Superintendent should promptly notify Board members of any happenings of an emergency nature that occur in the schools.

2.8 *Recordkeeping and Retention of Board Records*

Board records will be maintained by the Superintendent in the manner and for the length of time required by applicable law and the "Local Boards of Education Functional Analysis and Records Disposition Authority"

2.9 *Association Membership*

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

III. Fiscal Management

3.1 *Chief School Financial Officer*

The Enterprise City Board of Education shall appoint a Chief School Financial Officer (CSFO) who shall be an employee of the Board. The Chief School Financial Officer shall meet the minimum job qualifications established by the local Board and the State Board of Education and shall possess or be eligible to possess certification required pursuant to regulations promulgated by the State Board of Education.

The Chief School Financial Officer shall work under the direct supervision of the local Superintendent of Education but shall have a fiduciary responsibility to the Enterprise City Board of Education.

The Chief School Financial Officer shall perform duties as specified by the Board as well as those duties specifically specified by state law. The Superintendent may also assign additional duties to the Chief School Financial Officer in order to provide for the efficient administration of the school system.

[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 through 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, including providing an opportunity for public input regarding the budget. Budgets will be "balanced" such that the expenditures set forth in the budget for the fiscal year will not exceed revenues and any fund balances on hand.

The Board shall hold at least two open public hearings pertaining to its proposed annual budget. Copies of the proposed budget shall be provided to the public at each hearing on forms provided by the State Department of Education.

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

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

3.3 *Accounting*

Generally Accepted Accounting Standards will be employed for handling all Enterprise City Board of Education and school finances. All Board and school accounts will be reconciled regularly based on a schedule established by the Chief School Financial Officer. All reports required by the State Department of Education along with monthly

financial reports by school will be completed in a timely manner and shall be available for Board members to review.

The Board will annually submit for publication in the month of October a full and complete financial statement in such form as is required by the State Superintendent and a statement of the outstanding indebtedness of the Board of Education as of September 30. Such statements will be submitted for publication to any newspaper in circulation in the city of Enterprise, so long as such a newspaper shall exist.

3.4 *Finance Manual Authorized*

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

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

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

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

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

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

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

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

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

a. Nonspendable fund balances include amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained in-tact. Examples of nonspendable fund balance reserves for which fund balance shall not be available for financing general operating expenditures include: inventories, prepaid items, and long-term receivables.

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

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

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

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

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

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

3.6 *Audits*

The yearly business and financial transactions of the Board shall be audited as early as possible after the end of the fiscal year. The certified public accounting firm employed by the Board to audit the Board's finances shall also perform a yearly legal compliance audit in accordance with state law. The findings of audits conducted pursuant to this section shall be presented to the Board in a board meeting.

If the compliance audit results in adverse findings, the adverse findings shall be noted in the audit report, and shall be reported to the Board and to the State Superintendent of Education. If the adverse findings involve misappropriation or theft, such findings shall also be reported to the district attorney and the Attorney General. Such adverse findings shall, upon request, be provided to any member of the public.

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

3.7 *Inventories*

The Superintendent is required to establish effective procedures to account for all materials, equipment, and other Board property. These procedures will include an annual inventory and evaluation of tangible Board property (including fixed assets and supplemental property), to be completed no later than the end of each fiscal year, with appropriate reports submitted to the Superintendent and Chief School Financial Officer. Inventories will be kept in a manner prescribed or approved by the Chief School Financial Officer. Inventories will show items on hand at the beginning of the fiscal year, items lost, items disposed of, items purchased or otherwise added during the year, and items on hand at the end of the fiscal year.

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

3.8 *Purchasing*

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

3.9 *Deposit and Expenditure of Funds*

3.9.1 Deposits –All income payable to the Board shall be deposited with qualified depositories, as defined by law, in the manner prescribed by the Chief School Financial Officer. A financial institution used for the deposit and safekeeping of funds shall be approved as a qualified public depository by the Security for Alabama Funds Enhancement (SAFE Program) administered by the Alabama State Treasurer.

3.9.2 Investments – The Board authorizes and instructs the Superintendent and Chief School Financial Officer to invest surplus funds in the manner prescribed by law and approved administrative guidelines. Funds should be invested to earn the highest yield possible as defined by state law.

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

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

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

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

3.9.5 Authorized Signatures – Checks drawn on the general fund or any special fund, with the exception of school accounts, require the signature of the Superintendent and the Chief School Financial Officer or their alternates as designated by the Board. Checks drawn on school accounts require the signature of the principal and the school bookkeeper, or their alternates as designated by the Board.

All checks used will be prenumbered. Checks drawn on Board funds may be signed, prenumbered and processed by alternate means, under the direction of the Chief School Financial Officer or Superintendent

3.10 *Employee Compensation*

3.10.1 Salaries and Pay Rates – Except as established and governed by the terms of a special employment contract, 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)]

3.10.2 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.

3.10.3 Salary Deductions –

a. Mandatory salary deductions will be made in accordance with applicable law.

b. Deductions for membership dues will be made for organizations with at least 25% of Board employees as active members, as established by membership lists provided to the Board by the organization, if such deductions are allowed under state law and the organization has timely provided to the Board all certifications and expenditure reports required by law. Such membership lists will be corrected, updated, and returned to the organization no later than November 10 of each school year. Deductions will be based on the membership lists unless an employee revokes authorization for such deductions by providing written notice to the Board on or before September 15th of each school year. Deductions will remain constant during the school year, except by the authorization of the Superintendent.

c. The Board may offer additional insurance or benefits to employees to be paid through voluntary salary deduction in accordance with state law and the Board's financial practices and procedures.

d. The Board will make voluntary salary deductions upon written request of employees or groups of employees as required by law and in accordance with the Board's financial practices and procedures. The Board will not create a new voluntary salary deduction unless at least [20% or other amount chosen by the Board] of its employees request the deduction.

e. Employees are required to complete and submit all forms and provide such information as may be required to administer a salary deduction.

f. The Board will not be liable for any good faith error made in implementing a salary deduction that has been authorized by the employee. Upon termination of employment, any amounts owed under the terms of an employee authorization will be deducted from the employee's final pay.

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

3.10.4 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 Sunday and ends at midnight on the succeeding Saturday. All non-exempt employees who work more than forty (40) hours in a work week will be paid overtime. Employees must accurately report all time worked for the Board. Non-exempt employees are not authorized to work more than forty (40) hours in a workweek without specific direction or authorization to do so by the Superintendent, the employee's supervisor, or the supervising school principal.

3.10.5 Compensatory Time – Unless otherwise agreed upon in writing, non-exempt employees who work more than forty (40) hours in a workweek shall receive compensatory time off in lieu of overtime pay for overtime hours worked. Compensatory time will be based on time worked beyond forty (40) hours in a workweek, and will be recorded in minimum time units of one-quarter hour rounded to the nearest quarter of an hour. No more than two hundred forty (240) hours of compensatory time may be accumulated. Subject to the written approval of the Superintendent, after earning the compensatory time employees may request pay for this compensatory time in place of time off.

Additionally, 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.

3.11 ***Unauthorized Payments***

3.11.1 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.

3.11.2 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.

3.11.3 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.

3.11.4 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.

3.12 ***Expense Reimbursement***

3.12.1 Board Members and Employees: Board Business – Board members and employees will be reimbursed for reasonable travel and subsistence expenses incurred in connection with official Board business. Personal vehicle use will be reimbursed at the business mileage rate established by the Internal Revenue Service. The mileage reported should be the lesser of the miles from the employee's home or work location. Hotel, meals and other expenses will be reimbursed at actual cost and are to be reasonable for the location and individuals. Reimbursement requests submitted more than 60 days after the expense was incurred will not be eligible for reimbursement. Procedures and standards for submitting and documenting such expenditures may be developed by the Chief School Financial Officer or provided in the approved Finance Manual.

3.12.2 Board Members and Employees: Out of State – All out of state travel for Board members and employees must be preapproved by the Board. Authorized expenses will be reimbursed at actual cost. Documentation of expenses is required. Board members and employees will travel by economy class unless it is unavailable. Meals are to be reasonable for the location and individuals.

3.12.3 Expenses Ineligible for Reimbursement – The Board shall not reimburse employees or Board members for alcoholic beverages. Expenses of individuals who accompany employees or Board members on any Board-approved trips will not be reimbursed by the Board, unless such are specifically approved by the Board.

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

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

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

3.14 *School Accounts*

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

3.15 *Authority to Execute Contracts*

3.15.1 General Authority –The Superintendent has the authority to enter into and execute contracts up to thirty-five thousand dollars ($35,000.00) without approval by the Board provided that such contracts are reported monthly to the Board of Education in the manner prescribed by §16-13A-8 of the Code of Alabama (1975). Furthermore, the Superintendent may execute contracts on behalf of the Board upon approval of the contract by the Board, except in the case of the Superintendent's contract which will be signed and executed by the president of the Board, or, in the absence of the president, the vice-president.

3.15.2 Limitation on Authority to Bind the Board – Principals and other administrators are not authorized to enter contracts on behalf of the Board or the local school.

3.16 *Affiliated Organizations*

3.16.1 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 or the principal. The use of funds collected, generated, or held by such organizations will be determined in accordance with the constitution, charter, or by-laws of the organization, with oversight by the sponsor of the organization, and subject to approval of the principal.

3.16.2 Booster Clubs, Parent-Teacher Associations, and Other Affiliated Organizations – The Board recognizes the value of certain clubs and/or organizations that support the school's purposes and desires to work with such groups as the PTA, PTO, band and athletic boosters, foundations, etc. for continued school improvement.

The organizations may maintain separate financial accounts and records if they meet legal requirements. To maintain separate accounts the organization must have a separate federal tax identification number, an annual audit, present a financial report to the school, and the organization's treasurer must be bonded. Any such club and/or organization is required to present an annual financial report to the school principal. All such clubs and/or organizations using the schools or the School System's name to collect or solicit funds must have prior approval of the school principal. Clubs and/or organizations maintaining separate financial entity from the school may not take advantage of the tax-exempt status of the school.

3.17 *Fundraising*

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

a. The activity has been approved by the Superintendent or his designee;

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 and all funds collected are receipted and reconciled;

e. Other information regarding the nature, scope, and purpose of the activity is provided to school officials upon request; and

f. Appropriate arrangements have been made for any special activities to be held in conjunction with the fundraising event.

3.18 *Child Nutrition Program*

The Enterprise City Board of Education shall provide nutritious and adequate meals to all students at a minimal cost. The school principal, in conjunction with the Child Nutrition Program Director, is responsible for ensuring the Child Nutrition Program is operated in compliance with federal, state and local laws and regulations as well as policies of the Board.

It is an objective of the Enterprise City School System that all students have the opportunity to participate in the school lunch program. The Child Nutrition Program Director shall determine, in accordance with federal regulations, those students eligible for free or reduced price lunches.

The Enterprise City Board of Education Child Nutrition Program (CNP) lunchrooms shall incorporate food safety practices as outlined under Hazard and Critical Control Point (HACCP) guidelines. Standard Operating Procedures (SOPs) shall be developed for handling, storage, preparation, and serving of all foods.

The Superintendent is instructed to develop all policies and procedures in compliance with state regulations.

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

3.19 *Worthless Checks*

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

3.20 *Classroom Instructional Support*

The distribution of funds for classroom instructional support materials shall be based on projected enrollment, available funds, and Alabama statutes and shall include library enhancement, classroom materials and supplies, professional development, technology, and other classroom instructional support approved by the State Board of Education.

Each Enterprise City School System school shall form a committee to develop a budget for library enhancement, classroom materials and supplies, professional development, and technology.

a. The committee composition and procedures used by such committee will follow Alabama statutes and guidelines.

b. The proposed budget will be consistent with the plans developed for the school and the Enterprise City School System.

c. The proposed budget will be submitted for approval by the teachers at each school prior to the close of the current school year.

All funds must be spent on classroom instructional support purposes consistent with system and state rules; funds may be spent on instructional and electrical equipment used in the classroom with students.

Funds should be made available to each teacher before December 1 each year. Unused funds will revert to the state and/or system.

The Superintendent and the CSFO shall establish a timeline by which purchases must be finalized each year in order to ensure timely and efficient accounting for all funds prior to the close of the fiscal year.

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

3.21 *Income from School Activities*

All income from school activities and concession sales shall be deposited in the appropriate account and shall be disbursed in accordance with Board Policy, accreditation standards, and State Department of Education regulations.

3.22 *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:

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

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

3.22.2 Determination of Allowable Costs –

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

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

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

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

A. Purchase order approval procedures;

B. Contract review and approval procedures;

C. Applicable competitive purchasing procedures; and

D. Documentation supports allowability of transaction.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Procurement transactions for federal programs and child nutrition programs that are not subject to the state procurement laws, but exceed the aggregate amount of

the federal micro-purchase threshold, will be obtained by utilizing price or rate quotes from two or more qualified sources. State procurement laws include requirements that comply with the other Uniform Administrative Requirements for procurement of property and services.

The board will request proposals for those professional service contracts (excluding architectural and engineering services) that are exempt under state procurement laws if the contracts exceed $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.

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

4.1.3 Adult Sex Offenders – Adult sex offenders who have been convicted of a sex offense involving a minor must:

a. notify the principal of the school in advance of entering school property or attending a K-12 school activity and identify a legitimate purpose for entering school property or attending the activity;

b. immediately report directly to the principal of the school or his designee upon entering the property or arriving at the K-12 school activity; and

c. cooperate with and submit to any efforts undertaken by the principal of the school to discreetly monitor their presence on school property or at the K-12 school activity.

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

Adult sex offenders have a duty to comply with this policy, which shall not be construed to impose an affirmative duty of any kind on the school principal, his

designee, or any other employee, agent, or representative of the school or school system.

[Reference: Ala. Code § 15-20A-17]

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

4.2.1 Prohibition on the Possession of Firearms – The possession of a firearm in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel who are certified by the Alabama Peace Officers' Standards and Training Commission. 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 (18 U.S.C. §922(q)]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.2.4 Tobacco/Electronic Cigarettes/Alternative Nicotine Products: Alabama Act 2025-403 requires the Alabama State Department of Education to adopt a model policy relating to vaping, tobacco products, and alternative nicotine products. The purpose of this policy is to establish a vape awareness, education, and prevention program to prohibit the possession and use of prohibited tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products by students in public K-12 schools.

a. *Prohibition*: The possession or use of tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products is prohibited by any student at a public K-12 school, on a school bus, or at any school sponsored function.

b. *Violation*: Any student who violates the prohibition contained within this policy shall be subject to graduated consequences which may include:
   1. Notification of the student's parent or legal guardian shall be made regarding the violation;
   2. Required participation in the Alabama State Board of Education approved vaping awareness, education, and prevention curriculum;
   3. In-school suspension, out-of-school suspension, placement in an alternative school/program or expulsion;
   4. Referral of the matter to the juvenile court for disposition; or
   5. Any combination of the foregoing.

c. *Complaint procedure*: When a complaint is lodged against a student for violating the prohibition, the complaint must be memorialized using the Board-approved complaint form available in the student code of conduct, on the website, or at the school's office. An anonymous report may not be used as the sole basis for imposition of formal disciplinary action. Once a complaint is made against a student for a violation, the complaint form is then to be forwarded to the principal or his/her designee, or school resource officer for investigation. The complaint form must include all of the following information:
   1. Name of student who has violated the policy.
   2. Date, time, and location of violation.
   3. Description of conduct that violates the policy.
   4. Name(s) of witness(es) to violation of the policy.
   5. Any other pertinent information.

d. *Investigation Procedure*: Once a principal or his/her designee, or school resource officer receives a complaint of a serious violation, they must then promptly investigate the violation. The principal or his/her designee, or school resource officer must be the individual responsible for the investigation.

e. *Response Procedure*: If the student has violated the prohibition, the student shall immediately, and without delay, be subject to the graduated consequences. Any and all consequences shall conform with applicable disability, antidiscrimination, education laws, and school discipline

policies. Additionally, a copy of the complaint form and the disposition shall be placed in the student's permanent record.

f. *Notice Requirement*: The policy adopted by the local school board shall be included in the board policy of the local board of education and included in the student code of conduct so as to give adequate notice to students and parents/guardians of prohibited behaviors occurring on school property, school buses, and at school sponsored events and the punishments attached thereto.

g. *Applicability to Employees*: The use of tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products by any teacher, administrator, or other school employee on the campus of any public K-12 school is prohibited.

Nothing in this policy shall be construed to infringe on any right provided to a student pursuant to the Individuals with Disabilities Education Act (IDEA), the Family Educational Rights and Privacy Act (FERPA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990, provided that student information related to this policy shall be included as necessary into any and all Individualized Education Plans (IEPs), behavioral intervention plans, and other similar documents.

Generated pursuant to Act 2025-403 [Section 4.2.4 Updated October 28, 2025]

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

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

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

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

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

4.3 *Accreditation*

The Board will implement and adhere to such accreditation policies, principles, standards, and procedures as may be established or required by the Southern Association

of Colleges and Schools Council on Accreditation and School Improvement ("SACS CASI") accreditation division of AdvancED as a condition to receiving or maintaining accreditation.

4.4 *Use of Board Property*

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

4.4.1 Use of Board Facilities – 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.

4.4.2 Advertising – Board property will not be used for commercial advertising except upon such terms and conditions as may be expressly approved by the Board.

4.5 *Renovations or Upgrade to Board Facilities*

Any major work performed to renovate or upgrade Board facilities must be Board approved, notwithstanding the source of the labor or funds.

4.6 *Naming Board Facilities*

No facility, property, building, or part thereof, under the control of the Board will be named after any living person or entity without Board approval.

4.7 *Complaints and Grievances*

4.7.1 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.

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

4.7.3 Student Complaints and Grievances – Complaints, grievances, and requests for corrective action may be brought to the attention of the Board by or on behalf of students with respect to academic, athletic, extracurricular, or other non-disciplinary matters, issues, and concerns only after reasonable efforts to resolve the matter at the school and administrative levels have been exhausted. The Superintendent 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.

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

4.7.5 Public Complaints – Nothing in this policy shall be construed to deny any member of the public the right to petition the Board for consideration or action regarding any matter of public concern falling within the statutory jurisdiction of the Board, provided that the person can demonstrate that he or she is impacted by the alleged violation to a greater extent than the impact on the public at large. Pursuant to Section pub of this policy, individuals or groups desiring to appear before the Board shall submit a request by completing the "Request to Appear" form obtained at the Board office.

4.7.6 Americans with Disabilities Act Complaint Procedure

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

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

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

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

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

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

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

4.8 *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.

4.9 *Emergency Closing of Schools*

4.9.1 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).

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

4.10 *Internet Safety and Use of Technology*

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

4.10.2 Restriction or Loss of Technology Privileges – Persons who violate any Board policy, rule, or regulation regarding technology use may be denied use of the Board's technology resources and may be subject to additional disciplinary action.

4.10.3 Ownership of Technology Resources and Data – All technology resources, including network and Internet resources, e-mail systems, and computers or other access devices owned, leased, or maintained by the Board are the sole property of the Board. Board personnel may, at any time and without prior notice, access, search, examine, inspect, collect, or retrieve information of any kind from the Board's technology resources, including computer or related equipment, files, and data, to determine if a user is in violation of any of the Board's policies, rules, and regulations regarding access to and use of technology resources, for or in connection with any other matter or reason related to the safe and efficient operation or administration of the school system, or for any other reason not prohibited by law. Users of school system technology resources have no personal right of privacy or confidentiality with respect to the use or content of such resources.

4.10.4 Adoption of Rules and Regulations – The Superintendent is authorized to develop for Board approval additional or more specific rules and regulations regarding access to and use of its technology resources and to require adherence to such rules and regulations through such means as the "Acceptable Use Agreement", the

Code of Student Conduct, and application of appropriate disciplinary policies and procedures.

The rules and regulations incorporate the requirements of the federal Child Internet Protection Act and Alabama's Freeing our Classrooms of Unnecessary Screen for Safety Act including, but not limited to:

a. Measures to block or filter Internet access to pictures that are obscene, that constitute child pornography, or that are harmful to minors;

b. Restriction of access by minors to inappropriate and harmful material on the Internet;

c. Limiting Internet access by students to only age-appropriate subject matters and materials;

d. Providing specific procedures and other protections that prioritize the safety and security of students when using email, chat rooms, and other forms of direct electronic communication;

e. Prevention of "hacking" and other forms of unauthorized use of or access to computer or Internet files, sites, databases or equipment;

f. Unauthorized disclosure, use, and dissemination of personal information regarding minors;

g. Educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;

h. Prohibiting access by students to unlawfully obtained data or information, including "hacking," and other unlawful online activity by students;

i. Prohibiting access to websites, web applications, or software that exposes students to the disclosure, use, or dissemination of their personal information; and

j. Prohibiting students from accessing social media platforms, unless expressly directed by a teacher for educational purposes.

[Section 4.10.4 Updated July 17, 2025]

4.10.5 Limitation on Liability – The Board makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the Board's technology resources will be error-free or without defect. The Board will not be responsible for any damage users may suffer, including but not limited to loss of data or interruption of service.

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

4.11 *Data Governance and Use*

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

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

4.12 *Distribution of Literature and Materials to Students and Employees*

Literature or materials which originate from out-of-school sources shall be approved by the Superintendent or designee prior to distribution to Enterprise City School System students.

The principal shall prohibit all forms of canvassing or soliciting of teachers or students on Enterprise City School System premises during school hours except as otherwise approved by the Superintendent. No literature or materials from out-of-school sources shall be distributed to students or employees without the approval of the Superintendent or designee. Student or school surveys by outside groups or organizations require the approval of the Superintendent or designee.

4.13 *Political Activity*

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

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

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

c. 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 at 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 large signs or billboards in or on personal vehicles in the school parking lot;

e. Candidates and representatives of candidates for political office may not be invited or allowed to address student groups except when 1) such candidates are participating in a forum or like format that is designed to provide all candidates the opportunity to participate; or 2) the candidate is a current public official invited to address student groups for non-campaign related purposes. Such forums may be conducted only for appropriate age groups, and with the advance approval of the school principal and the Superintendent;

f. Political signs may not be placed on schools or school board property; and

g. 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.

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.

4.14 *Automatic External Defibrillator (AED)*

An automated external defibrillator (AED) is used to treat victims who experience sudden cardiac arrest (SCA). It is only applied to victims who are unconscious, not breathing and showing no signs of circulation, such as normal breathing, coughing, or movement. The AED will analyze the heart rhythm and advise the operator if a shock-able rhythm is detected. If a shock-able rhythm is detected, the AED will charge to the appropriate energy level and advise the operator to deliver a shock.

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

b. Authorized personnel who have successfully completed appropriate training and/or any volunteer responder who has successfully completed an approved

CPR/AED training program and has a current course completion card are authorized AED users. Signage and/or publications in school buildings shall identify the location of AEDs and the names/locations of AED/CPR-trained staff members.

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

d. Initial training in first aid/CPR/AED use will be conducted through the American Red Cross or American Heart Association. Designated staff members will renew CPR/AED training annually and first aid training every two (2) years. Training records will be kept by the lead school nurse.

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

[Reference: Ala.Code § 16-1-45]

V. Personnel

5.1 *Employee Qualifications and Duties*

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

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

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

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

d. Employees are required to obey all laws, ordinances, Board policies, and supervisory directives, and are expected to follow the Alabama Educator Code of Ethics and other pertinent authority while carrying out duties for the Board.

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

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

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

h. *Employee Attire* – Employees are required to report to work or to school functions in attire that is appropriate to their position and the nature of the function and that is in keeping with generally accepted standards of decorum and professionalism. Service and other employees who are issued uniforms shall wear uniforms when required.

i. Employees are strictly prohibited from possessing, using, transferring, selling, or distributing alcoholic beverages while on the job or on school premises or off campus in connection with or affecting any school related activity.

j. Employees are strictly prohibited from unauthorized manufacturing, possession, use, transfer, sale, or distribution of controlled substances while on the job or on school premises or off campus in connection with or affecting any school related activity.

5.1.2 Special Requirements

a. *Work Schedules (Teachers)* – Teachers schedules are determined by the principal. The minimum instructional work day for teachers is seven hours and 45 minutes (7.75 hours). However, assignments and duties may extend beyond the instructional day and may include off-campus functions, events, and activities; conferences and meetings; supervision of student arrival and departure; staff development and preparation for the following instructional day. Teachers will be provided a minimum of thirty (30) minutes free of instructional and supervisory responsibilities each teaching day.

b. *Work Schedules (Support Personnel)* – The Superintendent or his or her designee is authorized to establish work schedules. The Superintendent will establish minimum work times for support personnel.

5.1.3 Certification Requirements

a. *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 or as documented by the State Department of Education, 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. If a teacher earns a higher certificate/degree that merits increased compensation under the approved salary schedule, any salary increase will become effective upon the receipt of documentation of an official transcript from the conferring institution and documentation of the new certification/higher degree from the State Department of Education.

b. *Instructional Aides/Paraprofessionals* – Instructional Aides/Paraprofessionals must, at a minimum, possess (i) a high school diploma or its equivalent; (ii) a two year diploma from a college or university (or the equivalent hours) or pass the Work Keys Assessment.

c. *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 of at least Class B with a School Bus (s) and Passenger (P) Endorsement, (ii) complete a minimum of twelve (12) hours of approved instruction in school bus driving, and (iii) satisfactorily complete a written examination driver's performance test approved or administered by the

State Department of Education or State Superintendent. A bus driver must also meet any requirements of the entity providing the Board's automobile liability coverage.

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

5.2 *Hiring*

5.2.1 Application Procedures – Job applicants for all positions must file an application through the online application process adopted by the Alabama State Department of Education or designated by the Board. 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. Criminal background checks by means of fingerprinting for employees who have unsupervised access to students shall be conducted consistent with requirements of law.

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 or commit to a particular pay structure.

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

5.2.5 Nepotism

a. *Supervisory Relationships* – Employment decisions and relationships that violate any provision of Alabama law, including state ethics and nepotism laws, are prohibited. The Superintendent is authorized to take action to identify and correct violations of the policy in a manner consistent with applicable law.

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

c. *Selection of Impartial Person* – When law or policy mandates the recusal of a board member, official, or employee ("disqualified official") from involvement in a decision involving the employment or possible employment of a relative or other person and permits or requires an objective, neutral, or impartial person ("the surrogate official") to exercise some or all of the functions of the disqualified official with respect to the decision or action in question, the surrogate official shall be deemed objective, neutral or impartial if he or she:

1. Is not related by blood or marriage to the disqualified official or the person whose employment status is at issue, or of any applicant in a multi-member field of persons under consideration for employment or advancement;

2. Does not work under the direct or indirect supervision of the disqualified official, of any person who selects the surrogate official, of any person whose employment status could be affect by the action or decision at issue;

3. Has no personal or financial connection to the disqualified official, to any person whose employment status could be affected by the action or decision at issue, to any other person involved or affected by the action or decision at issue in a way that would call into question the surrogate official's objectivity, neutrality, or impartiality; and

4. By education, training, and experience has a sufficient understanding of the employment qualifications and other factors and considerations that bear upon the action or decision at issue to make an informed report and recommendation to the Board.

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

[Reference: ALA. CODE §41-1-5]

5.3 *Probationary Employment*

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

5.4 *Non-Teaching Supplemental Duties*

Compensation in the form of supplements may be paid for noninstructional supplemental duties in accordance with rates specified or established for such duties in the Board's official salary schedule. Such duties include coaching and sponsorship of athletic support organizations (e.g., cheerleaders, flag teams, drill teams) as well as scholastic support activities (e.g., yearbook, service clubs, academic honoraries). Such supplemental duties are considered additional nonteaching assignments to be made on an annual basis or

otherwise as the needs of the school require. These supplements will be approved upon initial recommendation from the Superintendent. Such supplemental duties are not considered to be a part of a teaching contract or appointment, and no tenure, continuing service status, non-probationary status, or contractual right to continued employment or compensation for such supplemental assignment will be recognized or implied in the absence of a separate written contract of employment providing for such rights.

5.5 *Professional Development*

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

5.6 *Employee Conflicts of Interest*

Employees may not use their offices or positions, board property, or board resources 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;

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

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

5.7 *Employee Gifts*

All Board personnel are public employees and are expected to comply with the Alabama Ethics Law prohibiting use of the employee's official position or office to obtain personal gain for himself or herself or family member unless the use or gain is otherwise specifically authorized by law. Employees shall not solicit any gift, directly or indirectly, or participate in the collection of any donations toward any gift to be given to or received by the employee.

Employees may accept gifts from students or other members of the public if the gifts are in accordance with the Alabama Ethics law or other pertinent state laws.

Employees may accept gifts or gift cards purchased from pooled donations within a class, team, or other school organization for the employee's personal use provided that the

amount that each person gives does not exceed twenty-five dollars ($25.00) and that the contribution to the pool does not result in the donor's exceeding the aggregate amount of allowable gifts for that year.

This policy shall not be deemed to prohibit gifts of items or supplies that may be used by teachers or support staff in performing their functions for the system (notebooks, school or classroom supplies, etc.) or to prohibit the giving or receipt of gift cards for the purpose of purchasing such items or supplies. However, no such item, or gift cards or cash given for the purchase of such items may be converted to the personal use of the employee.

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

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.

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 – Unless prohibited by law (including applicable regulations) or the terms of the evaluation instrument, employment evaluations may be considered in making employment decisions, together with such other information and considerations as may reasonably bear upon the wisdom, necessity, or advisability of the employment decision. However, employment evaluations are intended to enhance the overall quality of the school system's instructional program and are not intended to confer, constitute, or give rise to

any individual right, entitlement, or enforceable expectation of continued employment or advancement. Accordingly, except as may be specifically provided otherwise in state law applicable to "contract principals," employees do not acquire any employment right or right of legal action based on any actual or alleged failure on the part of the Board or the evaluator to follow specific evaluation policies, regulations, or procedures.

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

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

5.9 *Personnel Records*

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

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

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

5.9.4 Access to Personnel Files – Board members, the Superintendent, Board administrators (including principals), employees of the Personnel Department, 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 –Employees who know in advance that they will be absent from work must notify his or her supervisor of the expected absence in accordance with Enterprise City Schools procedures. In the event advance notice is impractical, employees must notify his or her supervisor 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 in violation of Board policy and subject to appropriate disciplinary measures which may include termination. In extenuating circumstances, the superintendent may allow an employee to take unpaid leave.

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

All extended leave must be approved by the Superintendent or his/her designee. Extended leave is defined by the Board as any absence from work for more than fifteen (15) working days.

5.10.3 Authorized Leave – Except as otherwise authorized under Board policy, employees may be absent from work only for the following circumstances:

a. Sick leave (5.10.4);

b. On-The Job Injury leave (5.10.5);

c. Personal Leave (5.10.6);

d. Vacation Leave (5.10.7);

e. Professional Leave (5.10.8);

f. Military Leave (5.10.9);

g. Court Leave (5.10.10);

h. Catastrophic Leave (5.10.11);

i. Unpaid Professional Leave (5.10.12);

j. Paid Parental Leave (5.10.13);

k. Family and Medical Leave Act (5.11).

5.10.4 Sick Leave

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

b. *Earning and Accumulation of Paid Sick Leave* – All eligible employees earn sick leave days at the rate provided for in state law. Eligible employees may accumulate sick leave as provided by state law.

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

1. Personal illness;

2. Incapacitating personal injury;

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

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

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

d. *Certification* –By taking sick leave, the employee is certifying that the sick leave is being used for one of the reasons provided in state law. If the employee's immediate supervisor 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 or documentation verifying a death may be required by the school system as appropriate. Abuse of sick leave may subject the employee to disciplinary action.

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

5.10.5 On-The-Job Injury Leave – On-the-job injury includes an accident or injury to an employee that occurs in the course of performing required 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)]

5.10.6 Personal Leave – All regular, full time employees are eligible for two (2) non-cumulative personal leave days each scholastic year without loss of pay. Employees are also allowed three (3) additional days of non-cumulative personal leave (flex leave) each scholastic year. If any employee uses the flex leave his/her monthly check will be reduced at the rate of substitute pay for his/her position even if a substitute is not required. Personal leave must be requested in accordance with such procedures as may be established by the Superintendent or the Board. Personal leave may not be taken immediately before or after a school holiday or in the first or last ten days of a school term without approval from the employee's immediate supervisor. At the end of the school year, certified employees have the option of being paid at the substitute daily rate for any paid personal leave that is not used or converting the personal leave day(s) not used to sick leave days. Support personnel may only convert any paid personal leave day(s) not used to sick leave days.

a. Employees are encouraged to notify their supervisor at least five working days prior to taking personal leave when at all possible. In granting personal leave to employees, each work site may have a daily limit (i.e. one person taking personal leave per ten employees on staff).

b. Personal leave shall be reported as personal with no other explanation required.

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

5.10.7 Vacation

a. *Eligible Employees* – Twelve-month full-time employees are eligible for paid vacation; twelve-month part-time employees hired prior to July 1, 2016 are eligible for paid vacation.

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

1. Twelve-month employees will be granted 10 days on July 1 each year. During the first year of employment with Enterprise City Schools, twelve month employees will earn one vacation day a month (up to 10 days) through June 30. After ten (10) consecutive years of service as an employee with Enterprise City Schools said employees will earn 15 days per year. The additional days will be earned July 1 following the anniversary date of employment.

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

c. *Accrual and Accumulation of Vacation Ti*me –Vacation leave is earned July 1 of each year.

All twelve-month employees shall be permitted to accumulate vacation for a maximum of 20 days. On July 1 if an employee's vacation balance exceeds the accumulated limit, he or she will lose the difference. No employee shall be paid for unused vacation leave days. Vacation leave will not be converted to sick leave.

d. *Scheduling* – Vacations must be scheduled with the knowledge and approval of the employee's department head.

5.10.8 Professional Leave – The Superintendent or his/her designee 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.

5.10.9 Military Leave – Military leave is available to all eligible employees in accordance with state and federal law. A copy of the military orders must be provided.

5.10.10 Court Leave – Permanent and full-time employees are entitled to regular compensation while performing jury duty (ALA. CODE §12-16-8) or when the employee is summoned under subpoena or other legal requirement on behalf of the Board to testify at trial in a court of law or in 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. A copy of the jury summons or subpoena must be provided.

5.10.11 Catastrophic Sick Leave – Employees, at their discretion, may donate a specific number of days to the sick leave bank and designate the days for a specific employee for use against a catastrophic illness only according to the following guidelines:

a. A donating employee shall not be required to donate a minimum number of catastrophic days to the sick leave bank.

b. Before sick leave days for a catastrophic illness may be used by a recipient employee, the recipient employee shall have first exhausted all sick leave, personal leave, and vacation leave and borrow all ten (10) days from the sick bank

c. Donated days shall become available for use by the particular employee who shall not be required to repay the days. Any employee who donates sick leave days to the sick leave bank for a particular employee suffering from a catastrophic illness shall be clearly informed that the donated days are not to be recovered or returned to the donor. If a particular employee does not require all of the days donated to the credit of the employee, the days shall revert to the credit of those employees who donated the days in accordance with the guidelines adopted by the sick leave bank committee.

d. No employee may donate more than 30 sick leave days per calendar year to the sick leave bank for the catastrophic sick leave of any one employee.

e. An employee must be a member of the sick leave bank to donate or receive catastrophic sick leave days.

[Reference ALA. CODE §16-22-9]

5.10.12 Unpaid Professional Leave – Upon 90-day advance written application by the employee, the Board may provide an unpaid leave of absence for up to one year to pursue study or professional growth opportunities. Such leave is only available to non-probationary or tenured personnel. Except as provided to the contrary by applicable law, the employee shall not be entitled to return to the same position held before the commencement of leave, and may be assigned to a different work location or position upon return from leave at the discretion of the Board. The employee must provide documentation supporting the need for the unpaid professional leave.

5.10.13 Paid Parental Leave – The Board provides paid parental leave (PPL) in accordance with the Alabama Public Employee Paid Parental Leave Act of 2025, codified at ALA. CODE 36-6A-1, et. Seq. (1975), and administrative rules adopted by the Alabama State Board of Education.

[Reference: ALA. CODE 36-6A-1, et. Seq. (1975)] [Section 5.10 Updated September 11, 2025]

5.11 *Family and Medical Leave Act (FMLA)*

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

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

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

b. The placement of a foster child or adoption;

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

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

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

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

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

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

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

2. Pregnancy or prenatal care;

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

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

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

5.11.4 Military Family Leave Provided by the Act

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

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

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

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

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

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

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

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

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

5.11.11 Maintenance and 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.

5.11.12 Instructional Employees – Medical leave taken by eligible instructional employees is subject to further limitations and provisions established by the FMLA. The Superintendent or his designee is authorized to develop additional information and guidelines concerning Instructional Employees.

5.12 *Sick Leave Bank*

A "Sick Leave Bank" plan for full-time certified and classified employees is hereby established in accordance with applicable provisions of state law. A Sick Leave Bank Committee will be established to oversee the operations of the Sick Leave Bank in accordance with state law and the following provisions:

a. *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.

Board Representative – The Member representing the Board will be appointed by the Superintendent, subject to Board approval.

Participant Representatives – The participant representatives will be selected by the sick leave bank members.

b. *Procedures for Selecting Employee Representatives on Committee*

1. *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. Nominations must be written and must be received in the Personnel Department by the deadline specified in a notice to be provided by the Superintendent or his/her designee through Board publications and other means of communication that are generally used for such purposes.

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 Personnel Department for final tabulation. The four candidates receiving the highest number of votes will serve as participant representatives on the Sick Leave Bank Committee.

c. *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.

d. *Chairman of the Sick Leave Bank Committee* – The Board representative will chair the Sick Leave Bank Committee. The chairman will be responsible for recording organizational minutes, for conducting meetings, and for organizing meetings as necessary.

e. *Meetings* – The Sick Leave Bank Committee will meet at least annually following each enrollment period. The Committee will also meet as necessary in its discretion.

f. *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, Board policy, and such rules and regulations as may be adopted by the Sick Leave Bank Committee.

g. *Employee Participation* – Participation in the Sick Leave Bank is voluntary and open to all full-time employees and part-time employees as specified in the personnel handbook of the Board. However, employee participation is subject to such rules and regulations regarding enrollment procedures, deposits, withdrawals, and participation as may be developed by the Committee.

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

5.13 *Administrative Leave*

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

5.14 *Equal Employment Opportunity*

5.14.1 Unlawful Discrimination Prohibited – The Board is an equal opportunity employer. Personnel actions and decisions will be made without regard to factors or considerations prohibited by federal or state law (as such laws may from time to time be amended), including but not limited to race, 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, facilities, and functions. Sexual harassment, as defined by law, is a form of unlawful discrimination and will not be tolerated from employees or other persons associated with the Board.

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

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

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

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

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

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

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

c. Unwelcomed, 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 Director of Human Resources is an additional official to which formal complaints can be reported. If the Superintendent is unavailable or is the subject of the complaint, the alternate should be contacted regarding the formal complaint.

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

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

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

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

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

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

5.16 *Reduction-In-Force*

5.16.1 Definition and Scope –

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

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

c. A "layoff" within the meaning of this policy is an unavoidable reduction in the workforce beyond normal attrition due to decreased enrollment or shortage of revenues. As provided in 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. The term "layoff" does not include or apply to the expiration of temporary, occasional, or "at-will" appointments or to decisions not to renew or extend employment beyond the expiration of annual or other specified terms of appointment.

5.16.2 Criteria for Implementing Layoffs.

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

5.17 *Drug-Free Workplace*

5.17.1 General – It is the policy of the Enterprise City Board of Education that the use of alcohol and other drugs and the unlawful manufacture, distribution, dispensation, possession, or use of illicit or illegal drugs is prohibited. Any employee violating this policy will be subject to disciplinary actions, up to and including termination of employment and referral to the appropriate authorities for prosecution. This policy has been adopted in accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. Nothing in this policy should be construed as precluding the Board from adopting additional or alternative programs, procedures, and penalties in order to achieve the goal of a drug- and alcohol-free public school system.

5.17.2 Standards of Conduct –

a. The possession, use, transfer, sale, or distribution of alcoholic beverages by any employee while on the job or on school premises or off campus in connection with or affecting any school related activity is strictly prohibited. Violation of this policy will result in disciplinary actions up to and including termination of employment and referral to the appropriate authorities for prosecution.

b. The Board does not differentiate between drug users or sellers. The unauthorized manufacture, possession, use, transfer, sale, or distribution of controlled substances is strictly prohibited. Any employee who violates this prohibition while on the job or off will be subject to disciplinary action, up to and including termination of employment and referral to the appropriate federal, state, or local law enforcement agencies for investigation and prosecution.

c. The term "controlled substance" means any drug listed in 21 U.S.C. Section 812 and other federal regulations. Generally, these are drugs which have a potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine (including "crack"), methamphetamine ("ice"), LSD, and PCP.

d. The Board reserves the right to require that sobriety or drug tests or screenings be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the employee 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.

e. See Policy 5.20 Self Reporting Arrest or Conviction

f. The Superintendent must notify the State Department of Education within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of a conviction of a violation of any federal or state criminal drug statute.

g. In cases where employees seek help regarding alcohol and other drug-related problems, the costs for these services are the responsibility of the employee. Seeking professional help should not be construed as an avenue for avoiding the disciplinary sanctions described nor for avoiding compliance with job performance standards.

5.17.3 Confirmation – Every school system employee will be responsible for completing a form annually confirming receipt of drug-free workplace policy information.

5.18 *Drug and Alcohol Testing of Safety Sensitive Employees*

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

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

a. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the Federal Highway Administration (FHWA);

b. Being on duty or operating a vehicle while possessing alcohol

c. Consuming alcohol while performing safety-sensitive functions;

d. Consuming alcohol within eight hours following an accident for which a post-accident alcohol test is required, or prior to undergoing a post-accident alcohol test, whichever comes first;

e. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements;

f. Consuming alcohol or being under the influence of alcohol within eight (8) hours of going on duty, operating, or having physical control of a vehicle;

g. Reporting for duty or remaining on duty when using any controlled substance, except when instructed by a physician who has advised the

driver and the Board that the substance does not adversely impact the performance of any safety-sensitive duty;

h. Reporting for duty, remaining on duty, or performing safety sensitive functions with controlled substances in the employee's system.

In the event of a violation of this policy, the employee shall be removed immediately from safety-sensitive duties and shall be subject to such further actions, including disciplinary action up to and including termination, as deemed appropriate by the Superintendent and the Board.

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

a. *Pre-employment Testing* – Prior to the first time a covered employee performs a safety-sensitive function for the Board, the employee must undergo testing for alcohol and controlled substances.

b. *Post-accident Testing* – Each surviving driver of an accident, as defined by the FHWA, will be tested for alcohol and controlled substances. In addition, covered employees who are involved in an accident involving injury to a person, or property damage in excess of five hundred dollars ($500.00) will be subject to post-accident testing.

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

d. *Reasonable Suspicion Testing* – A covered employee must submit to alcohol or controlled substance testing whenever there is reasonable suspicion of alcohol misuse or the use of controlled substances based on specific, contemporaneous, and articulable observations concerning the appearance, behavior, speech, or bodily odors of the employee.

e. *Return-to-Duty Testing* – A covered employee must submit to return-to-work alcohol and/or controlled substance test before being permitted to return to work following a positive alcohol or controlled substance test or other violation of this policy or federal regulations.

f. *Follow-up Testing* – Any employee who continues performing safety-sensitive functions for the Board, following a determination that the employee requires assistance in resolving problems associated with alcohol misuse or the use of controlled substances, shall be subject to unannounced follow-up alcohol or controlled substance testing as directed by the Board's substance abuse professional (SAP).

g. *Federal Motor Carrier Safety Administration Reporting*- FMCSA regulations require employers to notify drivers and diver-applicants that the following information will be reported to the Clearinghouse:

- A verified positive, adulterated, or substituted drug test result;
- An alcohol confirmation test with concentration of 0.04 or higher;
- A refusal to submit to a drug or alcohol test;
- An employer's report of actual knowledge;
- On duty alcohol use;
- Pre-duty alcohol use;
- Alcohol use following an accident;
- Drug use;
- A SAP's report of the successful completion of the return-to-duty process;
- A negative return-to-duty test; and
- An employer's report of completion of the follow-up test.

[Reference: Moving Ahead for Progress in the 21st Century Act (MAP-21); pursuant to 49 CFR § 382.107; 49 CFR § 382.205; 49 CFR § 382.207; 49 CFR § 382.209; and 49 CFR § 382.213]
(*Approved*, March 16, 2020)

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

[Reference: Omnibus Transportation Employee Testing Act of 1991]

5.19 *Searches (Personnel)*

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

b. *Employee Property* – The Board reserves the right to inspect employees' vehicles, purses, files, and other personal property if 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.

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

5.20 *Self-Reporting Arrest or Conviction*

In order for the school system to determine whether or not the conduct underlying the arrest or conviction makes the employee unfit for their position, the Board requires employees to report self-arrests or convictions as follows.

a. *All Employees* – All employees are required to notify the Superintendent in writing of any of the following events within three (3) business days from the date of the event:

   1. With the exception of an arrest for a minor traffic violation, any other misdemeanor or felony arrest of the employee, specifically including, but not limited to, arrests for driving under the influence (DUI) or driving while impaired (DWI);

   2. With the exception of a conviction for a minor traffic violation, any other misdemeanor or felony conviction of the employee, specifically including, but not limited to a DUI or DWI.

b. *Employees assigned transportation or driving duties or who operate heavy equipment* – Employee whose assigned duties include transporting students or driving vehicles or heavy equipment owned by Enterprise City Schools are also required to report any of the following events:

   1. Conviction of the employee for traffic offenses and violations (not including parking tickets) for which points are or may be charged against the employee's drivers' license; and

   2. Issuance to the employee of a notice from the Alabama Department of Public Safety that the employee's driver's license or Commercial Driver's License (CDL) has been suspended or revoked.

Any employee who fails to comply with the terms of this policy may be subject to appropriate discipline, up to and including termination.

5.21 *Prohibition on Aiding and Abetting Sexual Abuse*

Neither the board nor any employee, contractor or agent of the board shall assist another school employee, contractor or agent in obtaining a new job if the individual or the board knows, or has probable cause to believe, that the other employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law. This prohibition does not apply to the routine transmission of administrative and personnel files.

In addition, this prohibition does not apply if the information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct, and has been reported to any other authorities as required by local, state or federal law, and at least one of the following conditions applies:

1. The matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law; or

2. *The school employee, contractor, or agent has been charged with, and acquitted or* otherwise exonerated of the alleged misconduct; or

3. The case or investigation remains open and there have been no charges filed against or indictment of the school employee, contractor or agent within four years of the date on which the information was reported to a law enforcement agency.

[Reference: 20 U.S.C. §7926]

VI. Students

6.1 *Admissions and Attendance*

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

a. *Kindergarten Age Requirement* – A student must be five years old on or before September 1, the date set by State guidelines, to be admitted for kindergarten for the current school year.

b. *First Grade Age Requirement* – To be admitted to the first grade for the current school year, a student must be six years old on or before December 31st of that school year, which is the date set by the State Guidelines. However, a student who has successfully completed a qualified out-of-state kindergarten, according to that state's entrance code, during the past year and is not six years old by the date set by the State guidelines can attend Grade 1 in the Enterprise City Schools. In addition, a student who started Grade 1 in another state, according to that state's entrance code, and is not six years old by the date set by the State guidelines, is considered a transfer and admitted to school to continue in Grade 1. Appropriate documentation must be presented. A student transferring to Enterprise City Schools from private schools within Alabama may enter first grade only if the state age requirement for entry has been met.

[Reference: ALA. CODE §16-28-4 (1975)] Policy 6.1.1 was updated on 09-27-16

6.1.2 Admission to Schools

a. *Resident Students* – School-age children who reside within the municipal limits of the City of Enterprise, Alabama, may be admitted to Enterprise City Schools. For purposes of this policy, the residence of the student will be the residence of the custodial parent or legal guardian. If custody of the child is shared, alternating, or unclear, or if the child does not reside with a custodial parent or legal guardian, the domicile or actual physical residence of the child will control, except when there is evidence that the claimed residence of the child is not his actual residence, or that the claimed residence is fraudulently given as a means of avoiding or violating admission, enrollment, attendance, and residency standards and requirements.

b. *Non-resident Students* – Students who do not reside within the corporate limits of the City of Enterprise may apply for enrollment in the Enterprise City Schools. The Board may establish criteria for admission of non-resident students, and may require the payment of tuition as a prerequisite to enrollment.

Beginning for the 2015-2016 school year, all out-of-district applicants who are not currently enrolled in the Enterprise City Schools shall complete non-resident applications. Applications for new non-resident students for each grade will be reviewed in the order they are received until the allotment of successful applicants has been accepted.

A non-resident enrollment application may be denied because a school, grade, or program(s) lacks space, staff, support services, facilities, or equipment, taking in-district enrollment projections into consideration, or because the student:

1) does not meet the established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of academic performance;

2) has been suspended or expelled from school, is in the process of being suspended or expelled, has withdrawn from a school to avoid possible suspension or expulsion;

3) has a history of documented, disciplinary infractions within the past three (3) years, or has been adjudicated or convicted of a crime that involved personal injury, loss of or damage to property, or disturbing the peace or public order;

4) has a record of excessive absences or truancy from school; or

5) presents incorrect or incomplete information on the enrollment application.

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

Students who live inside the city limits of the City of Enterprise who are homeless, migratory, immigrant, students in foster care and/or limited English proficient shall not be prohibited from school enrollment due to any of the following:

1) Residency requirements
2) Lack of social security number
3) Lack of birth certificate
4) Lack of school records or transcripts
5) Lack of immunizations
6) Legal custody requirements
7) Transportation
8) Language barriers
9) Disabilities

d. *Homeless Students* –

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

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

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

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

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

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

In addition, students may also be required to submit other registration materials as school officials may reasonably require including, but not limited to, a certificate of immunization or an exemption as prescribed by the Department of Public Health and signed by a private physician or

appropriate health department official. The Superintendent may accept alternate forms of evidence or modify otherwise applicable requirements as necessary and appropriate to accommodate homeless, migrant, immigrant, students in foster care, or English Learners.

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

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). 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 school year with the approval of the Superintendent. A parent or legal guardian who has documented plans to move to a new attendance area during the first or second grading period of the school year may have his child enrolled in the school serving the new residence upon approval by the Superintendent.

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 and Excuses – Students are not permitted to be absent from school without a valid excuse. Absences will be designated as excused or unexcused. Excused absences will be permitted for the following reasons:

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

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

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]

6.2 *Transfers and Withdrawals*

6.2.1 Transfers – The Board may permit transfers between schools within the school system for good cause. Transfer requests must be submitted in writing and must include detailed reasons for the request. The Superintendent may approve or deny a transfer request in light of the stated reasons for the request, the capacity and resources of the schools, the student's record (including behavior, grades, attendance, and other factors), and the best interests of the student and of the school system. The existence or availability of a transfer process does not create or give rise to any right to attend a particular school, and school assignment remains wholly with the discretion of the Board.

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

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

6.3 *Student Fees, Fines, and Charges*

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

6.4 *Concussions*

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

a. Develop materials and information that are designed to educate students and their parents or guardians about the nature of concussion and brain injury and the risks of continuing to participate in athletics after receiving a concussion or brain injury;

b. Suitably summarize such materials on a concussion and head injury information sheet which is to be provided annually to current and prospective student athletes and their parents or guardians. Prior to the student's participation in practice or competition, the head coach of the team must obtain and keep on file a copy of the information worksheet signed by the team member and his or her parent or guardian.

c. Develop a program designed to educate coaches on how to learn to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion. The training shall be provided by qualified medical personnel or persons with special expertise in recognizing and responding to concussions and brain injuries, and shall be offered to every coach prior to the beginning of practice for the athletic team that he or she coaches.

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

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

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

6.5 *Extracurricular Activities*

6.5.1 Student Clubs and Organizations – All Enterprise City School System student clubs and organizations shall be approved by the principal before they can operate within a school.

All student clubs and organizations shall comply with the following:

a. All clubs and organizations must clearly establish and adhere to membership criteria that have been approved by the principal.

b. The charter and constitution of each student club or organization shall set forth the purposes, qualifications for members, and the rules of conduct and shall be maintained on file for immediate reference by all students and instructional personnel of the school.

c. There shall be no type of hazing in any club or organization within the school. Hazing shall be defined as any action or situation which recklessly or intentionally endangers a student's mental or physical health or safety.

d. Dues shall be reasonable and not prohibitive. An explanation of the intended use of all dues will be provided prior to collection of funds. Additionally, an explanation will be provided for the rational supporting the requested fee/due amount.

e. All meetings shall be held on Enterprise City Board of Education property, unless waived upon the faculty sponsor's request and principal's approval of special meetings and events.

f. An Enterprise City School System faculty sponsor/designee shall be present at all meetings and functions.

g. All social events shall be adequately chaperoned.

h. All monies accruing to any school club or organization shall be accounted for through the school's internal accounting system.

i. A student club or organization shall not conduct any activity or act which violates Alabama statutes, Enterprise City Board of Education rules, or the regulations of the local school.

Any school club or organization which engages in an initiation ceremony for its members shall prepare and submit the program of initiation exercises to the faculty sponsor for review and approval by the school principal.

Secret societies, social clubs, sororities, fraternities, or any similar organizations are prohibited.

[Reference: ALA. CODE §§ 16-1-23, 16-11-9]

6.5.2 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.

6.5.3 Academic Ineligibility – Participation in Board sanctioned athletic programs will be on such terms and conditions as may be approved by the Board, provided in applicable law or established by 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.

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

6.6 *Off-Campus Events*

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

a. The destination is an activity, event, or function that services a *bona fide* educational or related extracurricular purpose, or is an athletic event or function sponsored or sanctioned by the school or the school system and the state athletic association;

b. Adequate information regarding the trip (e.g., destination, duration, purpose, educational purpose, mode of transportation, nature and extent of student participation) has been provided to the principal, program director, and Superintendent.

c. Adequate arrangements are made for supervision and other risk management considerations (e.g., parental permission, medical treatment authorization, special insurance requirements);

d. When transportation is provided by the school system, 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 obtained.

The Board does not assume responsibility for ensuring the safe operation of vehicles that are not owned or operated by the Board.

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

6.7 *Student Publications*

Enterprise City School System school principals may approve establishment of a school newspaper or magazine for students.

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

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

6.8 *Equal Educational Opportunities*

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

6.9 *Title IX*

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

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

6.10 *Voluntary Religious Expression*

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

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

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

6.11 *Student Sexual Harassment*

6.11.1 Sexual Harassment Prohibited – Sexual harassment in any form that is directed toward students is prohibited. Persons who violate the policy will be subject to the full range of disciplinary consequences up to and including termination (for employees) and expulsion (for students) as dictated by the nature and severity of the violation and other relevant considerations. If appropriate, the circumstances constituting the violation may be reported to law enforcement agencies or child welfare agencies for further investigation and action.

6.11.2 Definition – For purposes of this policy, sexual harassment means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, school employees, or third parties, when:

a. Submission to the conduct is made explicitly or implicitly a term or condition of the student's education, including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education;

b. Submission to or rejection of the conduct is used as the basis for decisions affecting the student's academic performance, participation in school-sponsored activities, or any other aspect of the student's education;

c. The conduct has the purpose and effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities or creating an intimidating, hostile, or offensive education environment.

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

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

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

c. Unwelcome, inappropriate sexual touchings;

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

6.11.3 Sexual Harassment Complaint Procedures Authorized – The Superintendent is authorized and directed to establish, implement and revise more detailed sexual harassment complaint procedures that are designed to provide students who believe that they are victims of unlawful sexual harassment with a thorough, discreet, and prompt internal procedure for investigating and resolving sexual harassment complaints. The procedures will be drafted so as to facilitate the gathering of relevant facts and evidence, permit timely assessment of the merits of the complaint, provide an opportunity for informal resolution of complaint where appropriate, eliminate any harassment that is established by the investigation, and prevent any retaliation based upon the filing of the complaint. The procedures will reflect due regard for the legal rights and interests of all persons involved in the complaint, and will be drafted, explained, and implemented so as to be understandable and accessible to all student population groups and ages.

6.11.4 Initial Confrontation of Accused Harasser Not Required – A student who invokes the harassment complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to report allegations of suspected harassment to any appropriate Board administrator, teacher, counselor, or employee, and such persons have a duty to promptly refer such allegations to the Superintendent or to take such action as may be required by the procedures established under "Sexual Harassment Complaint Procedures Authorized" (6.11.3) above. In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decisionmaking responsibility in connection with the processing of the complaint.

6.11.5 Notice of Policy to be Promulgated – The Superintendent will promulgate and disseminate this policy and the complaint procedures to the schools and will take such other steps and measures as may be reasonably available and expedient for informing the school community of the conduct prohibited by this policy and the recourse available to students who believe that they have been subjected to sexual harassment.

6.12 *Protection of Pupil Rights Amendment*

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

a. Political affiliations or beliefs of the student or student's parent(s);

b. Mental or psychological problems of the student or student's family;

c. Sexual behavior or attitudes;

d. Illegal, anti-social, self-incriminating, or demeaning behavior;

e. Critical appraisals of others with whom respondents have close family relationships;

f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;

g. Religious practices, affiliations, or beliefs of the student or parent(s); or

h. Income, other than as required by law to determine program eligibility.

6.12.2 Notice and Option to Opt Out – Parents will be provided notice and an opportunity to opt a student out of any of the following:

a. Any survey that is designated to obtain protected information from a student, regardless of the source of funding;

b. Any non-emergency, invasive physical exam or screening that is required as a condition of attendance, that is administered by the school or its agent, and that is not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law; and

c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or for the purpose of selling or otherwise distributing the information to others.

6.12.3 Inspection – Parents will be allowed to inspect, upon request and before administration or use, the following:

a. Protected information surveys of students;

b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and

c. Instructional material used as part of the educational curriculum.

6.12.4 Special Provisions for Certain Students – Students who are at least 18 years old and emancipated minors under state law will be allowed to take the above actions in lieu of their parents or guardians.

6.12.5 Additional Policies and Procedures Authorized – In consultation with parents, the Superintendent is authorized to develop additional policies, and arrangements to protect student privacy in the administration of protected information surveys and in the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The Board will directly notify parents of these policies and procedures at the beginning of each school year and after any substantive changes are approved.

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

6.13 *Student Records*

Educational records as defined by law or Board policy will be available for examination and review by authorized persons in the manner prescribed and to the extent required by law. Except where the context requires otherwise, the term "educational records" has the meaning given in 20 U.S.C. 1232g(a)(4). Copies of such records may likewise be provided to the extent required and under circumstances specified by applicable law or regulation. The Superintendent is authorized to establish administrative standards and 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 CFR 99.3]

6.14 *Student Health Services*

The Board may offer limited student health services that are designed to address 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 administrator 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 for approval by the Board concerning the taking, administration, and handling of medication at school, protocols for blood borne pathogens, immunizations, contagious and other communicable diseases, and other areas related to health services consistent with state law and appropriate health standards. Such procedures, rules and regulations may be compiled or integrated into a Health Services Handbook.

6.15 *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, 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 Enterprise City Schools. The CSC will set forth the specific grounds for disciplinary action, the penalties, sanctions, or consequences that may be imposed for a violation of the CSC, the methods and procedures by which violations of the CSC will be determined, and any appeal or review procedures that are available to students. The CSC will incorporate applicable statutory and regulatory requirements, and the hearing and appeal procedures specified in the CSC will conform to applicable statutory and constitutional standards and requirements. The CSC may be incorporated 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]

6.16 *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.

6.17 *Corporal Punishment*

The Board allows reasonable corporal punishment of students under the following terms and conditions: as a disciplinary measure, with due regard for the age and physical condition of the student, without excessive force that would produce extended mental anguish upon a student. Corporal punishment will be administered by system administrators in the presence of another adult professional school system employee. Corporal punishment should not be administered in the presence of another student. The Superintendent is authorized to develop and implement procedures for administering and documenting corporal punishment, consistent with the terms of this policy. Parent/guardian must be contacted for approval prior to administering corporal punishment. Parents may also opt out of corporal punishment as a form of discipline.

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

6.18 *Physical Restraint*

The Superintendent is authorized to develop written procedures governing the use of physical restraint as required by state law. The procedures will be published in accordance with the requirements of state law.

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

6.19 *Student Suspension (including Students with Disabilities)*

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

6.20 *Student Expulsion (including Students with Disabilities)*

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

6.21 *Wireless Communication Devices*

Pursuant to the FOCUS Act, beginning with the 2025-2026 school year, no student shall use or operate any wireless communication device in any public elementary or secondary school building or on the grounds thereof during the instructional day. No student may possess a wireless communication device in any public elementary or secondary school building or on the grounds thereof during the instructional day unless the wireless communication device is turned off and stored off their person in a locker, car, or similar storage location.

6.21.1 Wireless Communication Devices – Wireless communication devices include, but are not limited to:

- a cellular telephone;
- a tablet computer;

- a laptop computer;
- a pager;
- a gaming device;
- a smart watch;
- any other portable electronic device that has the capability of exchanging voice, messaging, or other data communication with another electronic device.

The Board is not responsible for the theft, loss, or damage to any wireless communication device brought onto campus by a student.

6.21.2 Storage of Devices – Unless one of the exceptions listed below (6.21.3) applies, wireless communication devices must be turned off and stored off the student's person in a locker, car, or a similar storage location during the instructional day, which includes:

- when school is open and in session;
- during class time, lunch, transitions between classes, and any non-instructional periods; and
- any other times students are required to do so by the Code of Student Conduct or other school rules or are instructed to do so by school staff.

The Superintendent or designee is authorized to determine appropriate storage locations for such devices at each school.

6.21.3 Prohibition on Use and Exceptions – Students cannot use, operate, or possess a wireless communication device during the instructional day except under the following limited circumstances:

- The use, operation, or possession of the wireless communication device is specifically included in the student's Individualized Education Plan (IEP), 504 Plan, or an Individualized Health Plan;
- The use, operation, or possession of a Board owned wireless communication device is for educational or learning purposes under the supervision of school personnel; and
- The use, operation, or possession occurs during an emergency threatening the life or safety of the student or another person.

The Superintendent or designee is authorized to develop additional guidelines for implementation of these exceptions.

6.21.4 Searches – School officials may read, examine, or inspect the contents of any wireless communication device upon reasonable suspicion that the device contains evidence of an actual or suspected violation of the law, of Board policy, of the Code of Student Conduct, or of other school rules, provided that the nature

and extent of such examination shall be reasonably related and limited to the suspected violation.

6.21.5 Disciplinary Action – Any violations of this policy may result in disciplinary action as outlined in the Code of Student Conduct.

6.21.6 Procedures – The Superintendent or designee is authorized to develop any additional rules/procedures necessary to carry out this policy.

[Reference: Ala. Act 2025-386] [Section 6.21 Updated July 17, 2025]

6.22 *Drivers' License*

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

a. Students who are mentally or physically unable to attend school;

b. Students who are regularly and legally employed in compliance with the provisions of the Child Labor Law; and

c. Students who, because of the lack of public transportation, are compelled to walk more than two miles to attend a public school.

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

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

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

6.23 *Student Parking Privileges – Substance Abuse Policy*

In order to promote the safety and welfare of students and others who work on or visit school campuses, to encourage the development of safe and responsible driving practices,

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

6.24 *Student Competitive Extracurricular Activity Substance Abuse Policy*

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.

6.25 *Jamari Terrell Williams Student Bullying Prevention Act Policy*

6.25.1 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.

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

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

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 whether the conduct occurs on or off school property, online, or electronically;

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; or

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. "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 Enterprise City School System.

6.25.3 Description of Behavior Expected of Students -

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

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:

1. Race

2. Sex

3. Religion

4. National origin

5. Disability

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

6.25.5 Reporting, Investigation, and Complaint Resolution Procedures –

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

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

b. Upon receipt of the complaint, the principal or the principal's designee will determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions may be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violations(s) may also be imposed by the principal or the school system.

c. 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.

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

6.25.7 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)]

6.26 *Suicide Awareness and Prevention*

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

a. Foster individual, family, and group counseling services related to suicide prevention.

b. Make referral, crisis intervention, and other related information available for students, parents, and school personnel.

c. Foster training for school personnel who are responsible for counseling and supervising students.

d. Increase student awareness of the relationship between drug and alcohol use and suicide.

e. Educate students in recognizing signs of suicidal tendencies and other facts and warning signs of suicide.

f. Inform students of available community suicide prevention services.

g. Promote cooperative efforts between school personnel and community suicide prevention program personnel.

h. Foster school-based or community-based, or both, alternative programs outside of the classroom.

i. Develop a strategy to assist survivors of attempted suicide, students, and school personnel in coping with the issues relating to attempted suicide, suicide, the death of a student, and healing.

j. Engage in any other program or activity which the Board determines is appropriate and prudent in the efforts of the school system to prevent student suicide.

k. Provide training for school employees and volunteers who have significant contact with students on the Board policies to prevent harassment, intimidation, and threats of violence.

l. Develop a process for discussing local board policies relating to the prevention of student suicide and to the prevention of harassment, intimidation, violence, and threats of violence with students.

m. Provide annual training for all certificated. school employees in suicide awareness and prevention. This training may be provided within the framework of existing inservice training programs or as a part of required professional development offered by the school system.

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

6.26.2 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.

[Reference: Ala. Code §16-28B-8 (1975)]

6.27 *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.

6.27.1 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.

6.27.2 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.

6.27.3 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.

6.27.4 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.

6.27.5 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.

6.27.6 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.

6.27.7 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.

6.27.8 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.

6.27.9 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.

6.27.10 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)].

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*

The Board shall approve all textbooks (digital or hard copy) used in the Enterprise City School System. Local textbook committees shall be appointed by the Enterprise City Board of Education upon recommendation by the Superintendent. The number, size, and composition, which shall include parents, of the committees shall be determined by the Board. The name of each person serving on local textbook committee(s) shall be kept on file by the Superintendent.

The textbook committee(s) of the Enterprise City School System and the Central Office personnel designated by the Superintendent shall endeavor to insure that the selection and adoption of textbooks for use within the school system shall be in accordance with applicable provisions of Alabama law. The Superintendent shall develop procedures based on Alabama statutes for purchasing, managing, selling, and discarding textbooks and other instructional materials.

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. Lost or damaged textbooks will be charged to the parent/guardian of the child for whom the textbook was assigned. The assessed value will be determined by reducing the initial cost of the textbook by 1/6 per year from the date of adoption. The following progression rate illustrates the depreciation schedule:

During year 1:	100%
After year 1:	83% of 100%
After year 2:	67% of 100%
After year 3:	50% of 100%
After year 4:	33% of 100%
After year 5:	17% of 100%
After year 6:	0% of 100%

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

7.3 *School Donations*

Where school funds are not otherwise available for supplies and personal items to meet the needs of Enterprise City School System students, donations may be solicited from students and parents, provided that any such solicitation has prior approval of the Superintendent or his or her designee. Solicitations should be avoided if possible.

Communications to parents and students in any format must clearly indicate that the response to such solicitation on the part of any student or his or her parents/guardians shall be voluntary, and no sanctions shall be imposed against the student or parent or embarrassment caused to a student or his or her parents/guardians for failure or refusal to make a donation or pay a fee. Donations shall not affect the student's academic standing.

7.4 *Academic Standards*

At the end of the nine weeks' grading periods designated on the school calendar, a grade report shall be given to the student to be carried home to the parents. At mid-nine week intervals, teachers shall be held responsible for giving deficiency reports to those students whose work is less than satisfactory. Teachers are encouraged to work cooperatively with parents by contacting them and/or requesting parental conferences when necessary in order to ensure that the best possible educational opportunity be provided for the student.

7.4.1 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 accommodations or modifications to students who may be eligible for such modifications or accommodations under provisions of state and federal law.

7.4.2 Report Cards – Report cards reflecting student progress will be provided to the parents or legal guardians of students on a regularly scheduled basis.

7.4.3 Promotion – Students are promoted from grade to grade on the basis of academic progress earned during the school year, in summer school programs, or in such other academic programs as may be approved or recognized by the Board and in accordance with applicable law. Students who are eligible for promotion from grade to grade may nevertheless be retained by agreement of the parents and appropriate school officials.

7.4.4 Credit Recovery – The Superintendent is authorized to develop procedures for a program through which a student may recover credits in one or more failed courses, in compliance with regulations promulgated by the State Department of Education. The curriculum will align with the State Board of Education course of study and study content standards in which the student seeking credit recovery is deficient.

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

7.5 *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 tests for their courses in

order to determine their students' abilities, knowledge and skills, and to use in calculating a student's grade.

7.6 *At-Risk Program*

The Superintendent or designee shall develop a plan for at-risk students addressing drop-out prevention. Components of the plans for academically at-risk students may include, but are not limited to state, federal, or local initiatives.

[Reference: ALA. CODE §§ 16-1-13, 16-1-16]

7.7 *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)]

7.8 *Dual Enrollment*

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

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

7.9 *Correspondence or Online Courses*

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

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

7.10 ***Virtual Education Option*** **–** Alabama Act No. 2015-89 requires "at a minimum, each local board of education to adopt a policy providing a virtual school option for eligible students in grades 9-12."

7.10.1 Scope and Delivery of Services – The Board provides a virtual education option for grade 9-12 that includes, at a minimum, all courses that are needed to obtain a high school diploma.

Such course will be delivered through the Alabama State Department of Education's ACCESS program and//or a District approved Learning Management System.

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

- Be enrolled in Enterprise City Schools
- Compliance with the District's Student Acceptable Use Agreement
- Successfully complete a district-defined virtual education orientation course
- Meet any eligibility requirements of the Alabama State Department of Education's ACCESS program or other similar Learning Management System
- Meet Enterprise City School's virtual enrollment requirements for the course in question including, but not limited to, successful completion of any prerequisite courses

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

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

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

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

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

7.10.5 Removal – Students may be transitioned back to a traditional day program if 1) the student's participation in the virtual program is impeding the student's academic progress; 2) the student fails to meet virtual course attendance requirements; or 3) the student repeatedly violates school system policies, procedures, rules or regulations, including, but not limited to, the school system's rules governing the use of its technology resources.

7.10.6 Extracurricular Activities – Students must meet the same extracurricular activity eligibility requirements as students enrolled in the traditional day program, including, but not limited to, any applicable Alabama High School Athletic Association ("AHSAA") requirements. Student residency for purposes of participating in extracurricular activities will be determined in accordance with applicable state law and AHSAA guidelines.

7.10.7 Additional Procedures Authorized – The Superintendent or designee is authorized to develop such procedures as (s)he deems necessary to implement this policy, including, but not limited to, eligibility for courses, methods for informing students and parents of the virtual program's requirements and rules, and a process for making determinations regarding a student's continued eligibility.

[Reference: Act of Alabama No. 2015-486]

7.11 *Career and Technical Education Programs*

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

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

7.11.2 Live Work – Live work consists of work conducted by students that relates to the knowledge and skills taught as part of a CTE program of study, but is presented from outside the classroom. The Superintendent is authorized to develop for

Board approval guidelines and procedures in accordance with the regulations of the Alabama State Department of Education and any applicable Business/Industry Certification requirements for live work to be conducted in the school system, including, but not limited to, a systematic method for managing live work, work requests and orders, and procedures for approval of where and for whom work may be conducted, school liability, and restrictions on live work. Any money collected for live work will be accounted for in accordance with the Board's Finance Manual.

7.11.3 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]

7.12 *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 Enterprise City Schools and Enterprise City students may participate in foreign exchange programs.

7.13 *Extended Programs: Community Education*

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

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

7.14 *Graduation, Certificate of Completion, and Commencement*

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

7.15 *School Wellness*

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

7.15.1 Nutrition Education and Promotion – Nutrition education that teaches the knowledge, skills, and values needed to develop healthy eating behaviors and nutrition promotion that promotes and reinforces student health will be integrated

into the curriculum and offered throughout school campuses, including school dining areas and classrooms, by appropriately trained personnel.

7.15.2 Nutrition Standards and Guidelines – The Board will ensure that reimbursable school meals meet the program requirements and nutritional standards established by applicable state and federal regulations. The Board will encourage students to make nutritious food choices and will monitor all food and beverages sold or served to students, including those available outside federally regulated child nutrition programs. The Board will consider nutrient density and portion size before permitting food and beverages to be sold or served to students.

7.15.3 Physical Education and Physical Activity Opportunities – The Board will offer physical education opportunities that include the components of a sound physical education program. Physical education will equip students with the knowledge, skills, and values necessary to maintain healthful lifelong physical activity. Physical education instruction will be aligned with the curriculum. All students will be provided the opportunity to participate regularly in supervised physical activities that are intended to maintain physical fitness and to impart the benefits of maintaining a physically active and healthy lifestyle.

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

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

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

7.16 *Selection of Instructional Materials and Materials for the School Libraries*

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

7.17 *Parent/Family Engagement*

7.17.1 Parental Engagement, Partnerships Encouraged – Training and appropriate resources will be provided for teachers, administrators, and parents to strengthen the ability of strong parent-school partnerships to enhance student achievement. Parents will be involved in jointly developing appropriate parental engagement policies and in reviewing school improvement through meetings with the school system's Parent Advisory Committee. Policies developed through this process will be distributed to parents of students attending Title I schools. Additionally, the Board will provide coordination, technical assistance, and other support necessary to assist Title I schools in planning and implementing effective parental engagement activities to improve student achievement and school improvement. The Board will coordinate and integrate parental engagement strategies with other programs as appropriate.

7.17.2 Annual Evaluation of Initiatives – An annual evaluation will be conducted, with the involvement of parents, to determine the effectiveness of the parental engagement policy in improving the academic quality of the schools. The evaluation will include parent surveys, focus groups, and student assessment data. Parents will also be given the opportunity to submit suggestions and concerns regarding the parental engagement policy to the parent advisory committee. This information will be reviewed annually and used to make revisions to the school system plan as necessary.

7.17.3 Impediments to Parent Participation to be Identified – The Board will identify barriers to greater participation by parents in parental engagement activities, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or whose racial or ethnic background may impede effective participation. To the extent practicable, all information required under Section 1111 of the Elementary and Secondary Education Act ("ESEA"), 20 U.S.C. §6301 *et seq.*, will be provided to parents in a uniform, understandable format and upon request, in an alternative format and language that the parents understand.

7.17.4 Elementary and Secondary Education Act Compliance – The school system will work with its schools to ensure that school-level parental engagement policies meet the requirements of section 1118(b) of the ESEA and each includes a school-parent compact consistent with section 1118(d) of the ESEA. This policy will specify that each school will:

a. Convene an annual meeting to explain the school programs to parents and inform them of their responsibilities and right to be involved in the program;

b. Offer a flexible number of informational parent meetings, including building a strong home/school connection, parenting skills, and literacy development;

c. Involve parents in an organized, ongoing, and timely way in planning, review, and improvement of school programs;

d. Provide timely information about its school programs to parents, describe the curricula, student assessments, opportunities for regular meetings where parents can provide input, and respond promptly to parent suggestions; and

e. Provide parents with an opportunity for meaningful and ongoing consultation and communication about the academic quality of the school.

7.17.5 Notice of Rights and Information – The Board will comply with the *Parents Right to Know* provision of the *No Child Left Behind Act of 2001*, including the rights of parents to be informed of the credentials/qualifications of their child's teacher(s).