FLORENCE CITY
BOARD OF EDUCATION

POLICY MANUAL

FLORENCE
CITY SCHOOLS

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Florence Board of Education
Policy Manual

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Preface

The Florence 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 Florence, Alabama, and of promoting the interests of the Florence City Schools and the children it serves. Those responsibilities are met, in part, by the adoption and implementation of formal policies by which the principles that guide decision-making are established.

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

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

Any provision, feature, or aspect of Board policy that does not conform to governing law should be deemed void and superseded by such law.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

The *Parent/Student Handbook* will be deemed an extension of Board policy and will have the same force and effect thereof.

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 Florence 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 Florence 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 certificated or comparable forms of licensure issued by the State Superintendent of Education under authority of ALA. CODE §16-23-1 (1975).

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

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

I. Governing Principles

The mission of the Florence City School district is to set high expectations and to provide equal access to education for its diverse learners in a safe, orderly environment that is intellectually challenging, and physically, emotionally and socially stimulating, thereby developing healthy, productive citizens competent in academic and life skills, accepting of themselves and others, environmentally aware, technically literate, and capable of lifelong learning.

II. School Board Operations

2.1 *Board Composition and Organization*

2.1.1 Composition – The Florence City Board of Education is composed of six (6) members who are elected in accordance with Act of Alabama 2000-656.

[Reference: ALA. CODE §§ 16-11-2, 3; Act of Alabama 2000-656 (1975)]

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

[Reference: ALA. CODE §§16-11-5, 16-12-3; Act of Alabama 2000-656 (1975)]

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

[Reference: ALA. CODE §§16-11-5, 9 (1975)]

2.2 *Duties and Authority of Board Members*

The Board has the authority and responsibility to administer and supervise the public schools that are located within Florence, Alabama. Board authority will only be exercised collectively through action taken in accordance with applicable statutory and parliamentary procedures. Individual Board members have no authority to bind the Board or to act on behalf of the Board except when authorized to do so by official action of the Board.

2.3 *Board Member Compensation*

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

2.4 *Board Member Training*

2.4.1 General - Florence City Board of Education members will pursue ongoing training to develop and enhance their knowledge and effectiveness as Board members and to improve Board governance and operations. Training will include participation in:

(a) Orientation for newly elected or appointed school board members;
(b) Training or consulting workshop for the local Board as a whole;
(c) State or national school board association events addressing Board governance or operation, or other Board member development

opportunities relating to leadership development, Board governance, or Board operations.

2.4.2 Source of Training and Report – The Board recommends the requirements of this policy be satisfied by participation in training provided by the Alabama Association of School Boards or other sources considered knowledgeable in school board governance and leadership. Board members will provide a report to the Board about training experiences at the next available Board meeting.

2.4.3 Board Self-Evaluation – The Board will conduct an annual evaluation that includes development of a list of recommended improvements in knowledge and skills of Board members.

[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.

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

2.5.2 Time and Place – The times and places for regularly scheduled meetings will be established by the Board at the annual meeting held in October of each year, provided that the Board may modify its meeting schedule in the exercise of its sound discretion. Public notice of the dates, times, and places of meetings of the Board will be given in the manner prescribed by law. Board members will be given such advance notice of specially called meetings as is practicable under the circumstances.

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

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

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

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

2.6.1 Role, Responsibilities, Qualifications, and Term – The Superintendent serves as the chief executive officer of and secretary to the Board. The Superintendent may exercise such prerogatives and duties as are prescribed by statute, as are delegated or specified in an employment contract, or as are otherwise lawfully assigned by the Board. The Superintendent must possess the minimum qualifications for the

position that are established by law and such other qualifications as may be specified by the Board. The 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)]

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

2.7 *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 law. Otherwise, records will be retained and disposed of in accordance with procedures that will include a records retention and destruction schedule to be prepared and promulgated by the Superintendent and approved by the Board.

2.8 *Association Membership*

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

III. Fiscal Management

3.1 *Chief School Financial Officer*

The Board will appoint a Chief School Financial Officer to oversee the financial operations of the Board and to perform the duties of the position that are set forth in state law and regulations. The Chief School Financial Officer may also be referred to as the Chief School Finance Officer.

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

3.1.1 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.

3.1.2 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 (1) not in spendable form or (2) legally or contractually required to be maintained intact. 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 Finance Officer to make a determination of the assigned amounts of fund balance. Such assignments may not exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. Assigned fund balances require the same level of authority to remove the constraint.

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

3.1.3 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.

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

[Revised and Adopted May 2012]

3.2 *Budget*

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

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

3.3 *Accounting*

Generally accepted accounting standards and procedures will be employed in the administration of all Board and school finances. All Board and school accounts will be reconciled to financial records. All reports required by the State Department of Education will be completed in a timely manner with copies provided to Board members.

3.4 *Finance Manual Authorized*

Financial transactions will be administered in accordance with a general finance manual and any local school finance manual that 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 will be provided by the Superintendent and the Chief School Financial Officer regarding the contents of the manual(s).

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

3.5 *Audits*

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

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

3.6 *Inventories*

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

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

3.7 *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.

3.8 *Deposit and Expenditure of Funds*

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

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

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

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

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

[Reference: ALA. CODE §16-13B-1-11, *et seq.* (1975)]

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

3.8.6 Determination of Allowable Costs – 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 the allowable costs will assure that:

a. The proposed expenditure is included in the federal program budget;
b. The proposed expenditure is reasonable and necessary for the federal program;
c. The proposed expenditure is consistent with procedures for financial transactions of the board including;

    1. Purchase order approval procedures;
    2. Contract review and approval procedures;
    3. Applicable competitive purchasing procedures, and;
    4. Documentation supports allowability of transaction.

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. Any cost reduction or cash refund (rebates, discounts, etc.) related to the transaction will be credited to the federal program.

3.8.7 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 federal funds. Federal funds will only be requested to meet immediate cash needs as follows:

a. Reimbursement not covered by prior receipts and;
b. Anticipated disbursements that are generally fixed, such as monthly program salaries and benefits; or,
c. Disbursements will be made within fifteen business days after receipt of funds.

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

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

3.8.8 Procurement Policy – The board will follow state laws for the procurement of property and services. The primary state procurement laws for Alabama school boards are: *Alabama Competitive Bid Laws (**Chapter 13B of Title 16, Code of Alabama 1975**);*

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

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

a. Avoid acquisition of unnecessary duplicative goods and services;
b. Use the most economical and efficient approach for acquisitions;
c. Award acquisition 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 that are not subject to the state procurement laws, but exceed the aggregate amount of 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 Uniform Administrative Requirements for procurement of property and services.

The board will request proposals for professional service contracts (excluding architectural and engineering services) that are not subject to the state procurement laws. The board will utilize a team of three or more qualified individuals to conduct a technical evaluation of proposals received and for selecting recipients. As a part of the evaluation, the individuals on the evaluation team will sign an assurance that each of the individuals is in compliance with the board's *Conflict of Interest Policy.*

3.9 *Employee Compensation*

3.9.1 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)]

3.9.2 Local Supplements – School-related booster or support organizations may fund local supplements for individual Board employees if the Board approves such supplemental payments. Such payments may be approved only if the following conditions are satisfied:

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

b. Funding for the payment is sufficient to cover benefits, expenses, and other payroll costs, contributions, and liabilities, if any;
c. Sufficient unobligated funds are on hand to provide the supplemental payment;
d. A check and letter of authorization for the payment is sent to the Board no later than the payroll cutoff date for the month in which the payment is to be made;
e. The payments are accepted by the employee with the understanding that they do not constitute a part of any employment contract, salary schedule, or legal obligation that is enforceable against the Board, and that the Board has no continuing obligation to maintain supplemental payments to any employee that are provided, funded, or underwritten by a booster club, support organization, or similar third party; and
f. The payments are subject to any payroll deductions that are required by law.

3.9.3 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. All employees shall be paid through direct deposit to appropriate banks. However, employees in the first year of employment with the Board may opt to be paid over thirteen (13) months. No employee is entitled to compensation except for work performed by the employee in accordance with an approved contract or the applicable terms of appointment. Compensation may be withheld pending the employee's timely, accurate, and complete submission of all required records, data, and reports.

3.9.4 Salary Deductions – Mandatory salary deductions will be made in accordance with applicable law, and employees are required to complete and submit all forms and provide such information as may be required or reasonably required for such purpose. The Board will make voluntary deductions as a service to employees upon written request of the individual employee to the extent permitted by law. Deductions for membership dues will be made for organizations with at least twenty (20) active members, as established by membership lists provided to the Board by the organization. Such membership lists will be corrected, updated, and returned to the organization on a monthly basis. 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 10 of each school year. Section 125 ("cafeteria plans") deductions must be completed by December 15 and become effective January 1 of the following year. Upon termination of employment, any amounts owed under the terms of an employee authorization will be deducted from the employee's final pay. The Board will not be liable for any good faith error made in implementing a salary deduction that

has been authorized by the employee. Notwithstanding any of the foregoing, no salary deductions will be made for any organization which does not provide proper certifications or reports of expenditures in accordance with the requirements of Alabama Code Section 17-17-5(b)(2).

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

3.9.5 Minimum Wage and Overtime – In compliance with the Fair Labor Standards Act ("FLSA"), the Board will compensate all employees who are not exempt employees under the FLSA. All non-exempt employees who work more than forty (40) hours in a workweek will be compensated at the rate of one and one-half times their current rate for each hour in excess thereof. Employees must accurately report all time worked for the Board. For purposes of determining overtime, the workweek begins at 12:01 a.m. on Sunday and ends at midnight on the succeeding Saturday. 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 or his designee and the employee's supervisor or the supervising school principal.

3.9.6 Compensatory Time – Non-exempt employees who work more than forty (40) hours in a workweek may, upon agreement between the employee and the Board, be paid overtime in the form of compensatory time. Compensatory time will be based on time worked beyond forty (40) hours in a workweek, and will be recorded in minimum time units of one-quarter hour rounded to the nearest quarter of an hour. No more than two hundred forty (240) hours of compensatory time may be accumulated. 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.

3.10 *Expense Reimbursement*

Board members and employees will be reimbursed for reasonable travel and subsistence expenses incurred in connection with official Board business. Reimbursement will be in accordance with Board-approved rates and such procedures and standards for submitting and documenting such expenditures as may be developed by the Chief School Financial Officer or provided in the approved Board Finance Manual. The board's travel policy provides for reimbursement and payments for travel costs of employees paid from federal funds that is consistent with the travel costs for board employees paid for from state or local funds.

3.11 *Fees, Payments, and Rentals*

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

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

3.12 *School Accounts*

Funds held in school accounts, regardless of the funding source, will be maintained and accounted for in accordance with the 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.

3.13 *Authority to Execute Contracts*

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

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

3.14 *Affiliated Organizations*

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

3.14.2 Other Affiliated Organizations – Other organizations that are affiliated with local schools are permitted to operate or raise funds on Board property or at Board-sanctioned events only in conformity with Board and State Department of Education policies, procedures, and standards concerning the fiscal management of such organizations. An affiliated organization must conduct an annual audit of its financial operations and make its books and financial records available to the Board for review or audit.

3.15 *Fundraising*

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

a. 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;
b. 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;
c. Adequate provision has been made for the security and proper accounting of funds collected;
d. Other information regarding the nature, scope, and purpose of the activity is provided to school officials upon request; and
e. Appropriate arrangements have been made for any special activities to be held in conjunction with the fundraising event.
f. No fundraising activity may be undertaken by a school that requires students to go door-to-door without express approval by the Superintendent or his designee.

3.16 *Child Nutrition Procurements*

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

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

IV. General Administration

4.1 *Security / Access to Schools*

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

4.1.2 Access Restrictions Authorized – The Superintendent, principals, and facility administrators are authorized to regulate and restrict access to Board schools, buildings, and facilities in order to maintain appropriate security, minimize disruption and distraction within the learning environment, or to avoid a potential risk of harm to a student or employee. To that end, the Superintendent, principals, and facility administrators are authorized to implement building-level requirements and procedures governing access to Board-owned or Board-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 Duty of Sex Offender to Notify School of Presence - This policy is implanted pursuant to the provisions of Ala. Code § 15-20A-17. In accordance with that section, any adult sex offender, after having been convicted of a sex offense involving a minor, shall: (1) notify the principal or the principal's designee prior to entering onto school property or prior to attending any K-12 school activity; and (2) immediately report to the school principal or the principal's designee upon entering school property or arriving at any K-12 school activity.

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

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 and as provided by law. For purposes of this policy, the term "firearm" has the same definition as is found in 18 U.S.C §921.

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

1. *Students* – Students will be expelled for a period of one calendar year. The expulsion requirement may be modified in writing by the Board upon recommendation of the Superintendent on a case-by-case basis. Discipline of students with disabilities who violate the firearm possession policy will be determined on a case-by-case basis in accordance with federal and state law. Parents of students who violate this policy will also be notified by the principal of violations.
2. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
3. *Other Persons* – Other persons may be denied re-entry to school property.

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

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

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

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

1. *Students* – Students will be disciplined in accordance with the Board's *Parent/Student Handbook*
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 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 also be imposed:
   1. *Students* – Students will be disciplined in accordance with the Board's *Parent/Student Handbook*
   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 – The use of tobacco products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited.

a. *Penalties for Violations*
   1. *Students* – Students who violate the tobacco prohibition will be disciplined in accordance with the Board's Parent/Student Handbook
   2. *Employees* – Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.
   3. *Other Persons* – Other persons who violate the tobacco prohibition may be denied re-entry to school property.

b. *Parental Notification* – Parents and guardians shall be notified of actual or suspect violations of the tobacco prohibition whether or not the student is charged with a violation of Board policy, which includes the guidelines in the *Parent/Student Handbook.*

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

4.2.5 Searches – Law enforcement agencies are permitted to make periodic visits to all schools to detect the presence of illegal drugs or weapons and may use any lawful

means at their disposal to detect the presence of such substances. The visits will be unannounced to anyone except the Superintendent and principal.

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

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

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

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

4.3 *Accreditation*

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

4.4 *Use of Board 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 appropriate supervisor, administrator, or the Superintendent.

4.4.2 Use of Board Facilities – Schools and other Board-owned or Board-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 Superintendent or his designee.

4.4.3 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 *Naming Board Facilities*

No Facility, property, building, or part thereof under the control of the Board will be named after or for any living person, except in the following cases:

1. The person provides full funding for the construction of the facility.
2. The Board, in its discretion, determines that the person has rendered significant services to the school system or community such that the aforementioned limitation may be waived.

The final decision to name or rename any facility, property, building, or part thereof will rest solely with the Board, and the Board and Superintendent will ensure that any action taken with respect to any such facility, property, building, or part thereof complies with Alabama law regarding the preservation of any architecturally significant or memorial buildings, memorial schools, or other monuments.

4.6 *Complaints and Grievances*

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

4.6.2 Limitations Regarding Availability and Application of General Complaint/ Grievance Policy – The general complaint/grievance policy and any procedures adopted thereunder do not apply to specific complaint or grievance policies and procedures that are established by Board policy or law for application to special factual or legal circumstances (e.g., sexual harassment grievance procedures; review of personnel matters under the Alabama teacher tenure or fair dismissal laws; "due process" hearings provided under the Individuals with Disabilities Education Act). In such instances, the specific statutory, regulatory, or policy-based process is the applicable procedure. The general

complaint/grievance procedures that are authorized under the terms of this policy may not be invoked for the purpose of challenging or seeking review or reconsideration of adverse personnel decisions that have received final Board approval. A grievance may be based on an alleged misapplication of Board policies, regulations, or procedures, but may not be used to challenge the Board's exercise of its discretion to adopt, approve, modify, or repeal a policy, regulation, or procedure or on its failure to exercise such discretion (e.g., adoption of a school calendar, compensation policies, etc.).

4.6.3 Student Disciplinary Matters – The Board may consider appeals of student disciplinary decisions or actions in accordance with standards and procedures specified in the *Parent/Student Handbook.*

4.6.4 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 Chief School Financial Officer (CSFO) who is the designated 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 the complaining party and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

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

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

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

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

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

4.7 *Risk Management*

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

4.8 *Emergency Closing of Schools*

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

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

4.9 *Internet Safety and Use of Technology*

4.9.1 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.

4.9.2 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.

4.9.3 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.

4.9.4 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" and application of appropriate disciplinary policies and procedures. Such rules and regulations will address or provide:

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 material on the Internet;
c. The safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
d. Prevention of "hacking" and other forms of unauthorized use of or access to computer or Internet files, sites, databases or equipment; and
e. Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
f. Restriction of minors' access to harmful material.

4.9.5 Warranties – 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)]

4.10 *Political Activity*

Employees may not use Board property or resources to engage in political electioneering 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 Board-sanctioned events, functions, or at activities at which the employee is on duty or assigned official responsibilities.

Employees may not invite or allow announced candidates for political office to address student groups except when such candidates are participating in a forum or like format that is designed to provide all candidates the opportunity to participate. Such forums may be conducted only for appropriate age groups, and with the advance approval of the school principal and the Superintendent.

Signs for political candidates may not be placed on schools or school board property. Campaign literature for political candidates and other such 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.

4.11 *HIV/Aids*

The evidence is overwhelming that the risk of transmitting human immunodeficiency virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with acquired immunodeficiency syndrome (AIDS) poses no significant risk to others in school or in school-related athletic settings.

4.11.1 School Attendance – A student with HIV infection has the same right to attend school and receive services as any other student, and will be subject to the same rules and policies. HIV infection shall factor into decisions concerning class assignments, privileges, or participation in any school-sponsored activity.

School authorities shall determine the educational placement of a student known to be infected with HIV on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities. Decision-makers shall consult with the student's physician and parent or guardian while respecting the student's and family's privacy rights and will re-assess the placement if there is a change in the student's need for accommodation or services.

School staff members shall always strive to maintain a respectful school climate and not allow physical or verbal harassment of any individual or group by another individual or group. This includes taunts directed against a person living with HIV infection, a person perceived as having HIV infection, or a person associated with someone with HIV infection.

4.11.2 Employment – The Florence City School District does not discriminate on the basis of HIV infection or association with another person with HIV infection, in accordance with the Americans with Disabilities Act of 1990. An employee with HIV infection is welcome to continue working as long as he or she is able to perform the essential functions of the position, with reasonable accommodation if necessary.

4.11.3 Privacy – Pupils or staff members are not required to disclose HIV infection status to anyone in the education system. HIV antibody testing is not required for any purpose.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student or other staff member.

Violation of medical privacy is cause for disciplinary action, criminal prosecution, and/or personal liability for a civil suit.

No information regarding a person's HIV status shall be divulged to any individual or organization without a court order or the informed, written, signed, and dated consent of the person with HIV infection (or the parent or guardian of a legal minor). The written consent must specify the name of the recipient of the information and the purpose for disclosure.

All school health records, notes, and other documents that reference a person's HIV status shall be kept under lock and key. Access to these confidential records is limited to those named in written permission from the person (or parent or guardian) and to emergency medical personnel. Information regarding HIV status will not be added to a student's permanent educational or health record without written consent.

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

A school staff member is expected to alert the person(s) responsible for health and safety if a student's health condition or behavior presents a reasonable risk of transmitting any infection.

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

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

All employees must consistently adhere to infection control guidelines in locker rooms and all play and athletic settings. Rulebooks will reflect these guidelines. First aid kits shall be on hand at every athletic event.

All physical education teachers and athletic program staff shall complete an approved first aid and injury prevention course that includes implementation of infection control guidelines. Student orientation about safety on the playing field shall include guidelines for avoiding HIV infection.

4.11.6 HIV Prevention Education – The goals of HIV prevention education are to promote healthful living and to discourage the behaviors that put people at risk of acquiring HIV. The educational program will:

- be taught at every level, grade five through grade twelve;
- use methods demonstrated by sound research to be effective;
- be consistent with community standards;
- follow content guidelines prepared by the Centers for Disease Control and Prevention (CDC);
- be appropriate to students' developmental levels, behaviors, and cultural background;
- build knowledge and skills from year to year;
- stress the benefits of abstinence from sexual activity, alcohol, and other drug use;
- include accurate information on reducing risk of HIV infection;
- address students' own concerns;
- be an integral part of a coordinated school health program;
- be taught by well-prepared instructors with adequate support; and
- involve parents and families as partners in education.

Parents and guardians will have convenient opportunities to preview all HIV prevention curricula and materials. School staff members shall assist parents or guardians who ask for help in discussing HIV infection with their children. If a parent or guardian submits a written request to a principal that a child not receive instruction in specific HIV prevention topics at school, and assures that the topics will be discussed at home or elsewhere, the child shall be excused without penalty.

4.11.7 Related Services – Students will have access to voluntary, confidential, age and developmentally appropriate counseling about matters related to HIV infection. School administrators will maintain confidential linkage and referral mechanisms to facilitate voluntary student access to appropriate HIV counseling and testing programs, and to other HIV-related services as needed. Public information about resources in the community will be kept available for voluntary student use.

4.11.8 Staff Development – All school staff members will participate in a planned HIV education program that conveys factual and current information; provides guidance on infection control procedures; informs about current law and state, district, and school policies concerning HIV and assists staff to maintain productive parent and community relations. Certain employees will also receive additional specialized training appropriate to their positions and responsibilities.

4.12 *Automated External Defibrillators (AEDs)*

The Superintendent is authorized to develop written procedures regarding the placement and use of Automated External Defibrillators (AEDs) as required by state law.

[Adopted May 2012]

4.13 *Service Animals*

The Superintendent is authorized to develop written procedures governing the use of service animals in schools and at school-related activities.

[Adopted May 2012]

4.14 *Suicide Awareness and Prevention*

4.14.1 Goal - The Board strives to equip its employees with the information and training to recognize and act on the signs of suicide risk in order to provide prevention, intervention and postvention with students at risk, their families, and the communities which may be affected.

To the extent that the required resources are provided or available, the Board will:

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

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

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

4.14.3 Responsibility of Reporting - Any person involved in a cause of action or omission resulting from the implementation of this suicide prevention policy or resulting from any training, or lack thereof, required by this policy, are subject to the state immunity protection to the extent provided by Alabama Code § 36-1-12.

4.14.4 Implementation - The Superintendent may develop procedures in accordance with this policy.

V. Personnel

5.1 *Employee Qualifications and Duties*

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

a. Employees are required to be punctual and to attend work regularly.
b. Employees are required to perform the duties and responsibilities that are assigned to them by the Board, the Superintendent, or their supervisor(s). Such duties and assignments may extend beyond or outside the instructional day and may include off-campus functions, events, and activities.
c. Employees are expected to treat all students, co-employees, visitors, and guests of the Board with respect. Employees are expected to demonstrate moderation, restraint, and civility in their dealings with others and, in general, to serve as appropriate role models for students in their behavior and demeanor.
d. Employees are required to obey all laws, ordinances, Board policies, supervisory directives, and 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.

5.1.2 Special Requirements

a. *Work Schedules (Teachers)* – Supervisory and instructional duties of teachers commence a minimum of ten (10) minutes prior to the actual arrival and conclude ten (10) minutes after the departure of students. Except as may otherwise be provided or required by the Board, the minimum instructional day for teachers is seven and one-half (7.5) hours. Assignments and duties may extend beyond the instructional day and may include off-campus functions, events, and activities; conferences and meetings with parents; supervision of student arrival and departure; and preparation for the following instructional day. Teachers will be provided a minimum of thirty (30) minutes free of instructional and supervisory responsibilities each instructional day.

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

c. *Professional Certification* – In addition to requirements established by the State Board of Education and the pertinent job description, professional employees must hold a degree from an accredited college or university and hold a current, valid, and properly endorsed Alabama Teacher's Certificate, which will be maintained in the Superintendent's office. A teacher who has completed the certification process but has not received the certificate may be employed on tentative or temporary compensation pending verification of certification from the State Department of Education. Upon receipt of such verification, appropriate adjustments will be made to the teacher's salary. An employee is entitled to pay for an advanced degree in the monthly pay period that begins after the State Superintendent recognizes the advanced degree. If the contract period has ended, the increase in pay will become effective with the first pay period of the next contract. The advanced degree must be earned from a regionally accredited institution.

d. *Supply Personnel* – Teachers holding appropriate certificates will be employed as supply teachers to replace permanent certified teachers who are on leave. The supply teacher will be paid based on a rate established by the Board; after twenty (20) consecutive school days, the supply teacher is paid at a higher rate also established by the Board. Substitutes will be hired as needed for support personnel who are on leave at a rate established by the Board; after twenty (20) consecutive school days, the substitute is paid at the daily rate of the employee for whom the individual is substituting based on zero years of experience.

e. *Substitute Teachers* – Substitute teachers must, at a minimum, possess a high school diploma, a valid and current Alabama Substitute Teacher's License or Alabama Teacher's Certificate, and a document from the State Department of Education verifying a "clear" status resulting from a background check.

f. *Teacher Assistants* – Teacher assistants 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; and (iii) a document from the State Department of Education verifying a "clear" status resulting from a background check.

5.2 *Hiring*

5.2.1 Application Procedures

All job applicants must complete an online application. Applications must be completed in full. Current employees, however, are required to submit a letter of interest and a resume. All information provided in the application must be truthful. Any misrepresentation of a material fact on an employment application may disqualify the applicant from consideration for the position and may subject an employee to adverse employment action, including termination.

5.2.2 Qualifications

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

5.2.3 Hiring Authority

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

5.2.4 At-Will Employment

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

5.2.5 Nepotism

a. *Supervisory Relationships* – No employee may be assigned to a work location or to a position in which the employee would report to, be evaluated by, or would work under the immediate supervision of another family member as defined in the Alabama Ethics Law, ALA. CODE §36-25-1(12) (1975). Any inadvertent employment or assignment of a family member that violates this policy must be promptly disclosed to the Superintendent upon its discovery, and all involved employees must cooperate in accepting reassignments or taking other measures necessary to correct the violation.

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. ALA. CODE §36-25-1(12) (1975).

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 and approved by the Board on an annual basis or otherwise as the needs of the school require. Such supplemental duties are not considered to be a part of a teaching contract or appointment, and no tenure, continuing service status, non-probationary status, or contractual right to continued employment or compensation for such supplemental assignment will be recognized or implied in the absence of a separate written contract of employment providing for such rights.

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 failure of an employee to attend or participate in such professional development activities may constitute grounds for termination of employment or other disciplinary action.

5.6 *Employee Conflicts of Interest*

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 is not limited to, stock ownership, partnership, trustee relationship, employment, potential employment, or a business relationship with an applicant, vendor, or entity. A board member, board employee, or agent of the board may not participate in his or her official capacity in a matter that is likely to have direct and predictable effects on his or her financial 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 or a tangible personal benefit from the firm considered for a contract. The board's officers, employees, or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subcontracts.

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

5.7 *Employee Evaluations*

5.7.1 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.

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

a. A structured evaluation cycle or schedule that may include unannounced observations or assessments during the course of the evaluation period;
b. A written evaluation form that specifies job-related evaluation criteria;
c. Group or individual employee orientation regarding the evaluation process;
d. An opportunity for the employee to confer with the evaluator following the evaluation; and
e. An opportunity for the employee to disagree (in writing) with the evaluation and to have the disagreement maintained with the evaluations.

5.7.3 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.

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

5.7.5 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.

5.8 *Personnel Records*

5.8.1 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.

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

5.8.3 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.

5.8.4 Access to Personnel Files – Board members, the Superintendent, Board administrators (including principals), employees of the Business Office, 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.

5.9 *Employee Leave*

5.9.1 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.

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

a. Illness, injury or other qualifying reason for sick leave or on-the-job injury leave under state law or the Family Medical Leave Act;
b. Personal leave;
c. Vacation leave;
d. Professional leave;
e. Military leave;
f. Court leave;
g. Other unpaid leave that is specifically approved by the Board upon a showing of substantial hardship or extraordinary circumstances.

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

5.9.3 Paid Sick Leave

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

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

1. Personal illness;
2. Incapacitating personal injury;
3. Attendance upon an ill member of the employee's immediate family, defined as a spouse, parent, child, sibling or any person with a close personal tie;
4. Death of a family member, including a spouse, parent, child, sibling, mother- or father-in-law, son- or daughter-in-law, brother- or sister-in-law, nephew or niece, grandparent, grandchild, aunt or uncle;
5. Death or care of an individual with whom unusually strong personal ties exist because of a relationship other than those listed above.

d. *Certification* – Employees must certify that sick leave was used for one of the reasons provided in state law and specify the reason. If the employee's principal or 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 may be required by the Board. Abuse of sick leave may subject the employee to disciplinary action.

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

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

a. The injured employee submits written medical certification from the attending licensed physician stating that the employee was injured and cannot return to work due to a specified injury, if there is a reasonable expectation that the employee will return to work and, if so, the expected date of that return. The Board may require a second opinion from a Board specified physician, at its expense.
b. The employee submits a signed written account of the accident attested by a principal or department head 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)]

5.9.5 Personal Leave – All regular, full time employees are eligible for two (2) non-cumulative personal leave days each scholastic year without loss of pay. Certified employees are permitted three (3) additional personal leave days, with their pay reduced at the rate of substitute teacher pay. Personal leave must be requested in writing in accordance with such procedures as may be established by the Superintendent or the Board. Unused personal leave days are automatically converted to sick leave unless an employee requests in writing to be paid for those days at the end of the school year. Compensation for unused personal leave days will be the same daily rate of pay used for substitute teachers. Full time employees may choose to convert unused personal leave days to sick leave days at the end of the school year.

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

5.9.6 Vacation

a. *Eligible Employees* – Twelve-month full-time employees are eligible for paid vacation.
b. *Vacation Benefits* – Eligible employees will earn vacation benefits as follows:
    1. Employees with at least one year of consecutive service with the Board will accrue ten (10) days of vacation on July 1.
    2. Employees with less than one year of consecutive service with the Board will accrue .83 vacation days per month up to ten (10) days per scholastic year.
c. *Accrual and Accumulation of Vacation Time* –Vacation time must be used by June 30; however, up to ten (10) days of vacation time may be carried over into the next year. Any accrued vacation days in excess of ten (10) days are forfeited if not used by June 30 of that year. Vacation days may not be bought, sold, or donated. Payment will be made for any vacation leave, up to ten (10) days, that is unused as of the employee's resignation, termination or death. Accumulated vacation time in excess of ten (10) days will be forfeited if not used prior to the effective date of resignation or retirement.

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

5.9.7 Professional Leave – The Superintendent or his designee is authorized to grant professional leave with pay to Board employees to engage in educational activities which, in the judgment of the Superintendent or his designee, 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 or his designee.

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

5.9.9 Court Leave –Permanent and full-time employees of Florence City Schools are entitled to regular compensation while performing jury duty (ALA. CODE §12168). When the employee is summoned for school-related purposes under subpoena or other legal requirement to testify at a trial in a court of law or in an administrative proceeding constituted under the statutory authority of the agency conducting the proceedings, the employee is also eligible for regular compensation. 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.

[Revised May 2012]

5.9.10 Unpaid Study Leave – Upon 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 available to nonprobationary personnel only. 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.

5.10 *Family and Medical Leave Act (FMLA)*

5.10.1 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.

5.10.2 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.

5.10.3 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.

5.10.4 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.

5.10.5 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.

5.10.6 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.

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

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

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

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

5.10.10 Certification for Qualifying Exigency Leave – Certification will be required by the Board for requests for qualifying exigency leave. Certification must be timely submitted on forms available from the Board. For the first such request,

certification may include a copy of the military service member's duty orders or other military documentation.

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

5.10.12 Maintenance of Benefits – Benefits accrued by the employee before leave is taken are not lost when approved FMLA leave is taken. Employees who are on approved FMLA leave will remain eligible to participate in benefit programs in which the employee was enrolled at the time of the leave, provided that the employee will continue to be responsible for payment of employee's portion of any cost, premium, or like payment that is required to maintain eligibility for the coverage or benefit. An employee who 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.

5.10.13 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.

5.11 *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.
   1. *Board Representative* – The Member representing the Board will be appointed by the Superintendent, subject to Board approval.
   2. *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 Business Office by the deadline

specified in a notice to be provided by the Superintendent or his 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 Business Office 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 Sick Leave Bank Committee will elect a chairman from among its representatives at its first annual meeting. 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 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. A new employee may enroll at the time of employment; all other employees must enroll during the annual open enrollment period.

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

5.12 *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.

5.13 *Equal Employment Opportunity*

5.13.1 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.

5.13.2 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.

5.14 *Anti-Harassment*

The Board strictly prohibits unlawful harassment of any person or group of persons on the basis of a legally-protected characteristic or status. These include, but may not be limited to, race, color, religion, sex, pregnancy, national origin, citizenship, age, disability, genetic composition or background, FMLA activity, military service or veteran status, and participation in legally-protected activity. Every employee is expected to uphold this policy and is responsible for maintaining a respectful and professional educational and work environment. When proper notice is provided, the Board will immediately investigate allegations of unlawful harassment and will take appropriate disciplinary action where warranted.

5.14.1 Definition of Unlawful Harassment – Unlawful Harassment is unwelcome verbal, physical, visual or other conduct directed against any person or group, based upon characteristics or activities protected by federal or state law that has the purpose or effect of unreasonably interfering with an individual's working environment or work performance or creating an offensive, demeaning, or intimidating environment for that person or group of persons. To be unlawful, the conduct must be severe or pervasive, but the Board prohibits any such harassment.

5.14.2 Examples of Prohibited Conduct – The following are examples of conduct that may constitute unlawful discriminatory harassment:

a. Verbal harassment may include but is not limited to epithets, derogatory comments or slurs based upon one of the characteristics noted above.

b. Physical harassment may include but is not limited to assault, unwanted touching, impeding or blocking movement, or any physical interference with normal work or movement, when directed at an individual because of an individual's protected class or status.

c. Visual forms of harassment may include but are not limited to derogatory posters, cartoons or drawings based upon an individual's protected characteristic.

d. Sexual harassment, as one example of forbidden harassment, is defined as any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, because of an individual's sex, when: (1) submission to such conduct is an explicit or implicit condition of employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions; (3) or such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

5.14.3 Employee Complaint Resolution Procedure

a. *Reporting* - When an employee feels that he or she has been unlawfully harassed, or observes or is otherwise aware of an incident of unlawful harassment, the employee must report the matter immediately in the manner set out below.

b. *Informal Reporting* – Under no circumstances should an employee pursue resolution of a potential harassment situation through informal reporting only. Although employees are encouraged to work together to resolve differences, and while reports to first-line supervisors may be helpful, the Board cannot properly oversee and investigate a situation without proper notice in the manner set out below. Informal complaints to co-workers and reports to first-line supervisors will not comply with this policy and cannot provide notice to the Board of the problem. Employees MUST follow the complaint procedure set out below.

5.14.4 Formal Complaint Procedure

a. *Persons Responsible for Receiving and Investigating Complaints* – The Superintendent is responsible for adjudicating complaints regarding

unlawful harassment. The Superintendent designates the Assistant Superintendent as the person responsible for receiving reports of alleged unlawful harassment**.** All complaints should be voiced directly to the Assistant Superintendent. The Assistant Superintendent can be reached at (256) 768-3000. However, under no circumstances will an employee be required to present the complaint to the person who is the subject of the complaint, nor will the complaint be adjudicated by the person who is the subject of the complaint. Accordingly, if the complaint concerns the Assistant Superintendent, the complaint may be made directly to the Superintendent, or if the Superintendent is the subject of the complaint, directly to the Board.

b. *Complaint form, contents* – Complaints should be made in writing, signed by the complainant, and should fully describe the circumstances surrounding the alleged harassment. Harassment complaints that cannot be made in writing should be memorialized by the Assistant Superintendent or other appropriate recipient of the complaint.

c. *Investigation* – The Assistant Superintendent and the Superintendent, or their designee, 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.

5.14.5 Confidentiality – To the greatest extent practicable, reports of unlawful harassment will be kept confidential; however, complete confidentiality cannot be guaranteed because it is critical that the Board conduct a full and fair investigation.

5.14.6 Retaliation Prohibited – No retaliation or adverse action may be imposed as a result of a good faith complaint or report of harassment. If you believe you have been subjected to retaliation or adverse action as a result of a complaint, you must raise that concern in the same manner as set out above. If you feel that the person retaliating or otherwise taking adverse action against you is the same person to whom you are to report such matters, you may proceed directly to the Assistant Superintendent, the Superintendent, or the Board itself, as the circumstances may require.

5.14.7 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 harassment will be subject to

appropriate disciplinary action, up to and including termination.

5.15 *Reduction-In-Force*

Reduction in Force (RIF) means a reduction in the number of certified or non-certified employees, or both, because of budgetary reasons due to a decrease in funds, program changes, decrease in enrollment, or other justifiable reasons. Transfer, non-renewal or termination of employees for other reasons is not a reduction in force.

In the event a RIF is necessary, the Superintendent shall recommend to the Board the level of budget reductions necessary and the steps required to meet those reductions, including but not limited to transfer, non-renewal, and termination. In accomplishing the necessary reductions, non-tenured/probationary people in the specifically identified areas shall be terminated before tenured/non-probationary.

In the event that tenured/non-probationary personnel must be released, such personnel within specified areas being reduced shall be ranked according to years of service within the local school system, with those of least seniority being released first. If years of service in the school system are equal between two people, then individuals with the least number of years of service in public education will be released first.

Employees affected by RIF shall be notified by the Board. There shall be no notification of tenured/non-probationary persons subject to recall; however, no recall rights shall exceed one school year. Individuals shall be recalled to specific areas according to years of service in the local system. Those with the greatest seniority will be recalled first. If two individuals have an equal number of years, the person with the greatest number of years of service in public education will be called back first.

If an offer of employment pursuant to this policy is refused, recall rights are forfeited.

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

5.16 *Unauthorized Payments*

5.16.1 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.

Unauthorized payments to former employees shall be subject to collection by appropriate legal remedy.

5.16.2 Retention and Recovery Authorized – If no objection to the proposed withholding is received within a reasonable time (to be specified in the notification letter), monies may be retained in the manner and to the extent described in the notification. If the employee objects to the proposed withholding, the Superintendent or his designee may, upon consideration of the objection and information and argument (if any) submitted in connection therewith, take such action as may be warranted under the circumstances and inform the employee in writing of the decision. If the employee is dissatisfied, he may contest the decision through the Board's complaint procedure. Monies may be withheld by the Board pending completion of the grievance process, provided that, should the Board later pay over to the employee monies that have been retained under authority of this policy, such payment(s) will reflect all appropriate deductions and will include accrued interest from the date of withholding at the rate specified by the then-effective rate applicable to interest on unpaid judgments under Alabama law. If, after exhausting reasonable efforts to do so, the Board is unable to contact the employee in the first instance, the Board may retain or withhold from compensation or other payments due the employee an amount sufficient to satisfy the indebtedness; provided that any such retention or withholding will be subject to review and reconsideration at the request of the employee.

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

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

5.17 ***Drug and Alcohol Testing of Safety-Sensitive Employees***

5.17.1 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").

5.17.2 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:

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);

a. Being on duty or operating a vehicle while possessing alcohol;
b. Consuming alcohol while performing safety-sensitive functions;
c. 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;
d. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements;
e. 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;
f. 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;
g. 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.

5.17.3 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 a 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).

5.17.4 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 and Employment Act of 1991]

5.18 *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 Board-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.

VI. Students

6.1 *Admissions and Attendance*

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

[Reference: ALA. CODE §16-28-3 (1975)]: HB 349 (2019)

6.1.2 Admission to Schools

a. *Resident Students* – School-age children who reside within the municipal limits of the City of Florence, Alabama, may be admitted to Florence City Schools. For purposes of this policy, the residence of the student will be the residence of the parent(s) or legal custodian. If custody of the child is shared between parents, the address of the student shall be determined as that of the parent who has physical custody of the student. In the case of a legal custodian, an appropriate document issued by the Circuit Court must be presented.
b. *Non-resident Students* – Students who do not reside within the corporate limits of the City of Florence may apply for enrollment in the Florence City Schools. There is no tuition charge.
   All out-of-district applicants who are permitted to attend the Florence City Schools shall complete School Registration forms. Applications for out-of-district enrollment shall be considered on a "first-come, first-served" basis. In situations in which space is limited, priority will be given to a student who:
   1. Was enrolled in a school in Florence City Schools the previous year;
   2. Has a sibling enrolled at the requested school;
   3. Has a parent or legal guardian employed by Florence City Schools.

   Factors which may cause an out-of-district enrollment to be denied include:
   1. A school, grade or program(s) has a lack of available space, staff or support services, taking in-district enrollment projections into consideration;
   2. The school requested does not offer appropriate programs, is not structured or equipped with the necessary facilities to meet the needs of the student, or does not offer a particular program requested;
   3. The student does not meet the established eligibility criteria for participation in a particular program including age requirements, course prerequisites, and required levels of academic performance;
   4. The student has been suspended or expelled from school, or is in the process of being expelled;

5. The student has withdrawn from a school to avoid possible suspension or expulsion;
6. The student has a history of documented disciplinary infractions within the past three (3) years;
7. The student has been adjudicated or convicted of a crime;
8. The student has a record of excessive absences or truancy from school; or
9. Information on the enrollment application was misrepresented or incomplete.

The out-of-district approval process is as follows:

1. The parent or guardian must submit a completed application and provide any and all supplemental information requested by the District.
2. The receiving school principal and/or special education coordinator makes a recommendation to approve or not approve the enrollment application.
3. The recommendation is sent to the Superintendent.
4. The Superintendent approves or denies the request.

An approved application shall be valid for one year only. All non-residents must reapply each year.

The Florence City School System reserves the right to revoke the enrollment status of an out-of-district student at any time because of unacceptable behavior or because of false, misleading or incomplete information on the enrollment application. In the event of a revocation, the Superintendent or designee shall inform the parent/guardian of the circumstances which resulted in the revocation decision. There is no appeal process; the decision of the Superintendent is final.

c. *Homeless Students* –
   1. *Enrollment* - Homeless students will be permitted to enroll without regard to residency status and may be entitled to other accommodations under federal law.
   2. *Dispute Resolution* - In keeping with the official plan of Florence City Schools for homeless students, 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 by the school district. 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. The Homeless Liaison will expeditiously carry out the system's dispute resolution procedures as detailed in the Board's homeless student plan.
d. *Students Expelled or Suspended from Other School Systems* – Any student who is under suspension or expulsion from another school system or a

private, parochial, or other school will not be permitted to enroll until the student has satisfied the conditions for readmission set by the expelling or suspending board or authority in addition to generally applicable admission requirements established by the Board.

e. *Required Documentation* – Students entering the school system for the first time, regardless of grade level, will be required to submit a certified birth certificate, documentation or other proof of residency, and such 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 Health and signed by either a private physician or appropriate Health Department official. The Superintendent may accept alternate forms of evidence or modify otherwise applicable requirements as necessary and appropriate to accommodate migrant, immigrant, or homeless students.

f. *Placement of Students* – The Superintendent or his designee 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* –There are no attendance zones in Florence City Schools. Parents/guardians of students in grades K-6 will choose a school for their child upon initial enrollment. An alternate choice may be necessary based on classroom space or staff availability. This choice remains in effect through grade 4 unless the residence of the child changes to one of close proximity to another school that houses those grades. A request for change of schools may then be made to the Superintendent or his designee.

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 within three (3) days of the absence or the absence will be deemed unexcused. Excessive unexcused absences may result in retention (grades K-8), loss of academic credit (grades 9-12), or referral of the matter to the Attendance Officer or 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 school officials to refer the matter to the Attendance Officer or to juvenile authorities.

[Reference: ALA. CODE §16-28-1, *et seq.* (1975); Ala. Admin. Code 290-3-1-.02]

6.1.6 Students Charged with Serious Crime

a. *Placement* – If a student is arrested for non-school-related crimes, he or she may be placed in an alternative setting or on an alternative education plan during the pendency of the criminal process against the student. When the Superintendent or a designee learns of pending non-school-related criminal activity of a student, the Superintendent or designee shall work with the student's school's administration to determine an appropriate school placement. Identified students will not be allowed back on any school property until the appropriate placement is determined.

b. *Length of Placement* – The student's placement will run concurrently with the pendency of the criminal charges against the student. If the student is placed at an alternative school for a period longer than the end of the current school year, the student's placement at the alternative school will be reevaluated prior to the commencement of the next school year.

c. *Notice of Serious Criminal Activity* –

1. By Court or Law Enforcement – The court or law enforcement may notify the Superintendent or designee of any student's arrest. The Superintendent or designee will notify the principal of the student's arrest.
2. By Parent – If a student is charged as an adult or is alleged to have committed a serious crime, as identified below, regardless of age, his/or her parent/guardian should contact the School Principal to determine appropriate school placement during this time.

d. *Examples of Serious Criminal Activity* – For purposes of this policy, a serious crime includes, but is not limited to, any crime for which a student is charged as an adult; any crime committed using Deadly Physical Force or with a Deadly Weapon as those terms are defined in Ala. Code § 13A-1-2; and any crime resulting in Physical Injury or Serious Physical Injury as those terms are defined by Ala. Code § 13A-1-2. The ultimate decision about the seriousness of the crime rests with the Superintendent or designee.

e. *Protection of Special Education Students* – Any decision to assign a student to an alternative setting shall include a review and consideration of the student's exceptional status and any applicable federal and state law requirements or procedures.

f. *Privacy of Student Information* –

1. Any information received by a teacher, counselor, administrator, or other Board employee pertaining to a student's pending criminal activity shall be received in confidence for the limited purpose of rehabilitating the student and protecting students and staff at all schools. Such information shall not be further disseminated by the teacher, counselor, or administrator, except insofar as communication with the child, his or her parent, legal guardian, legal custodian, law enforcement personnel, and the juvenile probation officer of the student is necessary to effectuate the rehabilitation of the student or to protect students and staff at all schools.
2. All information received relating to a student's pending criminal activity shall be kept separate and apart from the student's educational record and shall be accessible only by the Superintendent or designee or the student's principal. Such information shall be destroyed when the student is no longer enrolled in the school district.

All information received relating to a student's pending criminal activity shall be kept separate and apart from the student's educational record and shall be accessible only by the Superintendent or designee or the student's principal. Such information shall be destroyed when the student is no longer enrolled in the school district.

Code Sections: Ala. Code § 13A-1-2; Ala. Code § 12-15-21

6.2 *Transfers and Withdrawals*

6.2.1 Transfers – The Superintendent or his designee may permit requested transfers of students between schools (grades K-6) within the school system only if a student's residence changes to one of close proximity to another school housing those grades. The Superintendent or his designee will approve or deny the request after due consideration of it.

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 or his designee.

[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 *Extracurricular Activities*

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

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

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

6.4.2 Athletics – Participation in Board-sanctioned athletic programs will be on such terms and conditions as may be acceptable to 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.

6.4.3 Academic Eligibility - The Board prescribes the following regulations for eligibility in this school system for students to participate in all extracurricular activities.

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

a. Physical education may count as only one (1) unit per year.
b. No more than 1.5 Carnegie units may be made up during summer school. If a unit(s) or subject(s) is repeated in summer school, the higher numerical grade for the unit(s) or subject(s) may be used to compute the composite grade average.
c. Eligibility will be determined on the first day of the local school year and will remain in effect for one (1) complete school year. Students ineligible at the beginning of an academic year may become eligible at the end of the

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

d. Each eligible student involved in athletics must meet the definition of a regular student as defined by the Alabama High School Athletic Association.

e. Any student who earns more than four (4) credits in the core curriculum in any given year or who accumulates a total in excess of the required four (4) per year may be exempt from earning the four (4) core courses in the succeeding year as long as that student remains on schedule for graduation with his/her class.

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

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

For the purposes of this subsection, extracurricular activities associated with athletics are defined as those recognized and sanctioned by the Alabama High School Athletic Association, and other extracurricular activities are defined as those that are sanctioned by a public school that are not related to a student's academic requirements or success in a course(s). Regular curricular activities are defined as those that are required for satisfactory course completion. School sponsors are required to submit a request for each curricular activity that occurs outside the regular school day and/or school to the principal and the Superintendent or his designee for approval. Approval by the Board of Education is required only for activities that entail overnight, out-of-state travel. Each request for full participation by all students, regardless of academic standing, in a curricular activity will be granted if the principal, Superintendent, and the local Board of Education approve participation in the activity as an extension of a course(s) requirement(s) and it is an event sanctioned by a state/national subject matter association. Notwithstanding anything to the contrary in this policy, student participation in extracurricular activities offered by the school through math, science, band, choral, music, and other courses at events such as athletic events (pre-game, game, halftime, or other breaks), club conventions, parades, amusement park trips and competitions, trips by tour companies, performance at various meetings, etc. are extracurricular, and students academically ineligible under this policy will not be allowed to participate.

[Reference: Ala. Admin. Code 290-3-1-.02(19)]

6.5 *Off-Campus Events*

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

a. The destination is an activity, event, or function that serves 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 or his designee.
c. Adequate arrangements are made for supervision and other risk management considerations (e.g., parental permission, medical treatment authorization, special insurance requirements);
d. Properly certified and qualified drivers have been selected and arrangements for the costs of the trip (e.g., salary, fuels, maintenance, lodging) have been made; and
e. Board approval is required for overnight, out-of-state trips.

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.

6.6 *Student Publications*

The Superintendent is authorized to develop rules and regulations regarding student publications. Student publications are subject to and will be expected to meet standards associated with responsible journalism. The principal and student publication sponsor are responsible for the content of such publications.

6.7 *Student Employment (Work Release)*

Off-school-campus student employment during regular school hours may be authorized under and subject to the following terms and conditions:

a. The employment does not violate state or federal law;
b. The employment does not conflict with the student's academic coursework;
c. Written approval is obtained from the student's parent or legal guardian and the Superintendent or his designee;
d. Other rules, regulations, and requirements, including those pertaining to early dismissal or checkout, are observed; and
e. Other rules and regulations that may be developed by the Superintendent and approved by the Board are followed.

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, homeless status, or children in foster-care..

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 *Student Sexual Harassment*

6.10.1 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.

6.10.2 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.

6.10.3 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.

6.10.4 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" (6.8.3) 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.

6.10.5 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.

6.11 ***Protection of Pupil Rights Amendment***

6.11.1 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.

6.11.2 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 examination 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 examination 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.

6.11.3 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.

6.11.4 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.

6.11.5 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 Superintendent or his designee will directly

notify parents of these policies and procedures at the beginning of each school year and after any substantive changes are approved.

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

6.12 *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 *Parent/Student Handbook* or by other appropriate means.

[Reference: 20 U.S.C. §1232g(a)(4); 34 C.FR. §99.3]

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

See *Data Governance Policy Manual* which is maintained on the website of Florence City Schools.

6.13 *Student Health Services*

The Board may offer limited student health services that are designed to address minor medical issues that may arise during the school day or to assist with special or chronic health problems. In cases of acute or contagious illnesses, parents or guardians may be notified and required to pick up the student. If a parent or guardian is not available, the principal or school nurse may contact the Department of Public Health. School officials are authorized to take reasonable and appropriate steps to provide or arrange for the provision of emergency medical services to students who require immediate medical attention. In case of illness or accidental injury not requiring immediate medical attention, standard first aid procedures may be followed. The Superintendent is authorized to develop and promulgate procedures, rules, and regulations concerning the taking, administration, and handling of medication at school consistent with state law and appropriate health standards.

6.14 *Student Conduct*

The Superintendent will prepare and present to the Board for adoption and periodic revision a *Parent/Student Handbook* 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 *Parent/Student Handbook* will comprehensively describe the rules and standards of conduct and discipline that will be maintained and enforced within Florence City Schools. The *Handbook* will set forth the specific grounds for disciplinary action; the penalties, sanctions, or consequences that may be imposed for a violation of rules and standards; the methods and procedures by which violations of the rules and standards will be determined; and any appeal or review procedures that are available to students. The *Handbook* will incorporate applicable statutory and regulatory requirements, and the hearing and appeal procedures specified in the *Handbook* will conform to applicable statutory and constitutional standards and requirements. The *Handbook* will be made available to all teachers, school personnel, students, parents and guardians at the beginning of each school year. The *Handbook* 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]

6.15 *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 Board-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 frisk or "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.

6.16 *Corporal Punishment*

Corporal punishment is not permitted in Florence City Schools.

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

6.17 *Seclusion and Physical Restraint of Students*

The Superintendent is authorized to develop written procedures governing the use of seclusion and physical restraint of students as required by state law.

[Adopted May 2012]

6.18 *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. Before the suspension, the principal should provide the student an opportunity to respond (even if verbally) to the charge(s) that has been made. Suspension may also be imposed as a disciplinary measure as provided in the *Parent/Student Handbook.* Permission for make-up work during the suspension period is subject to the conditions delineated in the *Parent/Student Handbook*. 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.

6.19 *Student Expulsion (including Students with Disabilities)*

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

6.20 *Wireless Communication Devices*

6.20.1 Definitions

A. Instructional Day –

- When school is open and in session;
- During class time, lunch, transitions between classes, and any non-instructional periods;
- Any time that students are required to store their Wireless Communication Devices by the Code of Conduct or other school rules; or
- Any time students are instructed to store their devices by school staff.

B. Wireless Communication Devices – A "Wireless Communication Device" shall be any portable electronic device that has the capability of exchanging voice, messaging, or other data communication with another electronic device including, without limitation:

- a cellular telephone;
- a tablet computer;
- a laptop computer;
- a pager;
- a gaming device;
- a smart watch;
- earphones of any type; and
- headphones of any type.

6.20.2 Possession of Wireless Communication Devices – Students are allowed to bring – but not use or operate – Wireless Communication Devices into school buildings and onto school grounds, subject to the limitations in sections 6.20.3 and 6.20.4, below. The Board is not responsible for the theft, loss, or damage to any wireless communication device brought onto campus.

6.20.3 Storage of Devices – During the Instructional Day, students who possess a Wireless Communication Device on any Board campus or in any Board school must turn the Wireless Communication Device off and store the Wireless Communication Device off their person in a locker, car, or other location as authorized by the Superintendent or designee. This possession is subject to the exceptions listed in 6.20.4.

6.20.4 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, and/or possession of the device is specifically included in the student's Individualized Education Plan (IEP), 504 Plan, or an Individualized Health Plan;
- The use, operation, and/or possession of the device is for educational or learning purposes under the supervision of school personnel; and

- The use, operation, and/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. All such guidelines will be communicated to students, parents/guardians, and teachers through typical mechanisms such as the Code of Conduct or Student Parent Information Guide.

6.20.5 Searches – School officials may read, examine, or inspect the contents of any Wireless Communication Device upon reasonable suspicion that the device contains evidence of a violation of law, Board policy, the Code of Conduct, or other school rules, provided that the nature and extent of such reading, examination, or inspection shall be reasonably related and limited to the suspected violation.

6.20.6 Disciplinary Action – Any violations of this policy can result in disciplinary action as outlined in the Code of Conduct.

6.20.7 Additional Procedures Authorized – The Superintendent or designee is authorized to develop any additional rules necessary to carry out this policy including the procedures that would require students to store Wireless Communication Devices in specific locations within a given school.

[Reference: Ala. Act 2025-386]

6.21 *Driver's License*

6.21.1 Driver's License – Unless exempted from the requirement by Board policy, a student 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. A student 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.

A student who is denied a driver's license by virtue of his non-enrollment 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 shall be promptly forwarded to the Superintendent for review and final decision.

6.21.2 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)]

6.22 *Student Parking Privileges*

6.22.1 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-free and alcohol-free school environment, students will be granted the privilege of driving and parking on school property only if they possess a valid driver's license and 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. 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.

6.22.2 Other Conditions – 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.

6.23 *Student Competitive Extracurricular Activity Substance Abuse Policy*

In order to promote the safety and welfare of students who participate in competitive extracurricular activities, to ensure 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. If a student purposely does not appear at the appointed time for a scheduled drug test, he will be considered as having failed the test.

6.24 ***Harassment, Violence, and Threats of Violence Prohibited*** **(Jamari Terrell Williams Act)**

6.24.1 Bullying, Intimidation, Violence, and Threats of Violence Prohibited - No student shall engage in or be subject to bullying, violence, threats of violence, or intimidation by any other student that is based on any of the specific characteristics that have been identified by the Board in this policy. Students who violate this policy will be subject to disciplinary sanctions.

6.24.2 Jurisdiction - The conduct prohibited by this policy shall be conduct that takes place in the following locations:

a. On school property;
b. On a school bus;
c. At a school-sponsored function, whether on or off-campus; or
d. Electronically or online, whether on or off-campus, if the conduct has the effect of substantially interfering with the educational environment or with the educational performance, opportunities, or benefits of a student.

6.24.3 Definitions

a. The term "bullying" as used in this policy means a continuous pattern of intentional behavior that takes place on or off school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth in Section 3(b) below. 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.
5. Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

b. The term "hostile environment" as used in this policy means the perception by an affected student or victim 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. The term "violence" as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

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

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

g. The term "student" as used in this policy means a student who is enrolled in the Florence City school system.

6.24.4 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 disciplinary consequences and sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the victim of such conduct:

1. The student's race;
2. The student's sex;
3. The student's religion;
4. The student's national origin; or
5. The student's disability.

6.24.5 Consequences for Violations – A series of graduated consequences for any violation of this policy will be those outlined in the *Parent/Student Handbook* or any rule or standard adopted under authority of this policy.

6.24.6 Reporting, Investigation, and Complaint Resolution Procedures

a. Complaints alleging violations of this policy must be made on a Board approved complaint form available at the central office, the school's office, or may be a written report of the instances. The complaint must be delivered to the principal or the principal's designee either by mail or personal delivery. At the request of the complaining student or the student's parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.

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 violation(s) may also be imposed by the principal or the school system.

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

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

6.24.7 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 the board of education and the school, shall be available at each school office, and shall be included in the *Parent/Student Handbook* that is distributed to each student at the beginning of each school year.

6.24.8 Distribution of Explicit Images - No student shall distribute, display, solicit, possess, or produce a sexually or pornographic explicit image of any individual, including sexually explicit images of a child. This prohibition applies whether or not the image is of an identifiable person nor whether the age of the individual can be determined. This prohibition includes images of known and unknown individuals and those generated by artificial intelligence.

6.25 Supervision of Low Risk Juvenile Sex Offenders

Pursuant to Annalyn's Law, the Superintendent shall be notified by local law enforcement when a low risk juvenile sex offender is enrolled or attending school within the board's jurisdiction for the purpose of appropriate supervision during the school day and during school activities.

Section 1. Definitions

In this policy, these terms shall have the following meanings:
(a) "Plan" refers to the "individualized student safety plan" developed following the Student's adjudication and/or enrollment in the school to serve as a behavior contract between the Student and the School.

(b) "School" refers to "all school property and school-sponsored functions including, but not limited to, classroom instructional time, assemblies, athletic events, extracurricular activities, and school bus transportation" related to the Student's current school of record.

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

(d) "Teachers and staff with supervision over the student" or "Supervision team" 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.

Section 2. Notification

(a) Current Students

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

(b) Newly Enrolled Students

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

(c) Students That Change Schools Within the District

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

Following that notification, the principal of the original school should orally or in writing brief the principal of the new school regarding the original Plan and the transferring Student's status and circumstances. Regardless, the principal of the prior school must provide the Student's records and Safety Plan to the principal of the new school as soon as practicable. The new principal should review the Plan and meet with the Student, the Student's parent or guardian, and the anticipated new Supervision Team to determine whether the current terms are sufficient or should be adjusted based on the Student's circumstances.

(d) School Staff Changes

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

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

Section 3. Plan Development and Maintenance

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

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

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

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

Section 4. Supervision

The Student will be subject to the general 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.

Section 5. Students with Disabilities

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

Section 6. Violations of the Plan

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

Section 7. Challenges to the Plan

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.

Section 8. Confidentiality

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

Section 9. Retaliation

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

Section 10. Procedures

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

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

Attachment B: Common Forms of Bullying

Common Forms of Bullying [Please note that this is not intended to constitute an exhaustive list]

Verbal Bullying
- Teasing
- Name-calling
- Inappropriate sexual comments
- Taunting
- Threatening to cause harm
- Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

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

Physical Bullying – the victim's personal boundaries are violated
- Hitting/kicking/pinching
- Spitting Tripping/pushing
- Taking or breaking someone's things
- Making mean or rude hand gestures
- Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

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

Helpful resources: "Best Practices in Bullying Prevention," found at http://stopbullyingnow.hrsa.gov

Complaint Form

School System: _____ School Name: _____

Student Name: _____ ID#: _____

Grade: _____

INFRACTION REPORTED BY: _____ STUDENT ____ PARENT/GUARDIAN			
Date of Incident		*Time*	
Specific Location of Incident			
DESCRIPTION			
OTHER INFORMATION			

Ala. Code § 16-28B-3. HARASSMENT. A continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in the model policy adopted by the department or by a local board. To constitute harassment, a pattern of behavior may do any of the following:

a. Place a student in reasonable fear of harm to his or her person or damage to his or her property.

b. Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.

c. Have the effect of substantially disrupting or interfering with the orderly operation of the school.

d. Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.

e. Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

Student _____ *Date* _____

OR

Parent/Guardian _____ *Date* _____

VII. Instructional Program

7.1 *Curriculum*

The Superintendent will coordinate the design and development of a comprehensive curriculum plan in accordance with state law and any requirements of the State Department of Education for approval by the Board.

7.2 *Textbooks*

Textbooks will be purchased and distributed in accordance with State Department of Education regulations. Only textbooks recommended by the local textbook committee will be approved by the Board, upon the recommendation of the Superintendent. The local textbook committee will be appointed by the Board and will consist of appropriate professional and parental representatives from each school who will serve a term of one year.

Students are lent textbooks for the duration of the course that requires the textbook and are responsible for the care of the textbook. Students must reimburse the school for the cost of any textbooks that are lost or damaged beyond reasonable wear and tear.

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

7.3 *Academic Standards*

Teachers will assign grades and confer academic credit for work and activities performed by students in accordance with objective and generally accepted instructional and grading standards, applicable laws and regulations, and criteria hereinafter specified.

7.3.1 General Grade Scale – Grades for academic course work will be awarded according to the following scale:

Letter Grade	*Numerical Grade (100 point scale)*
A	90 – 100
B	80-89
C	70-79
D	60-69
F	Below 60

7.3.2 Advanced Placement and Honors Grade Scale – Students electing to participate in rigorous academic courses such as Honors/PreAP, Dual Enrollment, and Advanced Placement (AP) are given additional weight.

The weighted Grade Point Average (GPA) will be recorded on students' report cards, high school transcripts, and included in students' overall GPA calculations.

Secondary credits for regular, Honors/PreAP, Dual Enrollment, and AP shall be awarded according to the following scale:

Letter Grade	Regular Courses	Honors/PreAP/Dual Courses	AP Courses
		Weight Standard/Numerical	Weight Standard/Numerical
A	4.0	5.0/10 points	6.0/20 points
B	3.0	4.0/10 points	5.0/20 points
C	2.0	3.0/10 points	4.0/20 points
D	1.0	2.0/10 points	3.0/20 points
F	0.0	0.0	0.0

Implementation begins during the 2019-20 school year.

7.3.3 Special Education Grading Standards – Students who are receiving special educational services may be graded according to an individualized educational plan, and nothing in Board policy or procedure prohibits the extension of appropriate academic modifications or accommodations to students who may be eligible for such modifications or accommodations under provisions of state and federal law.

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

7.3.5 Promotion – Students are promoted from grade to grade on the basis of academic credit earned during the school year, in summer school programs, or in such other academic programs as may be approved or recognized by the Board. Students who are eligible for promotion from grade to grade may nevertheless be retained when academic conditions specify in the *Parent/Student* Handbook warrant.

7.3.6 Class Rankings – Beginning with the ninth grade of high school, all students will be ranked based on the numeric average scale (calculated and weighted as described herein). A GPA calculation will be made for any student whose choice of colleges requires it.

7.3.7 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 for credit recovery will align with the State Board of Education course of study and study content standards in which the student seeking credit recovery is deficient.

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

7.3.8 Credit Advancement – The Superintendent is authorized to develop procedures for a program through which a student may pursue credit advancement as an alternative to the traditional Carnegie Unit approach to course completion.

7.3.9 Virtual School Option – The Florence City Schools Board of Education will provide a virtual school option allowing an online pathway for eligible students in grades seven (7) through twelve (12) otherwise meeting the age, grade, and geographic enrollment criteria of the Board to earn a high school diploma.

The Superintendent shall develop procedures for providing a virtual school program consistent with this policy to include but not limited to procedures regarding scope/delivery options; eligibility criteria; program monitoring; accountability; extracurricular activities; and attendance.

The Board prohibits discrimination on the basis of age, race, color, religion, disability, sex, national origin, or ancestry in the implementation of its virtual school option.

a. *Students with Disabilities* – All students, regardless of disability, will be provided equal access to the educational benefits and opportunities (to include those afforded by technology) of the Board's virtual school program.

   A Section 504 or IEP team will meet after a student with a disability applies to and meets the criteria for admission into the Board's virtual school program for the purpose of determining if the program is an appropriate placement and the least restrictive environment for the student.

   The Board will provide the educational components of the virtual school program, as well as provide special education and related services, to out-of-district students with disabilities accepted into the program.

b. *Utilization of Non-FCBOE Providers* - The Board may contract with outside parties, agencies, and/or other school districts in the implementation of its virtual school program.

[Legal Authority: Alabama Act 2015-89]

7.4 *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.

7.5 *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)]

7.6 *Dual Enrollment*

Upon recommendation of the Superintendent, the Board may establish guidelines in accordance with the regulations of the State Department of Education by which qualified high school students are allowed to take post-secondary college courses for high school credit.

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

7.7 *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)]

7.8 *Career and Technical Education Programs*

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

safety procedures will be implemented in the program in accordance with Alabama State Department of Education regulations and any applicable Business/Industry Certification requirements.

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

7.8.2 Live Work – Live work consists of work conducted by students that relates to the knowledge and skills taught as part of a Career and Technical Education (CTE) program of study, but is presented from outside the classroom. The Superintendent is authorized to develop 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,-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 *Local School Finance Manual*.

7.8.3 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]

7.9 *Foreign Exchange Programs*

a. The Superintendent is authorized to develop guidelines and procedures, to be approved by the Board, under which foreign exchange students may attend Florence City Schools and Florence City students may participate in foreign exchange programs.
b. Foreign exchange students shall be scheduled into classes according to their needs so long as there is space available in the desired classes.
c. To receive a high school diploma in Florence City Schools, a foreign exchange student must successfully complete all graduation requirements set forth by the Board and the Alabama State Department of Education.
d. Foreign exchange students shall be subject to the same benefits, rules and regulations of school life as their American classmates.

7.10 *Extended Programs: Service Learning*

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

[Reference: Ala. Admin. Code 290-8-5-.01]

7.11 *Graduation, Graduation Certificate and Commencement*

Students who have satisfactorily completed requisite course work, met minimum attendance criteria, and passed required examinations are eligible for graduation. Students who have fulfilled coursework requirements but who have not passed the required graduation examination are eligible to participate in graduation ceremonies and will be presented with a "graduation certificate." 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.

7.11.1 Honor Graduates – The principal, in collaboration with his staff, will determine requirements and standards for awarding Honor Graduate status to twelfth graders.

7.11.2 Valedictorian

a. *Criteria* – Class rankings shall determine these academic honors: Valedictorians (the top 1% of the senior class) and the top 5% of the senior class – of which the Valedictorians are a part. (Note: The top 5% is based on the highest number of students enrolled in the senior class during the class's 12th grade year.) If the calculation of the top 5% does not result in a whole number, the result is rounded up to the next greater whole number (e.g., 5% of 102 graduates = 5.10; six students shall be recognized). The ranking for these honors shall be determined upon the completion of the senior year.

   Criteria – Beginning with the Class of 2020, class rankings shall determine these academic honors: Valedictorian (student ranked as number one) and Salutatorian (student ranked as number two) and the top 5% of the senior class – of which the Valedictorian and Salutatorian are a part. (Note: The top 5% is based on the highest number of students enrolled in the senior class during the class's 12th grade year.) If the calculation of the top 5% does not result in a whole number, the result is rounded up to the next greater whole number (e.g., 5% of 102 graduates = 5.10; six students shall be recognized). The ranking for these honors shall be determined upon the completion of the senior year from those students who are receiving an Advanced Placement or Academic Honors Distinction.

b. *Grade Conversion* – Where letter grades are present on a candidate's transcript from a previously attended school, the letter grades will be converted to numerical grades as follows:

A+ = 98	B+ = 88	C+ = 78	D+ = 68	F = 59
A = 95	B = 85	C = 75	D = 65	
A- = 92	B- = 82	C- = 72	D- = 62	

Issues or uncertainties regarding eligibility or grade calculation will be resolved by the school principal in consultation with the Superintendent.

7.11.3 Fifth Year Seniors – Upon the recommendation of the counselor and approval of the principal, a student who has completed four full academic years of high school but who has not completed the required course work for graduation will be allowed to attend the number of class periods necessary to complete the courses required for graduation.

7.11.4 Adult High School Diploma Program– The Superintendent is authorized to establish an adult diploma program in conformity with regulations issued by the State Department of Education and such additional requirements as may be approved by the Board.

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

7.11.5 Non-Public School Students' Access to Required Graduation Examinations – The Superintendent is authorized to develop guidelines and procedures under which graduation examination(s) required by the Alabama State Department of Education are made available to all eligible home-school students and students in non-public high schools.

7.12 *School Wellness*

The Florence City Board of Education is committed to providing a school environment that enhances learning and the development of lifelong wellness practices. To accomplish these goals, the following shall occur within Florence City Schools:

a. Child Nutrition Programs in the schools shall comply with all federal, state and local requirements and shall be accessible to all children.
b. Sequential and interdisciplinary nutrition education shall be provided and promoted.
c. Patterns of meaningful physical activity shall connect to students' lives within and outside of physical education.
d. All school-based activities shall be consistent with local School Wellness goals.
e. All foods and beverages made available on school campuses (including vending, concessions, *a la carte*, student stores, parties, and fundraising) during the school day shall be consistent with the current Dietary Guidelines for Americans.
f. The school environment shall be safe, comfortable and pleasing, allowing ample time and space for eating meals.
g. Non-nutritious food and/or physical activity shall not be used as a reward or punishment.

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

A. Selection of Resources

Each school's library media specialist[1] shall have primary responsibility for evaluating a school's existing library collections and developing a list of recommendations for additions to the collection.

The library media specialist is encouraged to consult reputable, professional journals or lists when determining what resources should be considered for inclusion in the school's library collection. Teachers may request that specific resources be considered for inclusion in the collection at their assigned school by submitting a request in writing to the library media specialist.

Resources selected for inclusion in each school's library collection should (1) support and complement the schools' curriculum; (2) address the developmental, cultural, social, and linguistic needs of all learners; (3) be age-appropriate for the grade and interest level of the students the library serves; (4) appeal to the various interests of the students and faculty at the school; and (5) have aesthetic, cultural, literary, social, artistic, or historic value.

The Superintendent or designee is authorized to develop more specific procedures governing the selection and purchase of resources for school libraries, which may be contained in a Library Media Handbook. All purchases of library resources must also be made in accordance with any applicable financial policies and procedures and the applicable budget.

Gifts and donations to the school library may be accepted, but gifted or donated resources will only be included in the library's collection if they are determined to be appropriate for inclusion in accordance with the same selection criteria applied to resources purchased by the school system.

B. Deselection of Resources

The library media specialist is primarily responsible for identifying resources that should be removed from the library collection. A material should be removed from the library's collection if it:

- contains misleading, factually inaccurate, or dated information;
- is in poor physical condition;
- is determined to be of no real discernable value;
- does not meet the current criteria for selection; or
- is no longer relevant to the needs and interests of the school community.

The Superintendent or designee is authorized to develop more specific procedures governing the deselection and disposal of resources from a school library collection, which may be contained in a Library Media Handbook. The disposal of "deselected" resources must be done in accordance with any other applicable policies and procedures governing the disposal of Board-owned property.

C. **Reconsideration**

A student or parent or guardian of a student may present a formal request to the Board for removal of a resource from a library's collection at the student's assigned school.

1. Filing of Formal Complaint:

   The complainant must complete and submit the approved formal reconsideration form for each resource being challenged to the Superintendent. The complaint form must be completed in full and signed by the complainant, including a statement acknowledging that he or she has read the subject resource.

2. Preliminary Review of Formal Complaint:

   The Superintendent or designee will review the complaint:

   - If the Superintendent or designee determines that informal resolution of the complaint should be attempted, the formal reconsideration process may be suspended for that purpose for up to thirty (30) school days. However, the challenged material may not be permanently removed from the library collection during the informal resolution process. If an informal resolution is not reached, the formal complaint will move forward.
   - If the complainant has not provided all the information required by the complaint form, the Superintendent or designee will provide the complainant with the opportunity to amend the form. If the complainant does not provide the information within ten (10) calendar days, the matter will be considered closed.
   - If the resource has been previously challenged within the last five (5) years, the complaint will be dismissed.

3. Formal Reconsideration Process:

   After the completion of any informal resolution process and a determination that the complainant has provided all the information required by the complaint form, the formal reconsideration process outlined below will begin.

   a. *Committee*: A Reconsideration Committee (Committee) will be appointed by the Superintendent or designee and will consist of a teacher, a principal, and a school librarian. Any other school-level employee or member of the Central Office staff who has expertise in curriculum,

student development, or another area implicated by the request for reconsideration in question may be appointed to serve on the Committee. The Superintendent or designee should also identify who will serve as Chairperson of the Committee. The Superintendent or designee may serve on the Committee and/or as Chairperson if he or she determines that it is appropriate.

b. *Information Provided to Committee*: The Superintendent or designee will work with school system staff to obtain copies of the challenged resource and will make a copy available to the Committee to review.

The Superintendent or designee will also provide the Committee with any information or training he or she considers necessary for the Committee to make an informed decision and may convene a meeting with the Committee for that purpose. The information provided to the Committee may include the library's mission statement, if any; the pertinent selection policy and procedure; the completed reconsideration form; reviews of the resource being reconsidered; and any relevant legal parameters for review.

c. *Meeting:* The Chairperson should strive to convene an initial reconsideration meeting within thirty (30) school days after the formal reconsideration process begins. The Chairperson is also authorized to convene any additional meetings he or she considers necessary for the Committee to reach a decision.

d. *Procedures for Determination by Committee*: The following standards and procedures govern the reconsideration process:

- All Committee members should review the resource (read or view the entire work) before attending initial meeting.
- The complainant, the school librarian, or both may be asked to make a verbal presentation about the resource under consideration.
- The Committee may request that either the complainant, school librarian, or both answer questions in person or in writing regarding the resource.
- The complainant may not participate in or observe the Committee's deliberations unless invited to do so by the Committee.
- The Committee may seek outside expertise if necessary to help in its decision-making process.

When making its decision, the Committee's primary consideration should be whether the resource would qualify for inclusion in a school library collection under the school system's current selection policies and procedures.

The Committee will determine by majority vote whether to retain the challenged resource, move it to a different level or section, or remove it altogether. The Chairperson will present the Committee's written decision to the complainant and the Superintendent within five (5) school days after the decision is made.

4. Appeal:

An appeal may be filed by either (1) a complainant whose request for removal has been denied; or (2) a student or student's parent or guardian who objects to the Committee's decision to remove material from the library at the student's assigned school.

a. *Filing an* Appeal: An appeal must be in writing and delivered to the Superintendent within ten (10) calendar days of the date of the written decision from the Committee.

b. *Transmittal of Record*: Upon receipt of a timely appeal, the Superintendent shall transmit to Board Members for their review a copy of the written appeal, the Committee's decision letter, and all statements, recommendations, documents, recordings, transcripts, or other written or tangible evidence filed, submitted, or considered at any stage of the reconsideration process.

c. *Appeal Procedures:* The procedures for an appeal to the Board of Education will be as follows:

1. Not later than sixty (60) calendar days following receipt of the notice of appeal by the Superintendent, the appeal shall be placed on the Board meeting agenda for consideration. Upon consideration of the appeal and record, the Board may, by majority vote:

a) Affirm the decision of the Committee;
b) Reverse the Committee's decision; or
c) Defer final action until a Board hearing is held on the appeal.

d. *Hearing Process:* If a hearing is requested by a majority of the Board, the hearing shall be set within thirty (30) school days. Written notice of the hearing date shall be provided to the original complainant and the person who filed the appeal.

The appropriate hearing procedures shall be determined by the Board. The hearing shall be open to the public unless the Board has the option to enter executive session and does so using the procedures dictated by the Open Meetings Act.

A final Board decision on the grievance shall be issued within ten (10) school days after the hearing ends. The Board shall give written notice of its final decision to the original complainant and the person who filed the appeal. The Board's decision will be final and the Superintendent will implement the decision.

5. Effect of Decision:

A decision regarding whether to remove a challenged resource will stand for five (5) years before new requests for reconsideration of that item will be entertained.

7.14 *Parent/Family Involvement – Meeting the Requirements of No Child Left Behind Act of 2001*

7.14.1 Parental Involvement, 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 involvement 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 involvement activities to improve student achievement and school improvement. The Board will coordinate and integrate parental involvement strategies with other programs as appropriate.

7.14.2 Annual Evaluation of Initiatives – An annual evaluation will be conducted, with the involvement of parents, to determine the effectiveness of the parental involvement 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 involvement policy to the parent advisory committee. This information will be reviewed annually and used to make revisions to the school system plan as necessary.

7.14.3 Impediments to Parent Participation to be Identified – The Board will identify barriers to greater participation by parents in parental involvement 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.

7.14.4 Elementary and Secondary Education Act Compliance – The school system will work with its schools to ensure that school-level parental involvement 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, regarding 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.

7.14.5 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) and their school choice and/or supplemental educational services options when schools are identified for school improvement or determined to be unsafe within the meaning of the Act.

7.15 *Research*

All research and experimental projects using either employees, students, or materials within the school system shall be approved prior to their commencement by the Superintendent. The Superintendent is authorized to develop guidelines and procedures under which such research may be approved.

7.16 *Flag Displays*

The flag of the United States and the flag of the State of Alabama shall be displayed every day on which school is in session at some suitable place about the school building.

All students attending the elementary or secondary schools of the Florence City School System shall have the opportunity to voluntarily recite the pledge of allegiance to the United States flag each school day.

7.17 *Guest Speakers*

Guest speakers in classrooms or in assembly programs who are neither members of the student body, faculty, nor administration of the school or school system shall have prior approval. If the guest speaker's presentation serves a bona fide educational purpose that supports a curricular objective, the Principal may provide the required approval. All other presentations must be approved by the Superintendent.

7.18 *Alabama Released Time Credit Act*

7.18.1 Alabama Released Time Credit Act – Pursuant to the Alabama Released Time Credit Act, the Board shall allow parents and guardians to choose for their student to attend an approved religious release time program that (1) is conducted by a sponsoring entity (defined by the Act as a church or local community-based religious organization); and (2) meets the requirements of the Alabama Released Time Credit. Act "Released time" is defined by the Act as a period of time during the school day when a student is allowed to participate in religious released time instruction that is conducted off school district property, by a sponsoring entity.

Under no circumstances will the Board or its employees sponsor any released time instruction or activities, nor shall the Board's employees supervise or control any released time instruction.

7.18.2 Student Participation and Earned Credits

a. A student may participate in released time elective courses if all requirements of the Board's Released Time Program and all the following are satisfied:

i. The parent or guardian of the student gives written consent to participate, and completes the Board's standard checkout process, but any checkout authorization will not be required more than once a year.

ii. The sponsoring entity maintains attendance records and makes them available to the school the student attends.

iii The sponsoring entity makes provisions for and assumes liability for the student who is excused from school to attend religious release time.

iv. No public funds are expended other than de minimis administrative costs;

v. No Board employees are involved in providing the religious instruction; and

vi. The sponsoring entity conducts criminal history background checks for all employees or contractors of the entity who are likely to have direct ongoing contact with a student who is excused from school to attend religious release time.

b. For students who are in grades where credit is earned, the Board shall award students elective credit for release time classes taken during the school day in approved released time programs if the course content and curriculum are approved by the Board in accordance with the Alabama Administrative Code and other ALSDE guidelines.

7.18.3 Attendance

a. No student may be excused from the minimum instructional time for any course or subject as prescribed by the State Board of Education, or from any student intervention required under state or federal law, to attend released time.

b. Student attendance in released time shall be calculated as part of the school day and subject to all normal attendance rules.

c. The student shall assume responsibility for completing any schoolwork missed as a result of participation in released time.

7.18.4 Transportation – Transportation to and from the place of released time, including transportation for any student with disabilities, is the complete responsibility of the sponsoring entity, parent, guardian, or student and may not be arranged, coordinated, or provided for by public school personnel.

[Alabama Act. 2026-376]