



POLICY MANUAL

DRAFT

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Auburn City Board of Education
Policy Manual
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Preface

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

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

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

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 Any provision, feature, or aspect of Board policy that does not conform to governing law should be deemed void and superseded by such law.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

Definitions

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

- a. “Board” or “Board of Education” means and refers to the Auburn 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 Auburn 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. “LEA” means the Local Education Agency.
- g. “He,” “his,” or “him” means and includes all genders.
- h. “Law” includes local, state, and federal statutes, regulations, ordinances, court decisions, and binding administrative orders or directives.
- i. “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).
- j. “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 that provide additional or more detailed information regarding the subject

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

I. Governing Principles

1.1 *Mission Statement*

- INSPIRE all students to achieve their potential
- EDUCATE all students to use and evaluate knowledge
- EMPOWER all students to be responsible, productive citizens

1.2 *Our Vision*

Auburn City Schools, in partnership with families and community, will create a safe, nurturing, learning environment where a challenging curriculum, high academic standards, and respect for diversity will maximize each student's intellectual, artistic, technological, and physical potential to become a productive member of our global society.

1.3 *Our Values*

The goals, objectives, and strategies guiding the Auburn City Schools are based on the following shared values and beliefs about education and its role in the life of our community. We value:

- Students and high levels of learning
- Quality education with a broad-based curriculum
- Equal opportunity to learn and grow in a safe environment
- Appreciation of individual differences
- Ethical and moral character
- Highly skilled and committed workforce
- Parent and community involvement
- Continuous analysis toward improvement

1.4 *Our Goals*

- High academic achievement
- Safe, nurturing, and orderly environment
- A strong, positive relationship with stakeholders

II. School Board Operations

2.1 *Board Composition and Organization*

2.1.1 Composition – The Auburn City Board of Education is composed of five members who are appointed to five year staggered terms by the Auburn City Council with the term of one (1) member expiring annually. Board members must be residents of the City of Auburn and may not be a member of the City Council, or the County Commission, or subject to the authority of the Board. Members will assume office at the next regular meeting of the Board in June following their appointment. A member shall serve on the Board until their successor assumes office. In the event a vacancy occurs in the membership of the Board, the Board will report the vacancy to the City Council who will appoint a person to fill the vacancy for the unexpired term.

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

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

a. *President* – The President in addition to the duties prescribed by law, will exercise such powers as properly pertain to the office. The President will:

1. Preside at all meetings of the Board.
2. Consult with the Superintendent in planning agendas.
3. Bring before the Board such matters as in his/her judgment require attention of the Board.
4. Be responsible for the orderly conduct of Board meetings.
5. Confer with the Superintendent on crucial matters which may occur between Board meetings.
6. Call special meetings of the Board as found necessary.
7. Appoint special committees, subject to approval of the Board.
8. Sign any written contracts that the School District may be a party.
9. Sign all official reports for the District except as otherwise provided by law.

- b. *Vice-President* – In the absence of the President or in the event of the President’s death, or inability or failure to act, the Vice-President will perform the duties of the President and, when so acting, will have all the power of the President.
- c. *Ranking Member* – If the President and Vice-President are absent from a meeting at which a quorum is present, the ranking member in terms of continuous service on the Board will preside.
- d. *Secretary* – As secretary of the Board, the Superintendent shall conduct all correspondence of the Board, keep and preserve all of the Board’s records, receive all reports required by the Board, and see that such reports are in proper form, complete and accurate. The Superintendent shall attend all Board meetings and shall have the right to advise on any motion under consideration, but shall not have a vote. He/she shall keep, or cause to be kept, an accurate copy of all minutes in an official minute book reflecting all business of the Board conducted at regular or special meetings. In case the secretary is absent, the Board shall appoint some member of the Board or other school personnel in the schools under the jurisdiction of said Board to act for the time being. As secretary of the Board, the Superintendent shall see that copies of all minutes are provided to all Board members and that the official Board minutes are made available for public examination in accordance with state law.

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

- 2.1.3 Committees – The Board may divide itself into temporary, advisory, 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. The Board may create advisory committees on a temporary basis. When so created, such committees shall be appointed by the President and shall terminate upon completion of their assignments; or they may be terminated at any time by a majority vote of the Board. The Board President and Superintendent shall be ex-officio members of all committees.

[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 the City of Auburn, Alabama, including the formulation and adoption of Board policies. 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 reimbursed for expenses incurred in the performance of their official duties as authorized by law.

2.4 Board Member Training

The Board of Education or its designee shall see to the provision of orientation and ongoing training of its members.

The Superintendent shall be responsible for providing a comprehensive orientation program for new Board members. New Board members also are encouraged to attend new board member orientation sessions conducted by the Alabama Association of School Boards.

Attendance at 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 shall be encouraged.

The Board recommends the requirements of this policy be satisfied by participation in training provided by sources considered knowledgeable in school board governance and leadership and approved by the Board. Board members will provide a report to the Board about training experiences at the next available Board meeting.

[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.

Regular meetings: The Board shall hold such regular meetings monthly at a time, date and place determined by the Board. Such monthly meetings shall be open to the public, and the Board shall transact such business at these meetings as shall be properly brought before it. An agenda shall be prepared by the Superintendent with the advice of the President. A request to be considered for a place on the agenda shall be filed in writing with the Superintendent or the President at least five days prior to the scheduled meeting.

Special Meetings: The Board may hold special meetings when statutorily required or for any purpose or purposes upon the call of the President, the Superintendent, or either of them at the written request of any two members of the Board. Board members will be given such advance notice of specially called meetings as is practical under the circumstances. Only business dealing with the

purpose or purposes for which the special meeting was called can be transacted unless otherwise unanimously agreed by the members present.

Executive Sessions: The Board may vote to retire to executive session for any purpose provided by law including, but not limited to, discussion of the general reputation and character of an individual. Only members of the Board, the Superintendent and persons designated by the Board shall attend such sessions. All in attendance shall treat all discussions confidentially and no minutes shall be taken. If a formal vote on the disposition of a matter is necessary, said vote must be taken in an open meeting.

Work Session: Periodically, the Board may deem it necessary or desirable to convene work sessions. These meetings shall be open to the public.

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

- 2.5.2 Time and Place – The times and places for regularly scheduled monthly meetings will be established by the Board at the annual meeting held in May 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.

7 day notice: For all prearranged meetings required by law to be held at a certain time or place.

1 day notice: For all prearranged Board meetings to exercise the Board’s powers to possess or approve the expenditure of public funds, or to deliberate matters the Board members expect to come before the body at a later date or time.

1 hour notice: For all meetings for which 1 day notice is “prevented by emergency circumstances requiring immediate action to avoid physical injury to persons or damage to property,” or the meeting is held solely to accept the resignation of a public official or employee.

[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.
- 2.5.4 Public Participation – The Board encourages citizen participation at meetings for the purpose of communicating matters important to the improvement of the school district. At no time, however, shall the remarks of any person be focused as a personal attack. If such an attack occurs, the President or presiding officer of the Board shall proceed to terminate the citizen’s time on the agenda.

2.5.5 Voting Method – There shall be no representation by proxy of any member of the Board at any time. All members present are authorized to speak on issues, offer and second motions, and vote. The voting method shall be determined by the Board, as appropriate, i.e., show of hands or voice. Any member may request a roll call vote. A roll call vote may be taken at the discretion of the presiding officer.

[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 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 which will set the Superintendent’s compensation and benefits.

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

2.6.2 Scope of Executive and Administrative Authority – The execution and implementation of Board policies will be the function of the Superintendent. 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 shall maintain membership in the Alabama Association of School Boards. The Board recognizes that some of the best sources of continuing insights into good boardmanship are provided through membership in the association, and it encourages individual members to participate to the extent possible in the activities offered. Authorization to include the required dues and expenses to attend meetings of the association shall be included in the annual budget.

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 is the custodian of all monies to which the Board is entitled to by law, or which may come into its possession. 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.*]

3.2 Budget

3.2.1 Development – Responsibility for preparation of the budget is delegated to the Superintendent and appropriate staff members. A budget will be developed and approved for each fiscal year, which extends from October 1st to September 30th of the following year. Preparation, presentation, submission, and approval of the budget will be undertaken and completed as provided for in state law and regulations. Budgets will be “balanced” such that the expenditures set forth in the budget for the fiscal year will not exceed revenues and any cash balances on hand.

3.2.2 Amendments – The Board shall retain control of the budget, once adopted, and all officials subject to the Board shall adhere to Board policies in the implementation of the budget. The Board authorizes the Superintendent to review and analyze the budget for needed changes and amendments during the fiscal year. Line items in the budget may be changed, with Board approval, anytime during the fiscal year provided such change is consistent with existing laws and regulations of the state and federal governments. The Superintendent shall keep the Board informed concerning the status of the budget, and Board action necessitating expenditures shall be considered sufficient authority to exceed a line item if such action so requires.

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

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

3.3 Accounting

Generally accepted accounting standards 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. The Chief School Financial Officer shall be responsible

for verifying that monthly bank statements are reconciled to the financial records on a timely basis that ensures accurate monthly financial statements. 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. 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 – The Board shall designate the depository for school funds. All funds of the Board will be deposited with qualified depositories, as defined by law, in the manner prescribed by the Chief School Financial Officer or the Finance Manual.
- 3.8.2 Investments – The Board authorizes the investment of surplus funds in the manner prescribed by law and approved administrative guidelines.
- 3.8.3 Expenditures – The Superintendent or his designee, subject to applicable laws, policies, and Board-approved budget limitations, may expend funds for budgeted operation expenditures without advance Board approval of specific expenditures. All such expenditures shall be included in the monthly expenditure report to the Board.

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

- 3.8.4 Consultants – The Superintendent may engage professional consultants, specialists and experts, including but not limited to medical, mental health, educational, legal, financial, technical (e.g., engineering, architectural, computer) experts and specialists, provided that the expenditure is within the amount established for such purposes in the current, Board-approved budget. All such expenditures shall be reported monthly to the Board of Education in the manner prescribed by §16-13A-8 of the Code of Alabama (1975).
- 3.8.5 Competitive Bid Law – All purchases will be made in compliance with the competitive bid law, when applicable, and with such corresponding rules, regulations, and procedures as may be set forth in the Board’s Finance Manual. The Superintendent is authorized to enter into cooperative purchasing agreements with other school systems or local governments as may be permitted by law.

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

- 3.8.6 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 the Superintendent. 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.

3.9 *Employee Compensation*

- 3.9.1 Salaries and Pay Rates – Board employees will be compensated at rates of pay that are approved by the Board, or under such special employment or compensation arrangements as may be approved by the Superintendent and/or the Board in accordance with applicable law.

[Reference: ALA. CODE §16-13-231.1 (1975)]

- 3.9.2 Salary Administration – Employees are expected to fulfill the work requirements of the position held for the full term of their appointment. Compensation will be prorated to reflect the number of days actually worked, subject to appropriate adjustments, credits, and allowances for available leave. Salaries for full time employees will be paid over twelve months, regardless of the contract term. However, employees in the first year of employment with the Board may opt to be paid over thirteen (13) months. Personnel will be paid in accordance with customary payroll procedures, which may be modified from time to time as the needs of the system require. No employee is entitled to compensation except for work performed by the employee in accordance with an approved contract or the applicable terms of appointment. Compensation may be withheld pending the employee’s timely, accurate, and complete submission of all required records, data, and reports.
- 3.9.3 Salary Deductions – Mandatory salary deductions will be made in accordance with applicable law, and employees are required to complete and submit all forms and provide such information as may be required or reasonably required for such purpose. The Board will make voluntary deductions as a service to employees upon written request of the individual employee. Deductions for membership dues will be made for organizations upon approval of the Superintendent or his/her designee. Organizations must maintain a minimum of 20 active members to participate in the deductions program. Such membership lists will be corrected, updated, and returned to the organization no later than November 10 of each school year. Deductions will be based on the membership lists unless an employee revokes authorization for such deductions by providing written notice to the Superintendent or his/her designee on or before September 15th of each school year. Upon termination of employment, any amounts owed under the terms of an employee authorization will be deducted from the employee’s final pay. The Board will not be liable for any good faith error made in implementing a salary deduction that has been authorized by the employee.
- [Reference: ALA. CODE §16-22-6 (1975)]
- 3.9.4 Minimum Wage and Overtime – In compliance with the Fair Labor Standards Act (“FLSA”), the Board will pay required minimum hourly wages and overtime to all employees who are not exempt employees as defined by the FLSA. For purposes of determining overtime, the workweek begins at 12:01 a.m. on Monday and ends at midnight on the succeeding Sunday. All non-exempt employees who work more than forty (40) hours in a work week will be paid overtime. Employees must accurately report all time worked for the Board. Non-exempt employees are not authorized to work more than forty (40) hours in a workweek without specific direction or authorization to do so by the Superintendent, the employee’s supervisor, or the supervising school principal.
- 3.9.5 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 Finance Manual.

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 Board’s Finance Manual, Local School Finance Manual, and such procedures, rules, and regulations as may be developed by the Chief School Financial Officer or the Superintendent. The principal is ultimately responsible for all school funds and for ensuring that such funds are properly accounted for and secured.

Each principal shall be responsible for the proper administration of all business affairs at the local school. He/She shall be directly responsible for the conduct of local school financial activities in accordance with all pertinent laws, policies, rules regulations and procedures. All student activity funds shall be under the control of the local school principal. Such funds shall be accounted for in accordance with financial bookkeeping procedures approved for use by the system. Expenditure of such funds shall be approved by the local school principal and activity sponsor and shall be expended only through written check signed by appropriate school officials. Local school accounts shall be audited annually by a certified public accountant recommended by the Superintendent and approved by the Board.

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. The contract will be in writing and will be filed with the finance office in the Board’s central office.
- 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 or the principal. The use of funds collected, generated, or held by such organizations will be determined in accordance with the constitution, charter, or by-laws of the organization, with oversight by the sponsor of the organization, and subject to approval of the principal.
- 3.14.2 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

No money shall be collected or required for any reason in any schools without the approval of the principal. All requests to conduct fundraising campaigns must be submitted to the principal and will be considered in accordance with administrative policy relative to fundraising activities. The organization seeking to conduct the fundraiser will be notified following a decision concerning the request. The Superintendent shall have final approval on all requests. 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. Information regarding the nature, scope, and purpose of the activity is provided to school officials in advance; and
- e. Appropriate arrangements have been made for any special activities to be held in conjunction with the fundraising event.

It is the policy of the Board to limit fund raising activities in the name of a school or school organization. The Board especially discourages fund raising activities requiring sales or solicitations directed toward the business community and sale of any items that do not return to the buyer a reasonable value. Activities involving students may be allowed, but only on a very limited basis. Door-to-door residential fund raising activities are prohibited.

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 Principal and CNP Director will comply with applicable state and federal laws and regulations governing participation in such child nutrition program.

It is an objective of the district that all students have the opportunity to participate in the school lunch program. The Child Nutrition bookkeeper shall determine, in accordance with federal regulations, those students eligible for free or reduced meal prices. The CNP director shall conduct a second review of all applications and give formal approval. The principal at each school shall insure that these regulations are carried out.

Charged meals are not considered an allowable expense. Therefore, all uncollected charges will be the responsibility of the school where the charge was made. All charges must be paid to the Child Nutrition Program at the end of the school year using non-public funds.

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

3.17 *Classroom Instructional Support*

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

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

IV. General Administration

4.1 *Security / Access to Schools*

- 4.1.1 Security Measures Authorized – The Superintendent, principals, and facility administrators are authorized to take reasonable and lawful measures to protect against personal injury, trespass, vandalism, theft, and like threats to personal safety, property damage, and financial loss to or on Board property or at school functions and activities. The Superintendent should be made aware of any extraordinary or special measures that may be proposed in anticipation of or in response to any unusual security threat or risk (e.g., unusual surveillance, assignment of additional security personnel).
- 4.1.2 Access Restrictions Authorized – The Superintendent, principals, and facility administrators are authorized to regulate and restrict access to Board schools, buildings, and facilities in order to maintain appropriate security, minimize disruption and distraction within the learning environment, or to avoid a potential risk of harm to a student or employee. To that end, the Superintendent, principals, and facility administrators are authorized to implement building-level requirements and procedures governing access to Board owned or controlled buildings, grounds, property, events, and activities by school and non-school personnel, including family members and relatives, vendors, attorneys, and other visitors, and to adopt “check-in” and “check-out” requirements and procedures for students and employees.

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

who violate this policy will also be notified by the principal of violations.

- ii. *Employees* – Employees will be subject to personnel action, which may include warning letters, reprimands, suspensions, poor job performance evaluations, and dismissal.
 - iii. *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.
- c. *Parental Notification* - Parents and guardians may be notified of actual or suspect violations of the firearms prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

[Reference: ALA. CODE §16-1-24.1, 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:
- i. *Students* – Students will be disciplined in accordance with the Board’s Code of Student Conduct.
 - ii. *Employees* – Employees will be subject to disciplinary action, which may include warning letters, reprimands, suspensions, poor job performance evaluations, and dismissal.

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

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

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

- a. *Penalties for Violations* – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of illegal drugs or alcohol:
 - i. *Students* – Students will be disciplined in accordance with the Board’s Code of Student Conduct.
 - ii. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
 - iii. *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.
- c. *Parental Notification* – Parents and guardians may be notified of actual or suspect violations of the drugs and alcohol prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

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*

- i. *Students* – Students who violate the tobacco prohibition will be disciplined in accordance with the Board’s Code of Student Conduct.
 - ii. *Employees* – Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.
 - iii. *Other Persons* – Other persons who violate the tobacco prohibition may be denied re-entry to school property.
- b. *Parental Notification* – Parents and guardians may be notified of actual or suspect violations of the tobacco prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

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

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

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

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

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

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

4.3 Accreditation

The Board will implement and adhere to such accreditation policies, principles, standards, and procedures as may be established or required by the Southern Association of Colleges and Schools (“SACS”) 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 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/her 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 Superintendent or his/her designee.

4.5 *Naming Board Facilities*

The Board shall have the authority to name facilities in the school system, as it deems appropriate. The Board may desire to recognize the outstanding contributions an individual, either living or deceased, has made to the Auburn City Schools by naming a facility in honor or memory of the person. However, in no instance shall a facility be named in honor of an individual while he/she is serving as a member of the Board or while he/she is an employee of the Board.

When a school facility, building, or special area therein is named, the Superintendent will appoint a committee to recommend to the Board a name for the facility. The committee will include an assistant superintendent as chair, a principal, two teachers and three members from the community. Citizens, members of the board, school personnel and students may submit names for consideration by the committee.

In selecting a name, special consideration will be given to those names that will have special meanings to students and citizens and will enhance the educational and professional aspirations and goals of the programs, personnel and students of the facility.

The following will be used as guidelines in the selection of names of school facilities:

Street on which facility is located

Community in which the facility is located

Memorial

Recognition

Such other designation as may be appropriate.

4.6 *Complaints and Grievances*

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

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

4.6.3 Student Complaints and Grievances – Complaints, grievances, and requests for corrective action may be brought to the attention of the Board by or on behalf of students with respect to academic, athletic, extracurricular, or other non-

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

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

4.6.5 Americans with Disabilities Act Complaint Procedure -

- a. *Complaint Criteria* – Persons who believe that they have been discriminated against on the basis of disability in the provision of services, activities, programs, or benefits covered by Title II of the Americans with Disabilities Act may file a written complaint with the ADA Coordinator.
- b. *Complaint Form* – The complaint should be in writing and contain information about the alleged discrimination including the name, address, phone number of complaining party and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.
- c. *Complaint Process* – The complaint should be submitted to the ADA Coordinator as soon as possible, but no later than thirty (30) days after the alleged violation. The ADA Coordinator will meet with the complaining party to discuss the complaint and possible resolutions. Within fifteen (15) calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complaining party, such as large print, Braille, or audio tape. The response will explain the position of the Board and offer options for substantive resolution of the complaint.
- d. *Appeal Procedure* – If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complaining party may appeal the decision within fifteen (15) calendar days after receipt of the response to the Superintendent. Within fifteen (15) calendar days, the Superintendent will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

- e. *Records Retention* – All written complaints received by the ADA Coordinator, appeals to the Superintendent, and records relating thereto will be retained by the Board for at least three (3) years.
- f. *Additional Procedures Authorized* – The Superintendent is authorized to develop such procedures as are necessary to implement this policy.

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

4.7 Risk Management

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

4.8 Emergency Closing of Schools

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

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

4.10 *Political Activity*

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

- a. Employees may not appropriate Board property or resources for use in political campaigns, and may not engage in partisan political activities (including but not limited to the distribution of campaign material or literature) during regular school or duty hours or at Board sponsored or sanctioned events, functions, or at activities at which the employee is on duty or assigned official responsibilities;
- b. Employees may not represent their political beliefs or positions on political matters to be those of the Board or other Board officials, or to falsely assert or imply that their political activities or positions are endorsed by or undertaken in the name of the Board or other Board officials;
- c. Candidates and representatives of candidates for political office may not invite or allow announced candidates for political office to address student groups except when such candidates are participating in a forum or like format that is designed to provide all candidates the opportunity to participate. Such forums may be conducted only for appropriate age groups, and with the advance approval of the school principal and the Superintendent; and
- d. Political signs may not be placed on schools or school board property. Campaign literature and other material may not be distributed on Board property during the regular school or work day, and may not be distributed at school or Board sponsored events or activities in a manner that impedes the normal and safe movement of pedestrian or vehicular traffic, that creates any other safety hazard or risk, or that disturbs or disrupts the function, activity, or event.
- e. No person shall use or promise to use official authority to secure for any person an appointment or advancement to a position in the Auburn City Schools for the purpose of influencing a vote or political action.
- f. Nothing in this policy should be construed to limit school or class activities by students or recognized student organizations designed to address, discuss and promote participation in current political affairs. Such activities shall provide an opportunity for bipartisan participation of all students. School employees may serve as advisors or sponsors for such activities and organizations as authorized and approved within the existing relevant policy for student organizations and activities.

V. Personnel

5.1 *Employee Qualifications and Duties*

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

- a. Employees are required to be punctual and to attend work regularly.
- b. Employees are required to perform the duties and responsibilities that are assigned to them by the Board, the Superintendent, or their supervisor(s). Such duties and assignments may extend beyond or outside the instructional day and may include off-campus functions, events, and activities.
- c. Employees are expected to treat all students, co-employees, visitors, and guests of the Board with respect. Employees are expected to demonstrate moderation, restraint, and civility in their dealings with others and, in general, to serve as appropriate role models for students in their behavior and demeanor.
- d. Employees are required to obey all laws, ordinances, Board policies, supervisory directives, and other pertinent authority while carrying out duties for the Board.
- e. Employees whose duties include the instruction or supervision of students must provide effective supervision, discipline, organization, and instruction of the students.
- f. Employees must complete and submit required reports accurately and in a timely fashion.
- g. Employees must respect, protect, and exercise due care in the handling, use, and operation of Board property and equipment.
- h. Employees will abide by the guidelines set forth in the Alabama State Department Board of Education Code of Ethics.

5.1.2 Special Requirements -

- a. *Work Schedules (Teachers)* – Supervisory and instructional duties of teachers commence at a minimum of fifteen (15) minutes prior to the actual arrival and conclude thirty (30) 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 (7-1/2) 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 for planning purposes.

- 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 basis pending verification of certification from the State Department of Education. If a teacher earns a higher certificate that merits increased compensation under the approved salary schedule, any salary increase will become effective following receipt of documentation of the new certification from the State Department of Education. Obtaining and maintaining certificate status and maintaining a valid record thereof in the personnel office are the responsibilities of the applicant or employee, not of the school system or any of its employees. Failure to obtain or maintain a valid certificate may be cause for termination of employment.
- d. *Extended Substitute Teachers* – Teachers holding appropriate certificates will be employed as substitute teachers to replace permanent certified teachers who are on leave for ten (10) days or more. Extended substitute teachers will be compensated at the Bachelors degree and zero (0) years experience level as indicated on the Auburn City Schools teacher’s salary schedule. Exceptions warranted by special circumstances may be made upon the approval of the Superintendent.
- e. *Substitute Teachers* – Substitute teachers must, at a minimum, possess a high school diploma and valid and current Alabama Substitute Teacher’s Certificate or Alabama Teacher’s Certificate.
- 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 certificate from the State Department of Education verifying a “clear” status resulting from a background check.
- g. *Bus Drivers* – In addition to the requirements established by the State Board of Education, a bus driver must: (i) hold a valid commercial

driver's license, (ii) complete a minimum of twelve (12) hours of approved instruction in school bus driving, (iii) satisfactorily complete a written examination driver's performance test approved or administered by the State Department of Education of State Superintendent and (iiii) any requirements from the state or federal Department of Transportation. A bus driver must also meet any requirements of the entity providing the Board's automobile liability coverage.

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

5.2 Hiring

- 5.2.1 Application Procedures – Job applicants for all positions must file an official application with the Human Resources Department of the Board. Applications must be completed in full. All information provided in the application must be truthful. Any misrepresentation 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 non-instructional supplemental duties in accordance with rates established for such duties in the Board's official salary schedule or under such special employment or compensation arrangements as may be approved by the Superintendent and /or the Board in accordance with applicable law. Such duties include coaching and sponsorship of athletic support organizations as well as scholastic support activities. Such supplemental duties are considered additional nonteaching assignments to be made and authorized 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*

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

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

- b. Employees will not accept outside employment that would interfere with or impair the ability of the employee to perform duties as a Board employee effectively;
- c. Employees may not accept work that could compromise the employee's independent judgment in the exercise of duties for the Board;
- d. Employees may not use or disclose confidential information acquired through Board employment for their personal gain or for the benefit of a third party.
- e. Employees may not contract as an independent contractor with Auburn City Schools for any additional services beyond their current employment.

5.7 Tutoring

No teacher may tutor for pay any pupil attending an Auburn City School except on the recommendation of the pupil's and teacher's principal and the approval of the Superintendent.

5.8 Employee Evaluations

- 5.8.1 Certified Personnel – Certified employees (other than contract principals) will be evaluated in accordance with an evaluation program approved for use by the Alabama State Board of Education. Contract principals will be evaluated in accordance with rules, regulations, and requirements promulgated by the State Department of Education or as may otherwise be permitted by law.
- 5.8.2 Non-Certified Personnel – Non-certified personnel will be evaluated in accordance with criteria and procedures to be developed by the Superintendent and approved by the Board. The evaluation criteria and procedures will, at a minimum, include the following:
 - a. A structured evaluation cycle or schedule that may include unannounced observations or assessments during the course of the evaluation period;
 - b. A written evaluation form that specifies job-related evaluation criteria;
 - c. Group or individual employee orientation regarding the evaluation process;
 - d. An opportunity for the employee to confer with the evaluator following the evaluation; and
 - e. An opportunity for the employee to disagree (in writing) with the evaluation and to have the disagreement maintained with the evaluations.
- 5.8.3 Use of Evaluations in Connection With Employment Decisions – Employment evaluations may be considered in making employment decisions, together with

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

- 5.8.4 Special Evaluation Situations – The Superintendent, the Chief School Financial Officer, and other employees who serve in positions of special trust or sensitivity may be evaluated by such means as the Board deems appropriate and as may be permitted by law or applicable regulation.
- 5.8.5 Exempt Personnel – Except when required by law or contract, temporary, substitute, and occasional employees, or employees appointed to supplemental positions (e.g., coaches, extracurricular activity sponsors) will not be formally evaluated in those roles.

5.9 Personnel Records

- 5.9.1 Content of Personnel Files – A central personnel file will be maintained for all regular employees. The personnel file may contain information regarding the employee's current assignment, payroll status, and work history, including but not limited to job qualifications, certification, licenses, employment contract(s), evaluation data, disciplinary information, and such other documents, written materials, and data as may be reasonably deemed necessary and appropriate by the Board for sound and efficient personnel administration. Anonymous material and other matters that are prohibited by law, regulation, or Board policy from being maintained in personnel files may not be included therein. Employees may reasonably supplement or respond in writing to any material contained in the personnel file with which they disagree and such responses will also be included in the personnel file.
- 5.9.2 Alternate Data Storage – Personnel file data may be stored or maintained electronically or digitally.
- 5.9.3 Confidentiality – In general, the contents of an employee's personnel file will be deemed confidential except for documents, information, and materials that are matters of public information or public record under applicable state or federal law.
- 5.9.4 Access to Personnel Files – Board members, the Superintendent, Board administrators (including principals), employees of the Human Resources Department, and other persons whose duties reasonably require access to

personnel files are authorized to view, copy, and use the contents of personnel files for purposes that are required by or in keeping with their official duties on behalf of the Board.

5.10 Employee Leave

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

5.10.2 Absences – 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 the Board 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 the Board of their absence as early as possible. Except as otherwise provided or permitted, an employee who is absent from work without approved leave will be considered absent without leave in violation of Board policy and subject to appropriate disciplinary measures. Employees who are approved for paid leave or absences will be paid at the regular daily rate of pay; however, a day of paid leave 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.

5.10.3 Paid Sick Leave -

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

- b. *Earning and Accumulation of Paid Sick Leave* – All eligible employees earn sick leave days at the rate of one (1) day per month as provided for in state law. Eligible employees may accumulate sick leave as provided by state law.
- c. *Use of Sick Leave* – Eligible employees may only use paid sick leave for absences caused by the following:
 - 1. Personal illness;
 - 2. Incapacitating personal injury;
 - 3. Attendance upon an ill member of the employee’s immediate family, defined as a spouse, parent, child, sibling or any person with a close personal tie
 - 4. Death of a family member, including a spouse, parent, child, sibling, mother or father-in-law, son or daughter-in-law, brother or sister-in-law, nephew or niece, grandparent, grandchild, aunt or uncle;
 - 5. Death or care of an individual with whom unusually strong personal ties exist, such as a person who stood in loco parentis. Where unusually strong personal ties exist due to an employee having been supported or educated by a person of some relationship other than those listed, such relationship may be recognized for leave purposes. In each case, the employee concerned shall file with the Board a written statement of the circumstances, which justify an exception to the general rule.
- d. *Certification* – Employees must certify that sick leave was used for one of the reasons provided in state law and specify the reason. If the employee’s principal or department head has probable cause to believe that an employee has abused or misused sick leave, a physician’s statement verifying the existence and nature of the illness or medical condition may be required by the Board. Abuse of sick leave may subject the employee to disciplinary action.

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

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

- a. The injured employee submits written medical certification from the attending licensed physician stating that the employee was injured and cannot return to work due to a specified injury, if there is a reasonable expectation that the employee will return to work and, if so, the expected date of that return. The Board may require a second opinion from a Board specified physician, at its expense.
- b. The employee submits a signed written account of the accident attested by a principal or department head within twenty-four (24) hours after the injury occurred. If the injured employee is not able to notify the Board, another person reasonably knowledgeable about the employee's condition and circumstances leading to the injury may provide the required notification.

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

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

- 5.10.5 Personal Leave – All regular, full time employees are eligible for three (3) personal leave days annually (two days provided by the State and one additional local day). Once a certified employee receives tenure, he/she will receive a total of five personal leave days annually (two additional local days). Once a support person becomes a non-probationary employee (employed for more than three consecutive years), he/she will receive a total of five personal leave days annually (two additional local days).

An employee receiving leave beyond two full paid leave days per school year regardless of whether or not a substitute is employed will be charged their current daily rate of pay. Personal leave days are non-cumulative from year to year.

If a certified employee does not use the two state funded personal leave days, he/she may convert to sick leave which can ultimately be used for retirement or receive compensation at the same daily rate paid to substitute teachers. Upon the employee's written request, reimbursement for unused leave days funded by the State will be paid to employees in the summer payroll check.

If a certified employee does not use the three additional local days, these may be converted to sick leave, which can ultimately be used for retirement. However, the individual will not be given the option to be paid for these local days.

If a support person does not use the two State funded personal leave days and/or the three additional local personal leave days, these may be converted to sick leave which can ultimately be used for retirement.

Each employee is required to submit a Leave Form prior to the leave being taken. It is the responsibility of the principal or other immediate supervisor to determine whether the conditions set forth below are met. The principal will take into consideration the total number of personnel to be away for any reason and extent to which provision for all teaching assignments and duties can be made. The request is to be made in duplicate and filed with the principal or immediate supervisor as far in advance of the requested leave as possible.

No employee, as a condition to receive personal leave, shall be required to divulge his/her reasons for requesting such leave.

Teachers taking the two state funded personal days during the first semester and are not employed during the second semester will be prorated for the second personal leave day.

Conditions

No more than ten (10) percent of a school's faculty may take personal leave on the same day.

Personal leave will not be approved during the first or last week of the students' school year.

ANY EXCEPTIONS TO THESE CONDITIONS MAY BE CONSIDERED EMERGENCY SITUATIONS AND MUST BE APPROVED BY THE SUPERINTENDENT.

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

5.10.6 Leave of Absence -

- a. Tenured certificated personnel may be granted an unpaid leave of absence upon and subject to the following terms, conditions, and limitations:
 - (i) Leave shall be without pay or benefits except as may be required by law;
 - (ii) Leave may be sought for health reasons or any other lawful reason, but the decision to grant leave shall be at the Board's sole

discretion upon due consideration of the Superintendent's recommendation;

- (iii) Application for leave shall be made in writing to the Superintendent with an explanation of the reason(s), the request, and the requested duration thereof, and such other information as may reasonably be required by the Superintendent or the Board in connection therewith;
- (iv) Requests for extension of leave shall be considered only under extenuating circumstances;
- (v) A teacher wishing to return to active status prior to the expiration of approved leave must notify the Superintendent in writing not less than one hundred eighty (180) days prior to the requested return date;
- (vi) Return from leave of absence will coincide with the commencement of the school year unless a different return date was sought and approved by the Board or is otherwise authorized by the Superintendent;
- (vii) Unpaid leave is not granted for the purpose of permitting the employee to secure other regular or full-time employment during the leave term, and using leave for such purpose without advance approval of the Board constitutes grounds for rescinding the leave.
- (viii) Teachers returning to active status following leave will be assigned to a position that is comparable but not necessarily identical to the position previously held, and only for which they are properly certified.

The extent of unpaid leave on tenure, accrued sick leave, or retirement benefits is governed by law.

5.10.7 Vacation -

- a. *Eligible Employees* – Twelve-month full-time employees are eligible for paid vacation.
- b. *Vacation Benefits* – Eligible employees will earn paid vacation at the rate of one (1) vacation day per month, up to ten (10) days per fiscal year, subject to the following limitations regarding accrual of vacation days.
- c. *Accrual and Accumulation of Vacation Time* – Twelve month employees may carry over unused vacation days from one fiscal year to the following fiscal year, but no employee may carry over more than twenty (20) vacation days for use in any fiscal year. Any accrued but unused vacation

days in excess of twenty (20) will be forfeited after the close of business on September 30 of each year. Vacation days may not be bought, sold, or donated. Accumulated vacation time will be forfeited if not used prior to the effective date of resignation or retirement. No payment will be made for any vacation leave that is unused as of the employee's resignation, termination or death.

- d. *Scheduling* – Vacations must be scheduled with the knowledge and approval of the employee's supervisor. Vacation leave in excess of five (5) consecutive days must be approved by the Superintendent or his/her designee.

5.10.8 Professional Leave – The Superintendent or his/her designee is authorized to grant professional leave with pay to Board employees to engage in educational activities which, in the judgment of the Superintendent or his/her designee, serve the needs and interests of the school system.

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

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

- a. *Disposition of Applicable Court Fees* – Personnel are not required to return to the school district the fee paid to them for jury or court service; however, a court attendance form must be provided to verify court attendance.
- b. *Return to Work* – When school district personnel are released from jury service and/or court appearances, they are to report promptly (same day if possible) to their employment positions.

5.11 *Family and Medical Leave Act (FMLA)*

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

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

- a. The birth and first year care of a newborn child;
- b. The placement of a foster child or adoption;
- c. The care of an immediate family member, defined as a spouse, child or parent, with a serious health condition;
- d. The taking of medical leave because of the employee’s own serious health condition.
- e. In cases where both spouses are employed by the board, the combined amount of leave for child birth, adoption, foster placement, or to care for a sick parent is limited to twelve (12) weeks.

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

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

- a. Any period of incapacity in connection with or following inpatient care in a hospital, hospice, or residential medical care facility.
- b. Continuing treatment by a health-care provider, to include any period of incapacity due to:
 - 1. A health condition, including treatment and recovery, lasting more than three (3) consecutive days, and any subsequent treatment or period of incapacity relating to the same condition;
 - 2. Pregnancy or prenatal care;
 - 3. A chronic, serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve episodes of incapacity (e.g., asthma and diabetes);
 - 4. A permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer’s, severe stroke) and for which supervision of a health-care provider is required;
 - 5. Multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three (3) days if not treated.

5.11.4 Military Family Leave Provided by the Act -

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

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

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

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

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

as possible. Employees must also provide notice of the need for qualifying exigency leave as soon as practicable.

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

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

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

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

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

- 5.11.13 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.

5.12 Sick Leave Bank

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

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

5.13 Administrative Leave

The Superintendent is authorized to place an employee on administrative leave upon a determination that the best interests of the school system would be served by such action. Administrative leave relieves the employee of regular work responsibilities pending resolution of the matters or circumstances that gave rise to the leave. Administrative leave 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.

5.14 Equal Employment Opportunity

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

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

5.15 Sexual Harassment

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

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

- a. Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of employment or other employment benefits provided by the Board;
- b. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual’s employment, or other benefits provided by the Board; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

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

- a. Verbal harassment or abuse of a sexual nature, including graphic or derogatory comments, the display of sexually suggestive objects or pictures, and sexual propositions;
- b. Repeated unwelcome solicitation of sexual activity or sexual contact;
- c. Unwelcome, inappropriate sexual touching;
- d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to an individual’s employment status.

5.15.3 Employee Complaint Resolution Procedure -

- a. *Reporting* – Any employee with reason to believe that he or she has been or is being subjected to any form of sexual harassment should report the matter immediately. Under no circumstances will an employee be required to present the complaint to the person who is the subject of the complaint.
- b. *Informal Complaint* – An employee may choose to submit a sexual harassment complaint to a supervisor for investigation and resolution at the departmental or local level without resorting to formal complaint procedures. If the supervisor is the subject of the complaint, the complaint may be submitted to the Superintendent for resolution. If the complaint is not resolved informally to the satisfaction of the complaining employee, the employee must contact the Superintendent to initiate formal complaint procedures.

5.15.4 Formal Complaint Procedure -

- a. *Persons Responsible For Receiving and Investigating Formal Complaints* – The Superintendent or his/her designee is responsible for receiving and investigating formal complaints regarding sexual harassment. If the Superintendent is unavailable or is the subject of the complaint, the Assistant Superintendent should be contacted regarding the formal complaint.
- b. *Complaint form, contents* – Formal complaints should be made in writing, signed by the complainant, and fully describe the circumstances surrounding the alleged harassment. Harassment complaints that cannot be made in writing should be memorialized by the Superintendent or designated alternate official.
- c. *Investigation* – The Superintendent or the Assistant Superintendent will promptly investigate the complaint, review the results of any investigation with legal counsel or other appropriate officials, make any findings that are supported by the investigation, and recommend appropriate action based on these findings. The complainant will be informed of any action that is taken as a result of the investigation.
- d. *Review by the Superintendent and the Board* – A complaining party who is not satisfied with the investigation or resolution of the complaint may request that the Superintendent take additional or different action or present the complaint to the Board for its review and action. In such case, the Board will render a final decision as soon as practicable.

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

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

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

5.16 ***Reduction-In-Force***

5.16.1 Scope and Definition – This policy applies to reductions-in-force (layoffs) within the meaning of ALA. CODE §16-1-33 (1975). As used herein, the term “layoff” means an unavoidable reduction in the work force beyond normal attrition due to decreased enrollment or shortage of revenues. The term “layoff” does not include, and the provisions of this policy do not apply to, decisions to terminate or

not to extend the appointment of occasional, temporary, or “at-will” employees, or to decisions not to extend or renew the employment of employees following the expiration of annual or other specified terms of appointment.

5.16.2 Criteria for Implementing Layoffs – Layoffs may be implemented if the Board determines that financial circumstances or enrollment data require such action in order to maintain effective provision of educational services. The elimination of positions and layoff of employees will be based upon consideration of the following criteria, as applicable to the circumstances:

- a. The Board’s determination of its educational needs, requirements, and priorities;
- b. Current data and projected trends in revenue collection, anticipated expenditures, and/or enrollment;
- c. The comparative abilities of persons currently holding positions subject to elimination to meet the needs and requirements of the school system taking into account such considerations as education, training, and experience; quality of job performance; special skills and aptitudes; possession of necessary and appropriate licensure or certification; and proficiency in performing a variety of tasks, responsibilities, and functions;
- d. Other factors being equal, the comparative length of employees’ service in the position and with the Board;
- e. The extent to which cost savings or other appropriate administrative objectives can be realized by taking into consideration voluntary retirements, resignations, transfers, and other normal attrition in the workforce;
- f. Any nondiscrimination requirements that may be imposed by state or federal law and any procedural or substantive requirements that may be imposed by state or federal law, including the Alabama Teacher Tenure Law or the Alabama Fair Dismissal Act.

5.16.3 Recall – Recall of laid-off employees will be based on consideration of the criteria described above for layoffs and on relative length of separation from employment, other factors being equal. The Board will have no obligation to recall any laid-off employee after one year from the effective date of the employee’s termination. Employees recalled within one year from the effective date of their termination will be credited with time-in-service, and the pay and benefit status they enjoyed on the effective date of their layoff. No pay, benefits, tenure (or non-probationary) status, or other employment right will accrue or be credited to any laid-off employee for or during the time he was not employed, except to the extent required by law.

A laid-off employee will only be eligible for recall if:

1. The nature of the position and qualifications therefore have not materially changed;
2. The laid-off employee remains properly qualified, licensed, and certified; and
3. The laid-off employee confirms in writing his availability for and interest in reemployment to the Board's Director of Human Resources within thirty (30) days of receipt of notice of layoff from the Board.

5.16.4 Notice – Notification of layoff and recall will be by United States certified or registered mail, hand delivery, or by other means that are permitted for such purposes by law. Upon receipt of notification of recall, a laid-off employee will have fifteen (15) calendar days from the receipt of said notice within which to respond affirmatively to the notice of recall in accordance with such specific directions or instructions as may be contained therein. Any laid-off employee who does not so respond or who otherwise declines an offer of reemployment by the Board will be deemed to have waived any right to be recalled under the terms of this policy.

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

[Reference: ALA. CODE §16-1-33 (1975)]

5.17 *Unauthorized Payments*

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

- 5.17.2 Retention and Recovery Authorized – If no objection to the proposed withholding is received within a reasonable time (to be specified in the notification letter), monies may be retained in the manner and to the extent described in the notification. If the employee objects to the proposed withholding, the Superintendent or his designee may, upon consideration of the objection and information and argument (if any) submitted in connection therewith, take such action as may be warranted under the circumstances and inform the employee in writing of the decision. If the employee is dissatisfied, he may contest the decision through the Board’s complaint procedure. Monies may be withheld by the Board pending completion of the grievance process, provided that, should the Board later pay over to the employee monies that have been retained under authority of this policy, such payment(s) will reflect all appropriate deductions and will include accrued interest from the date of withholding at the rate specified by the then-effective rate applicable to interest on unpaid judgments under Alabama law. If, after exhausting reasonable efforts to do so, the Board is unable to contact the employee in the first instance, the Board may retain or withhold from compensation or other payments due the employee an amount sufficient to satisfy the indebtedness; provided that any such retention or withholding will be subject to review and reconsideration at the request of the employee.
- 5.17.3 Repayment Required as a Condition of Reemployment – The Board reserves the right to require repayment of any outstanding indebtedness as a condition to reemployment of any former employee.
- 5.17.4 Procedures Not Exclusive – The provisions, procedures, and method of review specified herein are in addition to those that are otherwise available to the parties under law for the retention or recovery of funds, and for administrative or judicial review thereof.

5.18 *Drug and Alcohol Testing of Safety Sensitive Employees*

- 5.18.1 Scope – The Board will conduct employee drug and alcohol testing for employees in safety sensitive positions as required by and in accordance with federal law. Testing will be required for all employees holding a commercial drivers’ license (CDL) or who occupy a safety sensitive position as designated by the Board (“covered employees”).
- 5.18.2 Prohibited Alcohol and Controlled Substance-Related Conduct – In addition to activities identified in other policies, rules, and procedures, Board employees are prohibited from the following:
- a. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the Federal Highway Administration (FHWA);
 - b. Being on duty or operating a vehicle while possessing alcohol;
 - c. Consuming alcohol while performing safety-sensitive functions;

- d. Consuming alcohol within eight hours following an accident for which a post-accident alcohol test is required, or prior to undergoing a post-accident alcohol test, whichever comes first;
- e. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements;
- f. Consuming alcohol or being under the influence of alcohol within six (6) hours of going on duty, operating, or having physical control of a vehicle;
- g. Reporting for duty or remaining on duty when using any controlled substance, except when instructed by a physician who has advised the driver and the Board that the substance does not adversely impact the performance of any safety-sensitive duty;
- h. Reporting for duty, remaining on duty, or performing safety sensitive functions with controlled substances in the employee's system.

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

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

- a. *Pre-employment Testing* – Prior to the first time a covered employee performs a safety-sensitive function for the Board, the employee must undergo testing for alcohol and controlled substances.
- b. *Post-accident Testing* – Each surviving driver of an accident, as defined by the FHWA, will be tested for alcohol and controlled substances. In addition, covered employees who are involved in an accident involving injury to a person, or property damage in excess of five hundred dollars (\$500.00) will be subject to post-accident testing.
- c. *Random Testing* – The Board will conduct unannounced random alcohol and controlled substance testing of its covered employees.
- d. *Reasonable Suspicion Testing* – A covered employee must submit to alcohol or controlled substance testing whenever there is reasonable suspicion of alcohol misuse or the use of controlled substances based on specific, contemporaneous, and articulatory observations concerning the appearance, behavior, speech, or bodily odors of the employee.

- e. *Return-to-Duty Testing* – A covered employee must submit to return-to-work alcohol and/or controlled substance test before being permitted to return to work following a positive alcohol or controlled substance test or other violation of this policy or federal regulations.
- f. *Follow-up Testing* – Any employee who continues performing safety-sensitive functions for the Board, following a determination that the employee requires assistance in resolving problems associated with alcohol misuse or the use of controlled substances, shall be subject to unannounced follow-up alcohol or controlled substance testing as directed by the Board’s substance abuse professional (SAP).

5.18.4 Administration of Program – The Superintendent or his/her designee 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]

5.19 Searches (Personnel)

- a. *Board Property* – All school system property, facilities, and grounds may be entered, inspected, and searched for any lawful purpose by Board officials or their designees at any time, without prior notice and to the fullest extent permitted by law. The right to enter, inspect, and search includes and extends to (but is not limited to) Board owned or controlled offices, desks, file cabinets, lockers, storage areas, computers, files, documents, data, and devices however and wherever kept, stored, or maintained.
- b. *Employee Property* – The Board reserves the right to inspect employees’ vehicles, purses, files, and other personal property if a supervisor forms a reasonable individualized suspicion that the property contains evidence of a violation of Board policy or contains any material, object, or substance that otherwise creates or presents a risk of harm or injury to the school, the workplace, or persons therein.
- c. *Use of Recovered Items* – Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

VI. Students

6.1 *Admissions and Attendance*

- 6.1.1 Compulsory Attendance and Entrance Age – All persons between the age of seven and seventeen years of age are required by state law to attend school for the minimum number of scholastic days prescribed by the State Board of Education unless the person holds a certificate of exemption issued by the Superintendent or is otherwise exempt under state law.
- a. *Kindergarten Age Requirement* – A student must be five years old on or before September 1, the date set by State guidelines, to be admitted for kindergarten for the current school year.
 - b. *First Grade Age Requirement* – A student must be six years old on or before September 1, the date set by the State guidelines, to be admitted to the first grade for the current school year. A student who has successfully completed a qualified out-of-state kindergarten, according to that state’s entrance code, during the past year and is not six years old by the date set by the State guidelines can attend Grade 1 in the Auburn City Schools. Appropriate documentation must be presented. A student who started Grade 1 in another state, according to that state’s entrance code, and is not six years old by the date set by the State guidelines, is considered a transfer and admitted to school to continue in Grade 1. A student transferring to Auburn City Schools from private schools within Alabama may enter first grade only if the state age requirement for entry has been met.

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

6.1.2 Admission to Schools -

- a. *Resident Students* – Auburn City School students must live within the Auburn City limits and must reside with parents or legal guardians, or with an adult resident of the City of Auburn serving as the student’s guardian or attorney-in-fact for educational purposes under a valid appointment or declaration for such limited purposes. Residency on the basis of an appointment or delegation of authority for educational purposes will not be recognized if the guardianship is used for the purpose of evading otherwise applicable residency requirements, and will not be recognized for successive school years except on a showing of unusual hardship or other special circumstances warranting an extension.

The student must reside every day with the parent/guardian or the attorney-in-fact whose power of attorney can be used for only one school year. If the school principal receives one of the following complaints, the

attendance supervisor, accompanied by a uniform police officer, will make a home visit:

1. Student does not reside with the parent, guardian or attorney-in-fact;
2. Guardianship documents or power of attorney documents have not been properly executed;
3. Guardian or the attorney-in-fact does not live within the Auburn City limits.

If the attendance supervisor cannot confirm residency and/or guardianship, the principal will notify the guardian or the attorney-in-fact that the student's enrollment will be terminated. The guardian or the attorney-in-fact may appeal this decision by notifying, in writing, the Superintendent. A hearing panel will be convened and consist of the Superintendent or designee, attendance supervisor and school administrator. The guardian or the attorney-in-fact will be informed of the decision of the panel.

If joint custody has been awarded and one of the parents resides within the Auburn City limits, the student will be eligible to attend the Auburn City Schools if the student is living with that custodian for at least three (3) consecutive days during each school week.

If the parent/guardian or the attorney-in-fact has been found to live outside of the city limits, but has recently established residence within the city limits, complete documentation including a home visit must be confirmed before the student may enter the Auburn City Schools.

Homeless students are exempted from the residence requirements included in this policy. Homeless students are defined as individuals who lack a fixed, regular, and adequate nighttime residence.

b. *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 - Homeless students will continue in the school of origin for the duration of homelessness. Students may enroll in any public school that non-homeless students, who live in the attendance area in which the students reside, are actually eligible to attend.

If the school enrollment decision is contrary to the wishes of the student's parent/guardian, 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 procedure for appealing the placement decision. The principal of this school will notify the Board's Homeless Liaison of the dispute and take steps to resolve the dispute.

When a dispute arises regarding school placement, the system will immediately enroll the homeless student in the school in which enrollment is sought by the parent, guardian, or unaccompanied youth, pending resolution of the dispute. The Board's Homeless Liaison will expeditiously take steps to resolve the dispute. If the dispute cannot be settled by the homeless liaison, the liaison will assist the complainant in seeking technical assistance from an appropriate service agency.

[Reference: 42 U.S.C. §1432(a)(3)(E)]

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

6.1.3 Attendance Zone and Class Assignment -

- a. *Attendance Zone Assignment* – Students will be assigned to the school serving the attendance zone in which his parent(s) or legal guardian reside(s). A student whose parent or legal guardian moves from one attendance zone to another during the school year will be transferred to the school attendance zone in which the new residence is located. The student may be permitted to remain in the school attendance zone that serves the

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

1. Special education students and their siblings who reside at the same address are allowed to cross attendance zone lines pursuant to agreement with other school zones.
2. Children of teachers, staff members or employees of the Auburn City Schools System who are residents of the City of Auburn: All employees of Auburn City Schools, who reside within the City limits of Auburn, may enroll his/her child/children at the school in which they work. Such total enrollment shall be on a year-to-year basis and shall be terminated if the employee transfers, resigns or has a contract that is non-renewed and/or terminated. If said event occurs the child/children shall be enrolled in the school to which they are zoned by virtue of residence. Those employees wishing to enroll their child/children shall contact their building principal. In the event of dispute on this matter, the Superintendent shall have final authority for the assignment of children to a building.

- 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 with prior superintendent approval
Absences approved by the principal

Documentation supporting an excused absence must be submitted within three (3) school days of the absence or the absence will be deemed to be unexcused. Excessive unexcused absences may result in a loss of academic credit or referral of the matter to juvenile or other appropriate legal authorities for investigation in accordance with the Pupil Progression Plan and Statement of Responsibilities for School Personnel, Parents and Students.

- 6.1.5 Truancy – Parents or guardians are required to ensure that students under their care, custody or control attend school regularly. Habitual or excessive absence from school may require Board officials to refer the matter to juvenile authorities or to initiate truancy proceedings.

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

6.2 *Transfers and Withdrawals*

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

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

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

6.3 *Student Fees, Fines, and Charges*

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

6.4 *Extracurricular Activities*

- 6.4.1 General – Students may be offered an opportunity to participate in extracurricular activities and organizations. An extra-curricular activity is defined as an organized school function that requires after school practice and performance. Examples are: athletics, band, drama and chorus. The school principal will identify school functions that meet these criteria and ensure that sponsors, students, and parents are so informed. 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/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. Extra-curricular activities subject to this policy may establish additional requirements;
- d. The sponsor of an extra-curricular activity will be responsible for providing the principal or designee with a list of participants and the governing rules and by-laws;
- e. The organization or activity must operate under and subject to general supervision of school officials; and
- f. The nature of the organization and its activities are not inconsistent with and do not interfere with instructional activities of requirements.

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

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

6.4.3 Academic Ineligibility – The Board recognizes the importance of and encourages the participation in extra-curricular activities but also acknowledges as the primary goal of the school system to promote a high level of academic competence. Therefore, the following standards will govern the eligibility of secondary school students (grades 7 – 12):

- a. Students must maintain an overall “C” average (70% or above) for all courses taken.
- b. The standards will commence upon a student's entry into the 7th grade and will run until completion of the 12th grade.
- c. Completion of summer school or correspondence courses will be used in calculating the “C” average.
- d. A special education student's eligibility will be determined by the grades received and individual education plan (IEP).

6.5 *Off-Campus Events*

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

- a. The destination is an activity, event, or function that services a *bona fide* educational or related extracurricular purpose, or is an athletic event or function sponsored or sanctioned by the school or the school system and the state athletic association;
- b. Adequate information regarding the trip (e.g., destination, duration, purpose, educational purpose, mode of transportation, nature and extent of student participation) has been provided to the principal, program director, and Superintendent;
- c. Adequate arrangements are made for supervision and other risk management considerations (e.g., parental permission, medical treatment authorization, special insurance requirements);
- d. Properly certified and qualified drivers have been selected and arrangements for the costs of the trip (e.g., salary, fuels, maintenance, lodging) have been made;

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 or his/her designee 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/ regulations;
- b. The employment does not conflict with the student's academic coursework;
- c. The employment is necessary for the student to continue in school;

- d. Written approval is obtained from the student’s parent or legal guardian and the Superintendent or his designee;
- e. Other rules, regulations, and requirements, including those pertaining to early dismissal or checkout, are observed; and
- f. Other rules and regulations that may be developed by the Superintendent and approved by the Board.

6.8 *Equal Educational Opportunities*

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

6.9 *Students With Disabilities*

Adhering to the definitions, guidelines and requirements set forth in Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and the Americans with Disabilities Act (“ADA”), the Board prohibits discrimination against students with disabilities referred to in these statutes in any program or activity offered or sponsored by the Board.

6.10 *Title IX*

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

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

6.11 *Student Sexual Harassment*

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

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

- a. Submission to the conduct is made explicitly or implicitly a term or condition of the student’s education, including any aspect of the student’s participation in school-sponsored activities, or any other aspect of the student’s education;
- b. Submission to or rejection of the conduct is used as the basis for decisions affecting the student’s academic performance, participation in school-sponsored activities, or any other aspect of the student’s education;
- c. The conduct has the purpose and effect of unreasonably interfering with a student’s academic performance or participation in school-sponsored activities or creating an intimidating, hostile, or offensive education environment.

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

- a. Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or pictures, and sexual propositions;
- b. Repeated unwelcome solicitations of sexual activity or sexual contact;
- c. Unwelcome, inappropriate sexual touching;
- d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to the student’s educational status.

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

- 6.11.4 Initial Confrontation of Accused Harasser Not Required – A student who invokes the harassment complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to report allegations of suspected harassment to any appropriate Board administrator, teacher, counselor, or employee, and such persons have a duty to promptly refer such allegations to the Superintendent or his/her designee or to take such action as may be required by the procedures established under “Sexual Harassment Complaint Procedures Authorized” (6.11.3) above. In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decision making responsibility in connection with the processing of the complaint.
- 6.11.5 Notice of Policy to be Promulgated – The Superintendent or his/her designee will promulgate and disseminate this policy and the complaint procedures to the schools and will take such other steps and measures as may be reasonably available and expedient for informing the school community of the conduct prohibited by this policy and the recourse available to students who believe that they have been subjected to sexual harassment.

6.12 *Protection of Pupil Rights Amendment*

- 6.12.1 Consent – The Board will obtain parental consent before students are required to participate in a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
- a. Political affiliations or beliefs of the student or student's parent(s);
 - b. Mental or psychological problems of the student or student's family;
 - c. Sexual behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e. Critical appraisals of others with whom respondents have close family relationships;
 - f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 - g. Religious practices, affiliations, or beliefs of the student or parent(s); or
 - h. Income, other than as required by law to determine program eligibility.
- 6.12.2 Notice and Option to Opt Out – Parents will be provided notice and an opportunity to opt a student out of any of the following:

- a. Any survey that is designated to obtain protected information from a student, regardless of the source of funding;
- b. Any non-emergency, invasive physical exam or screening that is required as a condition of attendance, that is administered by the school or its agent, and that is not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law; and
- c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or for the purpose of selling or otherwise distributing the information to others.

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

- a. Protected information surveys of students;
- b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- c. Instructional material used as part of the educational curriculum.

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

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

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

6.13 ***Student Records***

Educational records as defined by law or Board policy will be available for examination and review by authorized persons in the manner prescribed and to the extent required by law. Except where the context requires otherwise, the term “educational records” has the meaning given in 20 U.S.C. 1232g(a)(4). Copies of such records may likewise be provided to the extent required and under circumstances specified by applicable law or regulation. The Superintendent is authorized to establish administrative standards and procedures respecting access to such records, including a schedule of reasonable charges for the reproduction thereof. Parents and students will be provided required annual notification regarding educational records through the Pupil Progression

Plan and Statement of Responsibilities for School Personnel, Parents and Students or by other appropriate means.

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

6.14 *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.

6.15 *Student Conduct*

The Superintendent will prepare and present to the Board for adoption and periodic revision a Code of Student Conduct (“CSC”), with input from teachers, school personnel, students, parents and guardians, and other members of the education community and, as appropriate, the community at large. The CSC will comprehensively describe the rules and standards of conduct and discipline that will be maintained and enforced within Auburn City Schools. The CSC will set forth the specific grounds for disciplinary action, the penalties, sanctions, or consequences that may be imposed for a violation of the CSC, the methods and procedures by which violations of the CSC will be determined, and any appeal or review procedures that are available to students. The CSC will incorporate applicable statutory and regulatory requirements, and the hearing and appeal procedures specified in the CSC will conform to applicable statutory and constitutional standards and requirements. The CSC may be incorporated in a student handbook and will be made available to all teachers, school personnel, students, parents and guardians at the beginning of each school year. The CSC will be deemed an extension of Board policy and will have the force and effect thereof.

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

6.16 *Searches (Students)*

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

computers, files, documents, data, and devices however and wherever kept, stored, or maintained.

- b. *Personal Property* – Personal property, including but not limited to vehicles, purses, wallets, gym bags, book bags, cell phones, computers, and “personal digital assistant” (PDA) devices may be searched by authorized school officials, including school principals or their designees, when reasonable suspicion exists that the property contains prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety or welfare of the school community.
- c. *Personal Searches* – Students may be searched whenever reasonable suspicion exists that the student possesses prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety and welfare of the school community. Student searches must be conducted by a school administrator in the presence of another certified school employee and may include a frisk or “pat down” of the student, a search of personal items and clothing. 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. A record of the search shall be made. One copy shall be filed in the principal’s office. One copy shall be sent to the Superintendent. Parent(s)/guardian shall be notified, in writing, of all such searches of a student’s person. A copy of said notice shall be retained by the principal.
- 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.
- e. *Interrogation of Students* – A student enrolled in the School District shall not be interrogated by any law enforcement authority on public school property during regular school hours without the knowledge of the school’s principal or designee. All interrogations shall be conducted in private, with an official school representative (principal or designated representative) present. Every reasonable effort shall be made to have a parent or guardian present. In those instances where a parent/guardian cannot be present within a reasonable period of time, school officials may allow interviews by law enforcement officials to proceed in the absence of the parent or guardian. Other non-school persons shall not interview students at school with the exception of Department of Human Resources (DHR) personnel or parents or guardians.

6.17 Corporal Punishment

The Board does not permit the use of corporal punishment as a consequence for inappropriate behavior provided that school personnel are not prohibited from using appropriate physical contact or intervention in response to emergencies or other circumstances reasonably requiring such action.

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

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. Suspension may also be imposed as a disciplinary measure as provided in the Code of Student Conduct. Suspensions will be counted as excused absences. Make up work will be permitted for such absences unless permitting such work under the circumstances would be impractical or impossible, would serve no purpose, would place school personnel at risk of harm, or would be unreasonable in light of the grounds for the suspension. Suspension of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act (“IDEA”) and its implementing regulations.

6.19 *Student Expulsion (including Students with Disabilities)*

Students may be expelled from school for offenses serious enough to warrant such action as provided in Code of Student Conduct or other Board disciplinary policies. Students who are recommended for expulsion may be suspended until such time as the Board meets to consider the recommendation for expulsion. Reasonable notice of the proposed action, the reasons therefore, and an opportunity to be heard will be afforded to the student and the student’s parent or guardian prior to a final decision by the Board regarding expulsion. The Superintendent will notify the student or the student’s parent or guardian, in writing, of any action taken by the Board. The term of an expulsion may extend to the maximum permitted by law. The Board may impose such reasonable limitations on the student’s right to re-enroll in the school system following expiration of expulsion as may be permitted by law. A student who withdraws from school prior to the Board’s consideration of a proposed expulsion may not re-enroll in the school system until the Board holds a hearing or other appropriate 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 *Electronic Communication Devices*

The display of and/or use of wireless communication devices or any use of other electronic communications devices used by students for non-instructional purposes is prohibited on any Auburn City Schools campus during regular school day instructional hours. If a violation occurs, the device will be confiscated and consequences will be imposed accordingly, as indicated by the school administrator. The Board assumes no

responsibility for theft, loss, or damage to any personal/wireless communication device. The principal or his designee may approve the use of such devices during medical emergencies, natural disasters, after regular school hours, at events or under circumstances in which the use of the devices serves safety and convenience without disrupting academic or school operations. Use of electronic equipment, such as wireless laptops, distributed by the school system for instructional purposes is allowed.

6.21 *Drivers' License*

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

- a. Students who are mentally or physically unable to attend school;
- b. Students who are regularly and legally employed in compliance with the provisions of the Child Labor Law; and
- c. Students who, because of the lack of public transportation, are compelled to walk more than two miles to attend a public school.

Students who are denied a driver's license by virtue of their 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 should 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 *Voluntary Drug Testing For All Students in Grades 7-12*

It is the objective of the Auburn City Board of Education to assure that all students are given the opportunity to attend school in a safe, drug free environment and that the schools be completely free from the effects and/or the presence of illegal or controlled substances. The Auburn City Board of Education has determined that preventing substance abuse by students is a compelling educational and community interest. Substance abuse is a serious threat to student health and safety and is a disruptive

influence in the school. This policy is designed to create a safe and drug free environment for students by seeking to prevent them from harming themselves and others as a result of the consumption of harmful substances.

It is the belief of the Board of Education that providing students with a voluntary program that rewards them for being drug-free will also influence those who abuse drugs to reject them. The goals of a voluntary drug testing program will be: to promote drug-free students; to educate the student community of the dangers of drug abuse and provide more positive alternatives; to reduce the “demand side” of drug abuse; to improve the communications between youth, police and the community; and to enhance the leadership capabilities of students.

The Auburn City School Board authorizes the Superintendent, or his/her designee, to develop procedures for the implementation of this policy. Also, the Board of Education recommends that the Superintendent, or his/her designee, work with students, parents, the Auburn City Mayor’s Office, Auburn City Police, and Auburn Chamber of Commerce to design a program that shall be a cooperate effort between youth, schools, law enforcement, and the community.

This voluntary program, in no way, is to become a part of any student’s school record/transcript.

6.23 *Harassment, Violence, and Threats of Violence Prohibited*

6.23.1 Prohibition - No student shall engage in or be subject to harassment, violence, threats of violence, or intimidation by any other student that is based on any of the specific characteristics that have been identified by the Board in this policy. Students who violate this policy will be subject to disciplinary sanctions.

6.23.2 Definitions –

- a. The term “harassment” as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth in Section 3(b) below. To constitute harassment, a pattern of behavior may do any of the following:
 1. Place a student in reasonable fear of harm to his or her person or damage to his or her property.
 2. Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.

3. Have the effect of substantially disrupting or interfering with the orderly operation of the school.
 4. Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
 5. Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- b. The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
 - c. The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
 - d. The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.
 - e. The term “student” as used in this policy means a student who is enrolled in the Auburn City school system.

6.23.3 Description of Behavior Expected of Students -

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

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

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

6.23.5 Reporting, Investigation, and Complaint Resolution Procedures -

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

Upon receipt of the complaint, the principal or the principal's designee will, in their sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system. The person reporting the violation may, upon request, be given an explanation of the outcome of the investigation and of any steps taken to prevent a recurrence of the violation, subject to any limitations on the disclosure thereof that may be imposed by law. A person reporting a violation who is not satisfied with the outcome of the investigation may appeal the decision in writing to the local Superintendent.

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

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

- 6.23.6 Promulgation of Policy and Related Procedures, Rules, and Forms – This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes.

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 not less than 25 members, including teachers, administrators and, parents, who will serve a term of one year. Students are loaned textbooks for the duration of the course that requires the textbook and are responsible for the care of the textbook. The parent, guardian, or student must reimburse the Board for the cost of any textbook(s) 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.

The grading system shall be a part of the Auburn City Schools Pupil Progression Plan that is approved by the Board.

- 7.3.1 Special Education Grading Standards – Students who are receiving special educational services may be graded according to an individualized educational plan, and nothing in Board policy or procedure prohibits the extension of appropriate academic modifications or accommodations to students who may be eligible for such modifications or accommodations under provisions of state and federal law.
- 7.3.2 Report Cards – Report cards reflecting student progress will be provided to the parents or legal guardians of students on a regularly scheduled basis.
- 7.3.3 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.
- 7.3.4 Credit Recovery – The Superintendent is authorized to develop procedures for a program through which a student may recover credits in one or more failed courses, in compliance with regulations promulgated by the State Department of

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

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

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. Confidentiality of test results will be assured and information will be released only in compliance with the law.

7.5 Summer School Operations

A "summer school" program may be implemented in compliance with regulations promulgated by the State Department of Education. The summer session shall be provided as an extension of the schedule for the Auburn City Schools. The schedule for summer session shall provide for remedial instruction. 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.

[Reference: Ala. Admin. Code 290-3-1-.02(6)]

7.6 Dual Enrollment

The Board authorizes establishment of dual enrollment programs allowing certain students to enroll in post-secondary institutions in order to dually earn non-academic credits for a high school diploma and /or a post-secondary degree at both the high school and participating post-secondary levels. The dual enrollment program is open to all students in accordance with the following requirements:

- a. Eligible Students – Students participating in a dual enrollment program shall pay normal tuition as required by the post-secondary institution and shall meet the following requirements:
 - i. Have a "B" average, as defined by Board policy, in completed high school courses.
 - ii. Have written approval of the student's principal and Superintendent or his/her designee.
 - iii. Be in grade 10, 11 or 12 or have an exception granted by the participating post-secondary institution upon the recommendation of the student's principal and Superintendent or his/her designee and in

accordance with the Alabama Administrative Code regarding gifted and talented students.

- b. Course Offerings – Courses shall be post-secondary/college level. Post-secondary/college level remedial courses shall not meet the requirements of this program. Students enrolled in courses offered during the normal high school day on or off the high school campus shall have prior permission of the student’s principal, Superintendent or his/her designee and the participating post-secondary institution president.
- c. Credits – Ten quarter/six semester credit hours at the post-secondary level shall equal one credit at the high school level in the same or related subject. Partial credit agreements shall be developed between the school and participating post-secondary institutions.
- d. Parent Participation – Parents shall provide parental permission and transportation for students who wish to be in dual enrollment programs.

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

7.7 Correspondence or Online Courses

Credit for correspondence and online courses may 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 is not limited to, cooperative education, internships, clinical experiences, and other related opportunities. The Superintendent is authorized to develop guidelines and procedures in accordance with the regulations of the Alabama State Department of Education for work-based learning experiences to be conducted in the school system, including, but not limited to, guidelines for decision making and protocol for solving problems at the workplace and school. 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 CTE program of student, but is presented from outside the classroom. The Superintendent is authorized to develop for Board approval guidelines and procedures in accordance with the regulations of

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

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

7.9 Foreign Exchange Programs

The Board does not accept for enrollment or observation students in Foreign Exchange Programs.

7.10 Graduation, Certificate of Completion

A minimum of twenty-six (26) credits of work in grades nine through twelve must be completed satisfactorily in order to meet the requirements for graduation. The graduation requirements for all students will include five units of English, and four units of mathematics, science and social studies. The Alabama State Courses of Study shall be followed in meeting the program requirements. The required subjects and units that shall be completed during grades 9-12 are outlined in the Auburn City Schools Pupil Progression Plan approved by the Board.

In addition to completing the required units, students must pass the Alabama High School Graduation Exam as prescribed by the State Board of Education. Upon completion of the prescribed program, a pupil identified as a special education student will have the option of receiving a Certificate of Attendance, an Alabama Occupational Diploma or of passing the Alabama High School Graduation Exam and receiving a regular diploma.

A student must have completed all requirements for the Alabama High Diploma, the International Baccalaureate Diploma, the Alabama Occupational Diploma or a Certificate of Attendance in order to participate in graduation ceremonies as a member of the graduating class. An individual completing graduation requirements after his/her class has graduated and who is in good standing may participate in the next graduation ceremony scheduled subsequent to having completed said requirements.

Except in cases of bona fide change of residence or other circumstances equally valid for making an exception, a student is not to be graduated from Auburn High School unless he has been in continuous attendance therein during the four semesters immediately preceding the date of graduation. Students residing within the ACS attendance zone and transferring from a non-accredited school /school setting must attend

Auburn High School for two (2) entire high school years immediately preceding the date of graduation.

Reference: Alabama Administrative Code 290-3-1-.02(8)

7.11 *School Wellness*

7.11.1 Nutrition Education – Nutrition education that teaches the knowledge, skills, and values needed to develop healthy eating behaviors will be integrated into the curriculum and offered throughout school campuses, including school dining areas and classrooms, by appropriately trained personnel.

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

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

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

7.11.5 Administrative Implementation – The Superintendent is authorized to develop and implement administrative rules and directives that are consistent with this policy and that are based on input from teachers (including specialists in health and physical education), school nurses, parents and guardians, students, representatives of the school food service program, school board members, school administrators, and the public. The Superintendent will report to the Board, as requested, on programs and efforts that are designed to meet the purpose and intent of this policy.

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

The Board recognizes the right of parents to request that their children not read a given book or use a given audio-visual material or participate in special instructional programs provided a written request is made to the child's school principal. (Special

instructional programs represent defined units of instruction which either supplement or replace previously approved programs of study.)

The Superintendent shall develop or cause to be developed adequate due process procedures whereby any parent or group of parents may request reconsideration of the use of any reading matter, audio-visual material or participation in a special instructional program. The appeal process shall include a review and final decision by the Board.

Reference: Code of Alabama 16-1-30

7.13 *Parent/Family Involvement*

A critical dimension of effective schooling is parent involvement. Students learn better if, in addition to being provided a good instructional program, they receive the continuing support of parents and other significant adults.

Parent involvement has an impact when parent, students, and school share responsibility for the growth and development of each student. Academic achievement can be enhanced through a clear, shared understanding of learning outcomes, a focus of student attention and effort on assigned learning activities, and open two-way communication by the schools' staff and parent/guardian concerning learning issues.

Schools will regularly provide information to parents designed to help parents play their expected role in supporting the learning environment of both home and school. Parents should be:

- a. Engaged positively in their children's education by helping to develop skills to use at home that support the school program.
- b. Provided opportunities to be informed about their child's development and the criteria for its measurement.
- c. Provided with home activities, learning strategies, discipline techniques, and skills to build healthy relationships with children and positive attitudes toward learning.
- d. Provided opportunities to participate in formal organizations for parent/guardians at each school building.
- e. Provided opportunities to communicate with the school through scheduled conferences and other formats.