

## **Preface**

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

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

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

Any provision, feature, or aspect of Board policy that does not conform to governing law should be deemed void and superseded by such law.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

## Definitions

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

- a. “Board” or “Board of Education” means and refers to the Coosa County Board of Education.
- b. “State” means and refers to the State of Alabama.
- c. “System” or “school system” means and refers to all schools, facilities, and operations of the Coosa County Board of Education.
- d. “State Board of Education” means and refers to the Board that exercises general control and supervision over the public schools of the State of Alabama as constituted and authorized by ALA. CODE §6-3-1, *et seq.* (1975).
- e. “Alabama (State) Department of Education” means and refers to the state agency that is charged with implementing the policies, procedures, and regulations of the State Board of Education as provided in ALA. CODE §16-2-1, *et seq.* (1975).
- f. “He,” “his,” or “him” means and includes all genders.
- g. “Law” includes local, state, and federal statutes, regulations, ordinances, court decisions, and binding administrative orders or directives.
- h. “Certified” or “certificated,” when used to modify the words “teacher,” “personnel,” “employee,” “staff,” or similar terms, means and refers to Board employees who hold certificated or comparable forms of licensure issued by the State Superintendent of Education under authority of ALA. CODE §16-23-1 (1975).
- i. “Classified” or “support,” when used to modify the words “personnel,” “employee,” “staff,” or similar terms, means and refers to Board employees who do not hold certificates issued by the State Superintendent of Education under authority of ALA. CODE §16-23-1 (1975) and who, in general, hold employment positions of the type identified in ALA. CODE §16-24(C)-3(2) (1975), of the Code of Alabama (1975).

Citations to the United States Code, the Code of Alabama, and the Alabama Administrative Code are all intended to refer the reader to sources that either serve as legal authority for the policy provisions or that provides 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.

**Coosa County Schools  
Policy Manual**

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## ***I. Governing Principles***

The Coosa County School System is committed to empower all students to develop their full potential through an innovative educational system characterized by a committed staff, challenging curriculum, and collaborative community partnerships.

## II. School Board Operations

### 2.1 *Board Composition and Organization*

2.1.1 Composition - The Coosa County Board of Education is composed of five (5) members who are elected to six (6) year terms by qualified electors of Coosa County, Alabama. Members may not be employees of the Board..

[Reference: ALA. CODE §§16-8-1, 2 (1975).]

2.1.2 Resignation – Prior to the completion of a term of office, a Board member may submit a written resignation for approval by the Board. Additionally, a Board member is considered resigned when his permanent residence is no longer in Coosa County. Any resulting vacancy shall be filled pursuant to state law.

[Reference: ALA. CODE §16-8-6]

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

[Reference: ALA. CODE §16-8-4 (1975)]

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

### 2.2 *Duties and Authority of Board Members*

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

## **2.3 Board Member Compensation**

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

[Reference: ALA. CODE §16-8-5 (1975)]

## **2.4 Board Member Training**

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

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

2.4.2 Source of Training and Report - The Board recommends the requirements of this policy be satisfied by participation in training provided by the Alabama Association of School Boards or other sources considered knowledgeable in school board governance and leadership and approved by the Board.

[Reference: ALA.. CODE §16-1-41 (1975)]

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

[Reference: ALA CODE §16-1-41 (1975)]

## **2.5 Board Meetings**

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

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

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

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

2.5.3 Agenda Preparation and Dissemination – A written agenda for each regular board meeting shall be prepared by the superintendent in consultation with the board president and distributed to each board member 48 hours in advance of the meeting, and, if practicable, 24 hours prior to special meetings.

2.5.4 Rules of Order – Board meetings will be conducted in accordance with the rules generally adopted by deliberated bodies for their governance and such rules shall be adopted by the Coosa County Board of Education. A majority of the whole Board will constitute a quorum for purposes of transacting Board business except as may otherwise be provided by law.

2.5.5 Voting – All Board members attending a regular or specially called meeting shall vote on each matter placed before the Board. A Board member may abstain from voting only if the member has a conflict of interest.

2.5.6 Public Participation – It shall be the policy of the Board of Education to conduct all meetings in full view of and with welcomed participation by the public. The Board encourages citizens of the community to appear and bring before the Board any matter deemed important to the improvement of the school district.

All delegations or individuals who wish to appear before the Board shall make such requests to the Superintendent at least five (5) days prior to the meeting date, stating what matters are to be presented to the Board. The Superintendent shall have the authority to determine whether items requested are significant enough to warrant inclusion on the agenda.

Each delegation appearing before the Board shall select one person in advance as its spokesperson and provide that name to the Superintendent. Only persons or groups properly requesting an appearance before the Board shall be placed on the agenda. The Board, at its discretion, may address questions to persons who address the Board after the presentation is completed.

The Board shall have authority to terminate the remarks or remove any persons when such remarks become personal in nature or such person disrupts, becomes boisterous, or interferes in any manner with the orderly process of the meeting.

All those appearing before the Board shall be given five (5) minutes to make their presentation. Any supplemental materials may be supplied prior to the board meeting. The Board shall be guided by its previously adopted policies in arriving at a decision on matters brought up by any such delegation.

[Reference: ALA. CODE §16-8-9 (1975)]

## **2.6 *Superintendent's Responsibilities***

2.6.1 Role, Responsibilities, Qualifications, and Term - The Superintendent serves as the chief executive officer of and secretary to the Board. The Superintendent may exercise such prerogatives and duties as are prescribed by statute, as are delegated or specified in an employment agreement, or as are otherwise lawfully assigned by the Board. The Superintendent must possess the minimum qualifications for the position that are established by law. The Superintendent's term will be as established by law.

[Reference: ALA. CODE §16-8-7 (1975)]

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

2.6.3 Superintendent's Duties – The Superintendent shall act as the chief executive officer of the Board. He shall have, under the direction and policies of the Board and in accordance with state law and regulations of the State Board of Education, responsibility for the management of the school system and the supervision of all personnel in the system. The Superintendent shall be authorized to delegate to other employees of the Board such responsibilities imposed on him by the Board as he may deem necessary. Delegation of responsibility to other personnel of the system shall not relieve the Superintendent of his responsibility for the total operation of the schools. The general scope of duties of the Superintendent shall include, but not be limited to, the following:

- a. To exercise, pursuant to state statutes and under the direction of the Board, general supervision of all public schools in the school district.
- b. To enforce all provisions of law and all regulations relating to the management of the schools, and other educational, social, and recreational activities under the direction of the Board of Education.

- c. To attend meetings of and have a seat on the Board of Education; to have the right to speak on all matters but not the right to vote; and to bring such matters before the Board as seem to him necessary for the general welfare of the schools.
- d. To keep abreast of and keep the Board of Education informed concerning acceptable, modern school practices, and to make such recommendations to the Board as shall lead to the establishment of standards which will assure growth and progress of the school district.
- e. To carry out the policies adopted by the Board under such powers as may be delegated by the Board.
- f. To initiate those matters required of the Superintendent under Alabama law as set forth in ALA. CODE §16-8-1, *et seq.*, §16-9-1, *et seq.* and other applicable areas respecting the duties and responsibilities of the county superintendent.
- g. To exercise general supervision over all employees, and have the right to nominate, assign, suspend, and transfer all employees. All appointments and transfers are subject to a written recommendation from the Superintendent and the approval of the Board, except those made within the first twenty (20) days of the school year.
- h. To suspend any pupil from the schools whenever, in his judgment, the best interests of the schools are served.
- i. To assure the proper maintenance of all school district records.
- j. To plan, prepare, and administer the budget as enacted by the Board, acting at all times within legal requirements and in accordance with policies of the Board.
- k. To represent the School System in community affairs.
- l. To perform such official duties as may be prescribed by law or the Board.
- m. To collaborate and consult with the Board to maintain a continuing strategic planning process that results in focusing the system's human and financial resources on a strategic plan which defines the system's shared vision and values.



- n. The Superintendent shall promptly notify Board Members of any emergency which occurs in the schools.

[Ref. ALA. CODE §16-9-12 to 34 (1975)]

## **2.7 *Record keeping 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.

[Ref. ALA. CODE §§16-1-3 through 5; 16-8-34; 36-12-1, et seq. (1975)]

## **2.8 *Association Membership***

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

### **III. Fiscal Management**

#### **3.1 *Chief School Financial Officer***

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

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

#### **3.2 *Budget***

A budget will be developed and approved for each fiscal year, which extends from October 1<sup>st</sup> to September 30<sup>th</sup> 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 balances on hand, except under conditions set forth by Alabama law governing the issuance of school warrants.

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

#### **3.3 *Accounting***

Generally accepted accounting standards as prescribed by the Government Accounting Standards Board (GASB) or other governing authority will be applicable in the administration of all Board and school finances. All Board and school accounts will be recorded and reconciled in the financial records in a timely manner. All reports required by the State Department of Education will be completed in a timely manner with copies provided to Board members.

#### **3.4 *Accounting & Fiscal Operations Manual Authorized***

Financial transactions will be administered in accordance with an accounting and fiscal operations manual that will be developed by the Superintendent or the Chief School Financial Officer and approved by the Board. The accounting and fiscal operations manual 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, fundraisers, fees, record retention, purchasing, disposal of property, banking, and investments. The practices, procedures, and requirements set forth in the manual 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/or the Chief School Financial Officer regarding the contents of the manual.

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

### **3.5 Audits**

Business and financial transactions of the Board and the records of the Board financial accounts will be audited in accordance with auditing standards generally accepted in the United States of America and in accordance with Alabama state law.

[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, including items lost, disposed of, purchased or otherwise added during the year, resulting in items on hand at the end of the fiscal year.

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

### **3.7 Purchasing**

3.7.1 General – 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 accounting and fiscal operations manual.

3.7.2 Adherence to Ethics Law – Employees shall adhere at all times to the provisions of the Alabama Ethics Law in all matters related to purchasing.

### **3.8 Deposit and Expenditure of Funds**

3.8.1 Deposits - All funds of the Board will be deposited with qualified depositories, as defined by law, in the manner prescribed by the Chief School Financial Officer and the accounting and fiscal operations manual. The Board requires that school funds be deposited on a daily basis, whenever possible.

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

- 3.8.3 Expenditures - The Superintendent or his designee may spend funds budgeted for operations without prior Board approval unless the expenditure involves an amount in excess of fifty thousand dollars (\$50,000) for personal services contracts. Any capital project requires Board approval.

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

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

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

- 3.8.5 Authorized Signatures - Checks drawn on the general fund or any special fund, with the exception of school accounts, require the signature of the Superintendent or 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 their alternate as approved by 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 alternate approved by the Board.

### **3.9 *Employee Compensation***

- 3.9.1 Salaries and Pay Rates - Except as established and governed by the terms of a special employment contract, Board employees will be compensated at rates of pay that are approved by the Board. When required, such salary or compensation rates will be included in a schedule to be developed and adopted by the Board in accordance with state law. Employees may receive supplements or other additional compensation when specifically approved by the Board. The Board authorizes the Superintendent to develop procedures for the purpose of assigning supplements to employees.

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

- 3.9.2 Local Supplements - School-related booster or support organizations may fund local supplements for individual Board employees. Such payments may be approved by the Superintendent and/or his designee only if the following conditions are satisfied:

- a. The payment is voted on and approved by the membership of the booster or support organization that proposes to fund the supplement at a regular meeting of the organization;
- b. Funding for the payment must be sufficient to cover benefits, expenses, and other payroll costs, contributions, and liabilities, if any;
- c. The Board of Education accepts no responsibility for the funding source of local supplements.
- d. A check and letter of authorization for the payment is sent to the Board no later than the payroll cutoff date for the month in which the payment is to be made;
- e. The payments are accepted by the employee with the understanding that they do not constitute a part of any employment contract, salary schedule, or legal obligation that is enforceable against the Board, and that the Board has no continuing obligation to maintain supplemental payments to any employee that are provided, funded, or underwritten by a booster club, support organization, or similar third party; and
- f. The payments are subject to any payroll deductions that are required by law.

3.9.3 Salary Administration - Employees are expected to fulfill the work requirements of the position held for the full term of their appointment. Compensation will be prorated to reflect the number of days actually worked, subject to appropriate adjustments, credits, and allowances for available leave. Salaries for full time employees will be paid over twelve months regardless of the contract term, with the exception of eligible first year teachers who may be paid over thirteen (13) months upon the recommendation of the Superintendent. 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.

3.9.4 Salary Deductions - Mandatory salary deductions will be made in accordance with applicable law, and employees are required to complete and submit all forms and provide such information as may be required or reasonably required for such purpose. The Board will make voluntary Board-approved deductions as recommended by the Superintendent as a service to employees upon written request of the individual employee as permitted by law. 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)]

- 3.9.5 Minimum Wage and Overtime - In compliance with the Fair Labor Standards Act ("FLSA"), the Board will pay required minimum hourly wages and approved overtime to all employees who are non-exempt employees under the FLSA. For purposes of determining overtime, the workweek begins at 12:01 a.m. on Sunday and ends at midnight on the succeeding Saturday. All non-exempt employees who are approved to work more than forty (40) hours in a work week will be paid overtime. Employees must accurately report all time worked for the Board in the manner prescribed by the Superintendent. Non-exempt employees are not authorized to work more than forty (40) hours in a workweek without specific direction or authorization to do so by the Superintendent, or his designee.
- 3.9.6 Compensatory Time - Non-exempt employees who work more than forty (40) hours in a workweek may, upon prior approval of the employee's direct supervisor, 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 and any overtime accrued in excess of the two hundred forty (240) hours maximum will be paid as overtime compensation. The Board reserves the right to require an employee to use compensatory time as its needs require and may "pay down" any compensatory time balance in its discretion. The Superintendent is hereby authorized to develop procedures and forms for use in implementing this policy.
- 3.9.7 Payroll Direct Deposit – The Coosa County Board of Education makes available direct deposit to its employees. Effective July 1, 2016, all newly hired employees shall be required to participate in the direct deposit of the employees' payroll check. The appropriate direct deposit forms shall be made available through the Human Resources Department. In the event that the payroll payment cannot be directly deposited into the employee's account, then a check will be issued to the payroll address of record or delivered by other means as directed by the Chief School Financial Officer. The employee will be responsible for notifying the payroll department in writing of any change in banks, bank account numbers, or account closing concerning the direct deposit account.

### **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 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.

[Reference: ALA. CODE §16-8-5 (1975), §16-8-7, §16-11-9 and §16-12-3(a)]

### **3.11 *Fees and Payments***

Copying and Other Charges - The Superintendent is authorized to establish a schedule of reasonable charges which 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 accounting and fiscal operations manual, and such procedures, rules, and regulations as may be developed by the Chief School Financial Officer or the Superintendent. The principal is ultimately responsible for all school funds and for ensuring that such funds are properly accounted for and secured.

### **3.13 *Authority to Execute Contracts***

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

3.13.2 Limitation on Authority to Bind the Board – Principals and other administrators will have authority to enter into agreements only when such agreements are made in accordance with Board policy and the accounting and fiscal operations manual 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 Examiners of Public Accounts, Internal Auditors under the Chief School

Financial Officer's direction, or the Board. 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.

3.14.3 Outside 501-C Boosters, Parent Organizations, Other School Related Organizations - The Board of Education requires Parent, Booster and related school 501-C organizations that maintain financial operations outside the control of the school to, at a minimum, comply with the State Department of Education guidelines for financial operations of school related organizations. The outside legal entities authorized under I.R.S. Code Section 501-C may provide funds to provide an additional supplement including employer matching benefits for salaries agreed to by the employee and the related organization unless such payments are in violation of Title IX, other federal, state, or local laws and regulations. The additional supplement agreed to by the outside legal entities and employees does not obligate in any way the Coosa County Board of Education or related school resources or fund balances. All supplement payments to employees shall be processed through the Coosa County Board of Education Central Office payroll department with appropriate payroll withholdings.

### **3.15 Fundraising**

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

- a. The activity has been pre-approved by the local school principal or the Superintendent;
- b. The activity will be held at a time and in a manner that will not be disruptive to the instructional program or to any other school or school system activity or function unless pre-approved by the Superintendent;
- c. The activity is designed and intended to support a *bona fide* school or school system program or activity, or an activity that is consistent with the mission and purposes of the school system;



- d. Adequate provision has been made for the security and proper accounting of funds collected;
- e. Other information regarding the nature, scope, and purpose of the activity is provided to school officials upon request;
- f. Appropriate arrangements have been made for any special activities to be held in conjunction with the fundraising event; and
- g. Any food items sold for fundraising shall be in compliance with child nutrition guidelines.

### **3.16 *School Properties Disposal***

The Board of Education shall be advised by the Superintendent in the event that certain real or personal property is no longer needed for public school purposes.

The Board, upon receipt of such report, may at such time as it deems proper and at its discretion declare that such property is no longer needed for public school purposes.

Once real property is declared as surplus by the Board, the Superintendent or his designee shall be authorized to take appropriate action in disposing of such property as outlined below:

- a. Obtain an appraisal(s) reflecting the fair market value.
- b. Notify local government authorities that such property is no longer needed for school purposes and invite a proposal if there is need for such property.
- c. Follow the procedures in the manner prescribed by state law for the sale of real property.

[Reference: ALA. CODE §16-8-40; Att’y Gen. Rept. V. 91 at 49 (1948). V. 142 at 18 through 21 (1971)]

### **3.17 *Child Nutrition Procurements***

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

[Reference: ALA. ADMIN.. CODE 290-080-030-.01, *et seq.*]

### **3.18 Bonding**

The Superintendent and the designated Chief School Finance Officer will be bonded in an amount fixed by the State Superintendent of Education. A certified copy of such bond shall be placed on file with the State Department of Education. School principals will be bonded for not less than one thousand dollars (\$1,000.00). Other Board employees may be bonded in an amount approved by the Board. All bonds will be obtained from a reputable surety company authorized to do business in Alabama.

[Reference: ALA. CODE §§16-13-8, 9, 12; 16-30A-5]

### **3.19 Fund Balance Policy in Accordance with GASB Statement No. 54**

3.19.1 Purpose - The following policy is necessary in order to address the implications of Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Definitions.

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

- a. The General Fund is used to account for and report all financial resources not accounted for and reported in another fund.
- b. Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.
- c. Debt Service Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest, even if it is being accumulated for future years' payments. Debt Service Funds should be used to report resources if legally mandated.
- d. Capital Projects Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets.

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

- a. Nonspendable fund balances include amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained in-tact. Examples of nonspendable fund balance

reserves for which fund balance shall not be available for financing general operating expenditures include: inventories, prepaid items, and long-term receivables.

- b. Restricted fund balances consist of amounts that are subject to externally enforceable legal restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. Examples of restricted fund balances include: restricted grants.
- c. Committed fund balances consist of amounts that are subject to a purpose constraint imposed by formal action of the Board before the end of the fiscal year and that require the same level of formal action to remove the constraint.
- d. Assigned fund balances consist of amounts that are intended to be used by the school system for specific purposes. The Board authorizes the Superintendent or Chief School Finance Officer to make a determination of the assigned amounts of fund balance. Such assignments may not exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. Assigned fund balances require the same level of authority to remove the constraint.
- e. Unassigned fund balances include all spendable amounts not contained in the other classifications. This portion of the total fund balance in the general fund is available to finance operating expenditures.

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

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

### **3.20 *Worthless Check Policy***

Child Nutrition Services gladly accepts checks for the amount of purchases or for the prepayment of meals under these conditions:

- a. Each person writing a check to their perspective school cafeteria should write the check on a commercially printed check with your name, address, and one phone number.
- b. Checks must be made payable to the school cafeteria.
- c. Only personal checks with pre-printed name and address will be accepted. (No business or counter checks).
- d. If a student account is in the negative ala carte items cannot be purchased at anytime.
- e. In the event that the checks are not cleared within 10 days all checks will be turned over to our local circuit clerk for collections.

In any event that a check written and is returned unpaid by your bank a \$30 returned check fee will be assessed. The fees collected for returned checks may be used for related expenses and recovery of uncollected checks by Coosa County Board of Education. If we receive one (1) check for non-sufficient fund from any one household, only cash or money order will be accepted for meal payments. At the end of the school year, account balances will carry forward to the next school year. If a student is moving out of the school system or a refund is desired at the end of the school year, a written request including name and correct mailing address must be given to the manager. A refund check will be mailed within 30 days.

### **3.21 *Meal Charge Policy***

The following policy is in force for the sole purpose of stopping the continuous meal charges by students that result in many hours of unsuccessful attempts by Child Nutrition Program employees and school office personnel to collect said charges. This policy would eliminate the need for Principals to maintain accounts to cover unpaid negative balances at the end of the year by students who have charged multiple times. Unpaid balances cannot carry over from one year to the next by the Child Nutrition Program.

The general policy is not to allow students to charge their meals to the Child Nutrition Program at any time. Each school, however, may develop a charge policy that is separate from the Child Nutrition Program that best suits their needs and the needs of their students. The charge policy of each school is made with the understanding that it is each school's responsibility to collect those charges in a reasonable time to clear any negative balance that shows on each child's account. It is not the responsibility of the Child Nutrition Program staff to collect those charges. Each school that has developed a charge policy has to clear any unpaid balances at the end of the school year. Below is the policy for each school in the Coosa County School System.

**Elementary School** – Students in grades K-4 shall not charge any meals to the Child Nutrition Program. However, in cases of emergency, students in grades K-4 may charge up to two (2) times with the parent/guardian being notified after the first charge. It shall be the responsibility of the Elementary School Principal and/or the school office staff to collect these charges in a reasonable time frame. After two (2) unpaid charges the student will be given an alternate meal until charges are paid.

**Middle School** – Students in grades 5-8 shall not charge any meals to the Child Nutrition Program. In cases of emergency, the student should be sent to the office to make arrangements for their parent/guardian to bring money from home.

**High School** – Students in grades 9-12 shall not charge any meals to the Child Nutrition Program.

This policy is not to embarrass or punish any student, but it is developed to discourage the abuse to our Child Nutrition Program with continuous charges by the students. It is ultimately the parent/guardian's responsibility to make sure that their child has enough money to cover their meals each day.

No meals can be charged in the month of May.

### **3.22 *Cash Management for Federal Funds (Adopted 7/14/2016)***

The Board will minimize the time between the receipt of federal funds from the United States Treasury, the Alabama Department of Education, or other pass-through entity, and the disbursement of the federal funds. Federal funds will only be requested to meet immediate cash needs as follows:

- Reimbursement not covered by prior receipts and;
- Anticipated disbursements that are generally fixed, such as monthly program salaries and benefits; or,
- Disbursements will be made within in fifteen business days after receipt of funds.
- The Chief School Financial Officer will maintain financial records that account for the receipt, obligation, and expenditure of each federal program fund.
- Cash balances for each federal program fund and for the aggregate of all federal program funds will be monitored daily by the Chief School Financial Officer or designee.

Board procedures to minimize the cash balances in federal program funds are expected to prevent the aggregate cash balances of federal program funds from earning \$500 or more for the fiscal year if maintained in interest-bearing accounts. The federal program funds, with the exception of Child Nutrition Program funds, will not be maintained in an interest-bearing bank account if the Chief School Financial Officer determines that

banking requirements for minimum or average balances are so high that an interest-bearing account would not be feasible. Federal program funds will be maintained in insured checking accounts that are subject to the state requirements for public deposits under the SAFE program.

### **3.23 *Determination of Allowable Costs (Adopted 7/14/2016)***

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

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

Before payments are made from federal funds the federal program director and the chief financial officer or designee will determine that the federal program expenditure complies with generally accepted accounting principles and complies with state, local, and federal laws, rules, and regulations. Any cost reduction or cash refund (rebates, discounts, etc.) related to the transaction will be credited to the Federal program.

## 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.
- 4.1.3 Adult Sex Offenders – Adult Sex offenders who have been convicted of a sex offense involving a minor must:
- a. Notify the principal of the school to request permission before entering school property or attending the PK-12 school activity; the principal may deny an offender’s request to come onto the school campus;
  - b. Immediately report to the principal of the school upon entering the property or arriving at the PK-12 school activity;
  - c. Cooperate with any efforts undertaken by the principal of the school to discreetly monitor their presence on school property or at the PK-12 school activity. For the purposes of this subsection, a PK-12 school activity is an activity sponsored by a school in which students in grades PK-12 are the primary intended participants or for who students in grades PK-12 are the primary intended audience including, but not limited to, school instructional time, after school care, after school tutoring, athletic events, field trips, school plays, or assemblies. Adult sex offenders have a

duty to comply with this policy, and it shall not be construed as imposing an affirmative duty of any kind on the school principal, his designee, or any other employee, agent, or representative of the school or school system; and

- d. Notify the Superintendent or his designee to request permission before attending any meeting or function held at the central office of the Board of Education. The Superintendent or his designee may deny an offender's request to come to the central office. The offender shall immediately report to the Superintendent or his designee upon entering the central office..

[Reference: ALA. CODE §15-20A-17]

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

4.2.1 Prohibition on the Possession of Firearms – The possession of a firearm in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel and as provided by law. For purposes of this policy, the term “firearm” has the same definition as is found in 18 U.S.C. §921.

- a. *Penalties for violations* – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of firearms:
  1. *Students* – Students will be expelled for a period of one year. The expulsion requirement may be modified in writing by the Board upon recommendation of the Superintendent on a case-by-case basis. Students who are expelled for firearm possession may not attend regular school classes, but may be permitted to attend alternative schools or education programs established by the Board. Discipline of students with disabilities who violate the firearm possession policy will be determined on a case-by-case basis in accordance with federal and state law. Parents of students who violate this policy will also be notified by the principal of violations.
  2. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
  3. *Other Persons* – Other persons may be denied re-entry to school property.



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

[Reference: ALA. CODE §16-1-24.1, 24.3 (1975); ALA. ADMIN. CODE 290-3-1-.02; Federal Gun Free Schools Act, 20 U.S.C. 7175; 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, 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 a such manner as to inflict bodily harm, provided that the terms “deadly weapon” and “dangerous instruments” will exclude, to the extent permitted by law, devices and equipment that are used for the purpose of and in connection with school or Board sanctioned educational, team, or competitive activities.

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

1. *Students* - Students will be disciplined in accordance with the Board’s Code of Student Conduct.
2. *Employees* - Employees will be subject to adverse personnel action, which may include termination.
3. *Other Persons* - Other persons may be denied re-entry to school property.

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

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

4.2.3 Illegal Drugs and Alcohol - The use, possession, distribution, and sale of alcohol and the illegal use, possession, distribution, and sale of drugs in a school building,

on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited.

- a. *Penalties for Violations* - In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of illegal drugs or alcohol:
  1. *Students* – Students will be disciplined in accordance with the Board’s Code of Student Conduct.
  2. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
  3. *Other persons* – Other persons may be denied re-entry to school property.
- b. *Notification of Law Enforcement* – The principal shall notify the appropriate law enforcement officials when a person violates Board policy concerning illegal drugs and alcohol. These officials may include the School Resource Officer, Juvenile Probation Officer, county sheriff or local district attorney. If any criminal charge is warranted, the principal is authorized to sign the appropriate warrant. If that person is a student in any Coosa County public school, he (she) shall immediately be suspended from attending regular classes and a hearing shall be scheduled by the Superintendent. The decision to suspend or initiate criminal charges against a student shall include a review and consideration of the student’s exceptional status, if applicable.

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

- 4.2.4 Tobacco and E-Cigarettes – The use of tobacco products and electronic nicotine delivery system (“e-cigarettes”) and the illegal possession, distribution, and sale of tobacco and e-cigarette products in a school building, on school grounds, on school buses, or any Board property, or at school-sponsored functions is prohibited.

E-cigarette product is defined as an electronic device used to deliver nicotine or other substance, chemical or flavoring to the person inhaling from the device. The following are examples of prohibited devices: electronic cigarettes, vape pens, hookah pens, e-hookahs, vape pipes and any similar type of device designed to deliver nicotine, flavor and other chemicals or substances via inhalation.

a. *Penalties for Violations*

1. *Students* – Students who violate the tobacco and e-cigarette prohibition will be disciplined in accordance with the Board’s Code of Student Conduct.
2. *Employees* – Employees who violate the tobacco and e-cigarette prohibition will be subject to adverse personnel action, which may include termination.
3. *Other Persons* - Other persons who violate the tobacco and e-cigarette prohibition may be denied re-entry to school property.

b. *Parental Notification* - Parents and guardians may be notified of actual or suspected violations of the tobacco and e-cigarette 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 the 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 Alabama law.

[Reference: ALA. CODE §16-1-24.1 and 24.3 (1975)]

4.2.8 Accident – The Board of Education shall require accidents which require more than general first aid occurring on school grounds or in school facilities to be reported immediately to the principal’s office. Reasonable efforts will be made to contact the injured student’s parents or legal guardian in case of accident or injury which requires more than general first aid, whenever possible. Any student suffering an accident or injury which requires more than general first aid shall not be left unattended. The teacher or other staff member who was supervising the student at the time of the accident or injury, if the injury required more than general first aid, shall provide a written report of all circumstances surrounding the accident to the principal and Superintendent.

### **4.3 *Accreditation***

The Board will implement and adhere to such accreditation policies, principles, standards, and procedures as may be established or required by AdvanceED and the Division of the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (“SACS/CASI”) as a condition to receiving or maintaining accreditation.

### **4.4 *Use of Board Property***

4.4.1 Annual Reports – Annual reports shall be provided to the Board relative to maintenance needs, safety, utility and attractiveness of school plants and grounds within the school district.

4.4.2 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.

4.4.3 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 and/or his designee. The Superintendent is authorized to develop a schedule of reasonable fees for the use of Board facilities and property by individuals, groups, or organizations.

#### **4.5 *Naming Board Facilities***

When naming schools, school facilities, buildings on school grounds and/or any structure on property belonging to the Coosa County Board of Education, the decision will be left to the discretion of the Board. Requests to name or rename any board property, including buildings, portions of a building, and other Board facilities should be submitted to the Superintendent with a justification giving the rationale for the name to be selected. Under most circumstances, the Board will name schools in order to reflect their location and relationship to the communities served by the school system.

#### **4.6 *Complaints and Grievances***

4.6.1 General Complaints (Grievances) – Subject to the limitations set forth below, 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 there under 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 Students First Act 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 and in accordance specified in the Code of Conduct. 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 Conduct.

#### **4.7 *Americans with Disabilities Act Complaint Procedure***

- 4.7.1 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.
- 4.7.2 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 interview or a tape recording of the complaint, will be made available for persons with disabilities upon request.
- 4.7.3 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.
- 4.7.4 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.

4.7.5 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 years.

4.7.6 Additional Procedures Authorized- The Superintendent is authorized to develop such procedures as are necessary to implement this policy

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

#### **4.8 *Risk Management***

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

#### **4.9 *Emergency Closing of Schools***

4.9.1 Authority of Superintendent to Close Schools - The Superintendent or his 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). The Superintendent or his designee is also authorized to declare an early dismissal, late start or closure of schools for any other reasonable event.

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

#### **4.10 *Technology Use and Internet Safety***

4.10.1 Introduction - It is the policy of Coosa County Board of Education to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

4.10.2 Access to Inappropriate Material - To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other

forms of electronic communications, access to inappropriate information. Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

4.10.3 Inappropriate Network Usage - To the extent practical, steps shall be taken to promote the safety and security of users of the Coosa County Board of Education online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called ‘hacking’, and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

4.10.4 Education, Supervision, Monitoring - It shall be the responsibility of all employees of the Coosa County Board of Education to educate, supervise and monitor students’ appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21st Century Act. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the technology director or designated representatives. The school technology committee member or designated representatives will provide age-appropriate training for students who use the Board’s Internet facilities. The training provided will be designed to promote the Board’s commitment to:

- a. The standards and acceptable use of Internet services as set forth in the Board’s Internet Safety Policy;
- b. Student safety with regard to:
  1. safety on the Internet;
  2. appropriate behavior while on online, on social networking Web sites, and in chat rooms; and
  3. cyber bullying awareness and response.
- c. Compliance with the E-rate requirements of the Children’s Internet Protection Act (“CIPA”).
- d. Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the Board’s acceptable use policies.



## 4.11 *Data Governance and Use*

### 4.11.1 Purpose

- a. Implement standards and procedures to effectively manage and provide necessary access to information while protecting the confidentiality, integrity and availability of the information.

**All relevant provisions in the Responsibility Use Policies (RUP) and Technology Standard Operating Procedures (TSOP) are also applicable.**

- b. Define information classification and safeguards.
- c. Establish mechanisms for delegating authority for information access.

### 4.11.2 Scope

- a. These measures apply only to information in a digital format. Additional policies and laws apply to information in paper format, but no electronic control measures are needed.
- b. These measures apply to all Board employees, contract workers, visitors, students, and all information used to conduct operations of the system.
- c. These measures apply to information accessed from any location.

4.11.3 Regulatory Compliance - The Coosa County Board of Education will abide by any law, statutory, regulatory, or contractual obligations affecting its information systems. The Board's data governance policy and procedures are informed by the following laws, rules, and standards, among others:

- *FERPA* - The Family Educational Rights and Privacy Act, applies to all institutions that are recipients of federal aid administered by the Secretary of Education. This regulation protects student information and accords students' specific rights with respect to their data. For more information: <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html><http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>
- *ALABAMA RECORDS DISPOSITION AUTHORITY* – ALA. CODE §41-13-23 authorized the Alabama Department of Archives and History to publish rules for Local Government Records Destruction. For more information: <http://www.archives.alabama.gov/officials/localrda.html>  
<http://www.archives.alabama.gov/officials/localrda.html>

- *COPPA* - The Children’s Online Privacy Protection Act regulates organizations that collect or store information about children under age 13. Parental permission is required to gather certain information. For more information: <http://www.coppa.org><http://www.coppa.org/>

4.11.4 Committee Members - The Data Governance Committee (“DGC”) for the Coosa County Board of Education will consist of representation from all schools.

4.11.5 Guiding Principles

- a. The Superintendent and/or his designees shall determine appropriate access permissions based on policies, applicable laws and best practices.
- b. Data Users granted “create” and/or “update” privileges are responsible for their actions while using these privileges. That is, all schools or other facilities are responsible for the data they create, update, and/or delete.
- c. Any individual granted access to data is responsible for the ethical usage of that data. Access will be used only in accordance with the authority delegated to the individual to conduct school related operations.
- d. Authorized users should safeguard the data they are entrusted with.
- e. These principles apply to data regardless of location. Users who transfer or transport data “off-campus” for any reason should comply with all data security measures prior to transporting or transferring the data.
- f. The DGC is responsible for reviewing this policy annually and communicating the changes to all involved parties. When requested or necessary, the DGC will provide guidance and input to the appropriate personnel (Authorized Requestors, Technology Office personnel, administrators, etc.) on matters concerning this policy.

4.11.6 Access Coordination

- a. Central Office Staff and county administrators will assist in classifying data sensitivity levels for their areas of expertise and in identifying which employees require access to which information in order to perform their duties.
- b. The District Technology Coordinator will designate individuals within the Technology Office to implement access to systems and data based on the

restrictions and permissions determined by the Authorized Requestors using the technical tools and resources available.

- c. Central Office Department heads, supervisors, area specialists, and principals will train all employees under their supervision concerning data security.
- d. The local school principal and/or designee should notify the Technology Office of personnel changes in the school that affect access to information (new hires, leaves, transfers, name changes, retirements, etc.). This notification should be done in a timely manner so that access can be established and/or terminated effectively.
- e. Information Classification Levels
  - 1. Personally Identifiable Information (**PII**)
    - i. Personally Identifiable Information is information about an individual maintained by an agency that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records.
    - ii. Any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information also qualifies as PII.
    - iii. Unauthorized or improper disclosure, modification, or destruction of this information may violate state and federal laws and/or result in civil and criminal penalties.
  - 2. Confidential Information (**CI**)
    - i. Confidential Information is very important and highly sensitive material that is not classified as PII. This information is private or otherwise sensitive in nature and must be restricted to those with a legitimate business need for access.
    - ii. Examples of Confidential Information may include: personnel information, key financial information, proprietary information of commercial agencies, system access passwords and information file encryption keys.

- iii. Unauthorized or improper disclosure of this information to individuals without a business need for access may violate laws and regulations. Decisions about the provision of access to this information should be cleared through the Authorized Requestor

3. Internal Information

- i. Internal Information is intended for unrestricted use within the Coosa County School System, and in some cases within affiliated organizations. This type of information is already widely distributed within the Coosa County School System, or could be distributed within the organization without advance permission from the information owner.
- ii. Examples of Internal Information may include: personnel directories and internal policies and procedures.
- iii. Any information not explicitly classified as PII, CI or PI will, by default, be classified as Internal Information.
- iv. Unauthorized disclosure of this information to individuals outside of the Coosa County School System may not be appropriate due to legal or contractual provisions.

4. Public Information (**PI**)

- i. Public Information is information that is targeted for general public use. Examples include Internet website content for general viewing, press releases, newsletters, etc.

5. Employee Directory Information

- i. The following items are defined as employee directory information and may be released and used as directory information unless an exception is noted beside the item below.
- ii. Employee Name
- iii. Employee Number (excluding social security numbers)

- iv. Address and Telephone Listing - May not be listed in a public directory or shared publicly without specific permission. May be used in a local school directory for internal use. May be used with third-parties to provide Board provided services (For example, but not limited to: telephone calling alerting system, texting alerting system, substitute placement program, time and attendance program)
- v. Electronic mail address
- vi. Photograph
- vii. HQT Status - As needed to comply with Federal reporting requirements
- viii. Degree/Certification
- ix. Salary Schedule
- x. Job Position

f. Compliance

1. Users are expected to respect the confidentiality and privacy of individuals whose records they access; to observe any restrictions that apply to data; and to abide by applicable laws, policies, procedures and guidelines with respect to access, use, or disclosure of information. The unauthorized use, storage, disclosure, or distribution of data in any medium is expressly forbidden; as is the access or use of any data for one's own personal gain or profit, for the personal gain or profit of others, or to satisfy one's personal curiosity or that of others.
2. Each Board employee should be familiar with the Data Governance and Use Policy and these measures as they relate to his or her position and job duties.
3. Employees, including Authorized Users, should notify the Technology Office prior to installing any program or granting access to anyone within any program to data.

4. Violations of these compliance measures may result in loss of data access privileges, administrative actions, and/or personal civil and/or criminal liability.

g. Implementation of Controls and Protections and Physical Security

1. Shared Responsibilities
2. The Technology Office will work with Authorized Requestors to implement access controls and protections for data stored in managed systems such as INOW, SETS, network drives, etc.
3. Board employees, including Authorized Requestors, shall not select or purchase software programs that will utilize or expose PII without first consulting the Technology Office to determine whether or not adequate controls are available within the application to protect that data. (The exception to this would be any software program purchased or utilized by the Alabama State Department of Education. In this case, the Alabama State Department of Education shall assume all security responsibility for data it accesses or receives from the Coosa County Board of Education.)
4. The Technology Office staff and/or the Authorized Requestor will provide professional development and instructions for employees on how to properly access data to which they have rights, when necessary. However, providing these instructions to employees will be the shared responsibility of the supervisor(s) of the Authorized User(s) and the Technology Office.
5. Technical controls and monitoring cannot ensure that unauthorized access never occurs. Therefore, it is the shared responsibility of all employees to cooperatively support the effectiveness of the established technical controls through their actions.

h. Authorized Requestors

1. Authorized Requestors should be knowledgeable in all policies, laws, rules, and best practices relative to the data for which they are granting access; including, but not limited to FERPA, HIPAA, etc.

2. Authorized Requestors should inform appropriate Technology Office Personnel about information they will need to use and store in order to allow the Technology Office to determine the best physical and/or logical controls available to protect the data.
3. This shall include:
  - i. Which data should be classified as PII
  - ii. Where that data resides (which software program(s) and servers)
  - i. Who should have access to that data (**Authorized Users**)
  - iv. What level of control the Authorized User should have to that data (i.e. read only, read/write, print, etc.)
3. Location of Data and Physical Security
  - i. PII and CI data shall be stored on servers/computers which are subject to network/workstation controls and permissions.
  - ii. Serving devices (servers) storing sensitive information shall be operated by professional network system administrators, in compliance with all security and administration standards and policies, and shall remain under the oversight of the Technology Office.
  - iii. Persons who must take PII and CI data out of the protected network environment (transport data on a laptop, mobile device, etc.) should obtain the permission of their supervisor prior to doing so. Permission to do so will be granted only when absolutely necessary. The user responsible for the device shall take proper care to isolate and protect files containing sensitive information from inadvertent or unauthorized access (passwords, PINS, encryption, etc.).
  - iv. Storage of PII and CI on laptops, mobile devices, and devices that are not used or configured to operate as servers is prohibited, unless such information is encrypted. Assistance for encryption may be requested from the

Technology Office. There may also be additional costs involved for software and hardware.

- v. District staff who must print reports that contain PII or CI shall keep this material in a secure location, such as a vault, locked file cabinet, etc. In addition, all printed material containing PII or CI documentation shall be shredded when no longer in use.
  - vi. No PII or CI is authorized to be stored on personally owned equipment.
- i. Disposal of Hardware containing System Data
- 1. Prior to disposal of any computer, the user will follow the computer recycling procedures outlined in the Coosa County Policy Manual.
  - 2. All schools and departments which purchase or lease copy machines or multifunction printers should maintain procedures for the destruction of data on the device's hard drive or the destruction of the hard drive itself prior to disposing of the copier or MFP or its return to the leasing agency.
- j. Application of Network and Computer Access Permissions
- 1. The Technology Office Staff shall implement network protection measures including, but not limited to:
  - 2. Maintaining firewall protection access to the network and/or workstations.
  - 3. Protecting the network from unauthorized access through wireless devices or tapping of wired media, including establishing 'guest' wireless networks with limited network permissions.
  - 4. Implementing virus and malware security measures.
  - 5. Application of Security Patches.
  - 6. Establishing and maintaining password controls on access to the network workstations, and other data depositories.



7. Categorizing and/or re-classifying data elements and views.
8. Granting selective access to data as directed by Authorized Requestors.
9. Documenting any deviation from mandatory requirements and implementing adequate compensating control(s).
10. Transfer of Data to External Service Provider
11. Student directory information may be transferred to an external service provider, such as an online website that teachers wish students to use for educational purposes, provided that:
  - i. The teacher notifies the Technology Office about the use of the site so it may be added to the Board site that notifies parents about sites the Board uses.
  - ii. The Board notifies parents about their right to restrict their child's data from being shared with such sites annually via the Code of Conduct/RUP.
- k. No PII data, CI data, or FERPA protected educational records will be transferred to an external service provider without prior approval of the DGC. (The exception to this would be the Alabama State Department of Education.)
- l. No school or department should enter into a contract for the use of any program that requires the import of Board data without first consulting and receiving approval from the DGC.
- m. The DGC will determine which type of agreement should be required of the service provider and assist in ensuring these requirements are met prior to any data transfer. Examples of agreement types are:
  1. Provider Terms of Use - Acceptable as Provided
  2. Contract
  3. Designating the service provider as an "Official" as defined in FERPA
  4. Memorandum of Understanding

5. Memorandum of Agreement
  6. Non-Disclosure Agreement
  7. Reporting Security Breaches
- n. All employees should timely report suspected or actual breaches of data security to their immediate administrator or technology coordinator whether due to inappropriate actions, carelessness, loss/theft of devices, failures of technical security measures, or any other intentional or unintentional act(s) that led to the breach.
- o. Data Governance Training
1. Principals and Central Office Administrators will receive refresher training on FERPA and other data security procedures annually at principals meetings.
  2. Principals and Central Office Administrators shall contact the Technology Coordinator when in doubt about how to handle data information.
  3. Principals and Central Office Administrators will be kept aware of emerging issues pertaining to data security.
  4. Principals, Central Office Administrators and Department Heads should educate their staff on data governance and technology policies.
- p. Data Quality Controls
1. Employees whose responsibilities include entering, maintaining, or deleting data shall provide data that is accurate, timely, confidential and complete. This includes, but is not limited to: school registrars, counselors, special education staff, and CNP staff handling free and reduced lunch data.
  2. All employees shall enter data relevant to their area accurately and in a timely manner.
  3. School administrators shall enter discipline information accurately and in a timely manner.

q. Supervisory Responsibilities

1. It is the responsibility of all Supervisors (principals, department, and central office) to set expectations for data quality and to evaluate their staff's performance relative to these expectations.
2. Supervisors should immediately report incidents where data quality does not meet standards to their superior and to any other relevant department, including the State Department of Education, if applicable.

r. Student Information Systems – Application Access Roles and Permissions

1. Any software system owned or managed by the Board which is used to store, process, or analyze student educational records as defined by FERPA or used to store PII or CI shall be subject to strict security measures. Examples of these systems are:
2. Information Now – General student information system
3. SetsWeb – Special Education information system
4. CNP Software – Child nutrition information system
5. Accounting and Payroll Software

Administrators with supervisory responsibilities over the Board's Student Information Systems shall determine the appropriate access rights to the data and evaluate compliance with these roles and permissions. Principals and department heads will be consulted by the appropriate administrator as needed in determining access level permissions needed at the school level for these systems.

6. School Level Information Applications

- i. Any software system owned and/or managed by the School which is used to store, process, or analyze student educational records as defined by FERPA or used to store PI data or CI data shall be subject to strict security measures.

- ii. Principals will determine appropriate roles and access to the data and will evaluate compliance with these roles and permissions. Supervisory personnel will be consulted as needed in determining access level permissions needed at the school level for these systems.

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

#### **4.13 *Copyright Restrictions***

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

#### **4.14 *Service Animals In Schools***

The Board acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a “service animal” in its school buildings, in classrooms, and at school functions, as required by the Americans with Disabilities Act, 28 CFR Part 35. A “service animal” is an animal that has been individually trained to do work or perform tasks for the benefit of an individual with a disability.

#### **4.15 *State Law***

If the Coosa County Board of Education has not adopted a policy required by any future state law requiring such a policy, the Board adopts as its policy the state law requiring such policy.

#### **4.16 *Conflicts of Interest (Adopted 7/14/2016)***

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

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

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

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

*A conflict on the part of a public official or public employee between his or her private interests and the official responsibilities inherent in an office of public trust. A conflict of interest involves any*

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

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

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

#### **4.17 Procurement Policy (Adopted 7/14/2016)**

The board will follow state laws for the procurement of property and services. The primary state procurement laws for Alabama school boards are:

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

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

- Avoid acquisition of unnecessary or duplicative goods and services;
- Use the most economical and efficient approach for acquisitions;
- Award acquisition contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement;

- Consider contactor integrity, compliance with public policy, record of past performance, and financial and technical resources prior to awarding procurement contracts;
- Maintain records sufficient to document the history of the procurement; and,
- Conduct procurement transactions in a manner that provides full and open competition.

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

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

## 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 reasonable 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 shall at all times maintain an appropriate, “professional” demeanor with students and shall not engage in conduct, including communication of any kind, that constitutes, solicits, or suggests sexual, romantic, or inappropriately familiar interaction with students.



- i. Employees are required to report to work or to school functions in attire that is appropriate to their position and the nature of the function and that is in keeping with generally accepted standards of decorum and professionalism. Service and other employees who are issued uniforms shall wear uniforms when required.
- j. Employees shall promptly disclose to the Board any fact that would disqualify them from employment or that renders them unable to perform their essential job functions.
- k. The Board of Education shall not prohibit outside employment by an employee. Under no condition, however, will the Board permit outside work by an employee to interfere with his efficiency in carrying out his responsibilities. The Board reserves the authority to deny any employee the privilege of working at another job if such employment lessens or interferes with the employee's efficiency and work in his assigned duties.

#### 5.1.2 Special Requirements

- a. *Work Schedules (Certified Employees)* - Supervisory and instructional duties of certified employees commence and conclude as set by the local school administration. 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. Certified employees will be provided a minimum of thirty (30) minutes free of instructional and supervisory responsibilities each instructional day.
- b. *Work Schedules (Support Personnel, Central Office Staff, and Administrators)* - The Superintendent is authorized to establish work schedules, including minimum work times, for support personnel, central office staff, and administrators.
- c. *Professional Certification* - In addition to requirements established by the State Board of Education and the pertinent job description, professional employees must hold a degree from an accredited college or university and hold a current, valid, and properly endorsed Alabama Teacher's Certificate, which will be maintained in the Superintendent's office. A teacher who has completed the certification process but has not received the certificate may be employed on tentative or temporary compensation pending verification of certification from the State Department of Education. If a teacher earns a higher certificate that merits increased compensation under the approved salary schedule, any salary increase will

become effective on the date it is recognized by the State Department of Education, but only following receipt of documentation of the new certification from the State Department of Education.

- d. *Substitute Teachers* - Substitute teachers must, at a minimum, possess a high school diploma or its equivalent and a valid and current Alabama Substitute Teacher's Certificate or Alabama Teacher's Certificate. Substitute teachers must complete substitute training before being placed on the Board approved substitute teachers' list.
- e. *Teacher Aides* - 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.
- f. *Bus Drivers* – A bus driver must meet all requirements established by the State Board of Education. 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 except substitute teachers must file an on-line application with the Coosa County Board of Education. Applications must be completed in full. All information provided in the application must be truthful. Any misrepresentation of a material fact on an employment application may disqualify the applicant from consideration for the position and may subject an employee to adverse employment action, including termination.
- 5.2.2 Qualifications - Applicants must meet the minimum qualifications of the position as provided in Board policy, the job description for the position, the posted advertisement for the position, or as may otherwise be established by the Board, applicable law, or regulation. Applicants must hold such degrees, licenses, certificates, and like credentials as may be necessary, appropriate, or customary for the position in question.
- 5.2.3 Hiring Authority - The Board is responsible for making all final hiring decisions, and no hiring decision is official, final, or effective unless and until it is approved by a vote of the Board. No principal, administrator, supervisor, or other employee has authority to hire an applicant without Board approval or to commit the Board to specific action regarding employment.

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

5.2.5 Nepotism -

- a. *Supervisory Relationships* - No employee may be assigned to a work location or to a position in which the employee would report to or be under the immediate supervision of another family member as defined in the Alabama Ethics Law, ALA. CODE §36-25-1(14 and 15) (1975). Any inadvertent employment or assignment of a family member that violates this policy must be properly 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(14 and 15) (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 specified or established for such duties in the Board’s official salary schedule. Such duties include coaching and sponsorship of athletic support organizations (e.g., cheerleaders, flag teams, drill teams) as well as scholastic support activities (e.g., yearbook, service clubs, academic honoraries). Such supplemental duties are considered additional non-teaching assignments to be made 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 or his designee 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.

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

## **5.7 Employee Gifts**

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

Employees may accept gifts or gift cards purchased from pooled donations within a class, team, or other school organization for the employee's personal use, provided that the amount that each person gives does not exceed twenty-five dollars (\$25.00) and that the contribution to the pool does not result in the donor's exceeding the aggregate amount of allowable gifts for that year.

[Reference: ALA. CODE §36-25-1, *et seq.*; Alabama Ethics Advisory Opinion No. 2011-12]

## **5.8 *Employee Evaluations***

- 5.8.1 Certified Personnel - Certified employees (other than contract principals) will be evaluated in accordance with an evaluation program approved for use by the state or local 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 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.
- 5.8.3 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.
- 5.8.4 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 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. All employees who are allowed access to a personnel file shall sign an access log specific to that file. Any request by an employee for access to his or her own personnel file shall be made in writing and at least twenty-four (24) hours prior to the time for requested access.

## **5.10 *Substitute Teachers***

- 5.10.1 General - The Superintendent will maintain a list of properly qualified substitute teachers from which principals, assistant principals, or designated representatives may secure substitute teachers. It is the responsibility of the principal or designee to secure a substitute teacher. Long term substitute teachers will be selected by the school principal and are subject to approval by the Superintendent.
- 5.10.2 Compensation - Substitute teachers will be compensated according to the Board approved salary schedule. A substitute teacher will not qualify for benefits and will be paid monthly for the number of days actually worked. Substitute teachers are not eligible for continuing service status and time worked as a substitute will not be counted toward continuing service status, even where the substitute teacher later is employed in a permanent position with the Board.

## **5.11 *Employee Leave***

- 5.11.1 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.
- 5.11.2 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. Professional leave;
- c. Vacation leave;
- d. Personal leave;
- e. Military leave;
- f. Court leave;
- g. Unpaid Educational leave;
- h. Other unpaid leave that is specifically approved by the Board upon a showing of substantial hardship or extraordinary circumstances.

5.11.3 Extended Absences Require Notice - Employees who know in advance that they will be absent from work for an extended period of time 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 their designated supervisor of their absence as early as possible. Except as otherwise provided or permitted, an employee who is absent from work without approved leave will be considered absent without leave in violation of Board policy and subject to appropriate disciplinary measures. Employees who are approved for paid leave or absences will be paid at the regular daily rate of pay; however, a day of paid leave or absence will not be counted as a day worked for the purposes of computing overtime under the Fair Labor Standards Act. Pay will be reduced on a *pro rata* basis for leaves or absences not covered by sick, vacation, personal, or other appropriate form of paid leave. The continuation of benefits during an approved absence is subject to the provisions of the particular benefit policy or plan.

#### 5.11.4 Paid Sick Leave

- a. *Persons Eligible for Paid Sick Leave* - All regular full time employees are eligible to accrue (earn, accumulate) paid sick leave.
- b. *Earnings and Accumulation of Paid Sick Leave* - All eligible employees earn sick leave days at the rate provided for in state law. Eligible employees may accumulate sick leave as provided by state law.

- c. *Use of Sick Leave* - Eligible employees may only use paid sick leave for absences caused by the following:
  - 1. Personal illness;
  - 2. Incapacitating personal injury;
  - 3. Attendance upon an ill member of the employee's immediate family, defined as a spouse, parent, child, sibling or any person with a close personal relationship or responsibility;
  - 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 relationship or responsibility exists because of a relationship other than those listed above.
- d. *Certification* – Employees must certify that sick leave was used for one of the reasons provided in state law and specify the reason. If the employee's principal or department head has probable cause to believe that an employee has abused or misused sick leave, a physician's statement verifying the existence and nature of the illness or medical condition may be required by the Superintendent or his designee. Abuse of sick leave may subject the employee to disciplinary action.

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

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

- 5.11.6 Personal Leave - All regular, full time employees are eligible for five (5) non-cumulative personal leave days each scholastic year (2 fully paid and 3 partially paid). Personal leave must be requested in writing in accordance with such procedures as may be established by the Superintendent or the Board. Teachers may be compensated for unused personal leave at the end of the school year at the same daily rate of pay used for substitute teachers. Full time employees may choose to convert unused personal leave days to sick leave days at the end of the school year.

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

5.11.7 Vacation

- a. *Eligible Employees* - Twelve-month full-time employees are eligible for paid vacation.
- b. *Vacation Benefits* - Eligible employees will earn vacation benefits as follows:
  1. All eligible employees are entitled to ten (10) days vacation per year.
  2. Vacation shall be earned by the month and accountable for by the year, July 1 through June 30, up to ten (10) days.

3. One (1) vacation day will be earned for each month of employment up to ten (10) days.
4. New employees will begin earning vacation days on the effective date of employment provided employment is on or before the 15<sup>th</sup> day of the month. If employment is after the 15<sup>th</sup> day of the month, said employee will not earn a vacation day for that month. If employees resign prior to the 15<sup>th</sup> of the month, they will not earn a vacation day for that month. If employees resign on or after the 15<sup>th</sup> of the month, the employee shall earn a vacation day for that month.
5. No vacation days will be granted before they are earned.
6. All vacation days must be used prior to an effective resignation date.
7. The Board will not make cash payments for unused vacation days.

- c. *Accrual and Accumulation of Vacation Time* - Vacation days may be accumulated to a maximum of ten (10) days.
- d. *Scheduling* - Vacations must be scheduled with the knowledge and approval of the employee's department head.
- e. *Holidays* – Holidays for Board employees are defined in the annual Board calendar. Twelve (12) month employees shall be considered “on-call” and/or assigned duties during holidays which occur during the regular school year in order to accomplish maintenance, custodial, and/or educational related tasks.

5.11.8 Professional Leave - The Superintendent is authorized to grant professional leave with pay to Board employees to engage in educational activities which, in the judgment of the Superintendent, serve the needs and interests of the school system. The number of days approved for such leave will be at the discretion of the Superintendent; provided, however, that any such leave exceeding five days in a scholastic year must be approved by the Superintendent and/or his designee.

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

5.11.10 Court Leave - Permanent and full-time employees are entitled to regular

compensation while performing jury duty or when the employee is summoned under subpoena or other legal requirement to testify at trial in a court of law or in administrative proceedings constituted under the statutory authority of the agency conducting the proceedings, except for any proceeding which is not school-related. 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.

[ALA. CODE §§16-8-25, 12-16-8 (1975)]

5.11.11 Educational or Study Leave - Permanent and full time employees may be permitted an unpaid leave of absence for educational or study reasons without loss of continuing service status upon the specific advance approval of the Board. The following terms and conditions will apply to any such request:

- a. The leave must not unduly disrupt the operation of the Board or school.
- b. The leave of absence must be for the purpose of receiving additional educational training or engaging in other activities that will benefit the instructional program and/or the operation of the school or the Board. Said leave will not be approved for an employee who wishes to receive training for a position or job outside of education.
- c. An employee requesting leave must be a tenured employee of the Board.
- d. Written request for such a leave of absence must be made to the Superintendent.

The Board retains the sole discretion to approve the request for such leave and may consider the extent of disruption to the Board, benefits to the school system that will be derived as a result of the leave, the ability to secure a suitable substitute for the period of leave, length of service of the employee requesting leave, and any other factor the Board deems appropriate.

## **5.12 *Family and Medical Leave Act (FMLA)***

5.12.1 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.

5.12.2 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 child;

- b. The adoption or foster placement of a child;
- c. The care of a “serious health condition” of an immediate family member;
- d. When the employee is unable to work because of a serious health condition; and
- e. Qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation (for more information you can visit the U.S. Department of Labor’s website at [www.dol.gov](http://www.dol.gov)).

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.

5.12.3 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.

#### 5.12.4 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 service 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 or active duty.

5.12.5 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.

5.12.6 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.

5.12.7 Use of Leave - If an employee has available sick leave, catastrophic leave or comp time 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.

5.12.8 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.

5.12.9 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.

5.12.10 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.

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

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

employee or a family member, or (ii) other circumstances beyond the employee's control.

5.12.13 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.

5.12.14 Leave of Absence - Medical or Birth/Adoption - An employee may be granted a one-year leave of absence without pay for each birth/adoption of a child, or personal illness when proper application is made to the Coosa County Board of Education. For valid extenuating circumstances, the Board may extend the leave of absence for up to one additional year. Such leave granted by the Board shall not be deemed to interrupt the continuing service of the employee. Should an employee who qualifies for FMLA leave is also granted Medical or Birth/Adoption leave, the first twelve (12) weeks of that leave shall be deemed to be FMLA leave.

### **5.13 *Sick Leave Bank***

A "Sick Leave Bank" plan for full-time certified and classified employees is hereby established in accordance with the applicable provisions of state law.

- a. A Sick Leave Bank Committee composed of four (4) Coosa County Board of Education employees and one (1) representative of the Coosa County Board of Education shall be established and selected as provided by law.
- b. A Sick Leave Bank Committee shall write the guidelines and procedures for the sick leave bank, including catastrophic leave provisions of law, for Board approval. All changes must be approved by a majority of the Sick Leave Bank membership.
- c. All guidelines and procedures must be consistent with law.

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

### **5.14 *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 give rise to the leave. Administrative leave is not disciplinary in nature or purpose and does not affect the employee's compensation, benefits, tenure, or non-probationary status. Administrative leave may be accompanied by such additional restrictions or conditions as may reasonably be imposed

by the Superintendent under the circumstances (e.g., limitation on access to school property). The status of employees who are on administrative leave will be reviewed and reported to the Board periodically or as otherwise may be directed by the Board.

## **5.15 *Equal Employment Opportunity***

5.15.1 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.

- a. *Reporting* - Any employee with reason to believe that he or she has been or is being subjected to any form of discrimination 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 discrimination 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.

5.15.2 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 work place, 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.

## **5.16 *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.



5.16.1 Definition of Sexual Harassment - Sexual Harassment consists of unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, 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.

5.16.2 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.

5.16.3 Employee Complaint Resolution Procedures

- 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 against the Superintendent, the complaint should be submitted to another central office administrator. 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.

#### 5.16.4 Formal Complaint Procedures

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

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

5.16.6 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.

5.16.7 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.

## **5.17 *Reduction-In-Force***

### 5.17.1 Definition and Scope

- a. This policy applies to reductions-in-force that are implemented by “layoffs” as contemplated by ALA. CODE §16-1-33 (1975).
- b. A reduction-in-force may be declared by the Board of Education and layoffs approved there under if the Board determines that decreased student enrollment or a shortage of revenues requires a reduction in the work force (beyond normal attrition) in order to maintain effective provision of educational services or to meet the Board’s financial, legal, or operational obligations.
- c. A “layoff” within the meaning of this policy is a separation from employment with the Board of Education. However, employees who are laid off under authority of this policy are eligible for recall to employment as conditionally provided in this policy. Moreover, layoffs are not terminations for cause within the meaning of the Alabama Teacher or Fair Dismissal laws and are not subject to the procedural or substantive requirements thereof. Or does the term “layoff” include or apply to the expiration of temporary, occasional, or “at-will” appointments or to decisions not to renew or extend employment beyond the expiration of annual or other specified terms of appointment.

### 5.17.2 Criteria for Implementing Layoffs

- a. Employees who are to be laid off under authority of this policy shall be determined on the basis of objective criteria.
- b. The criterion or criteria on which the layoffs are to be based shall be announced or otherwise made known by the Board to employees affected by the layoff no later than the date notice of the layoff is provided to the employees.
- c. “Objective criteria” within the meaning of this policy may include any lawful selection standard (or combination of standards), the application of which would consistently affect the same employees in the same way without regard to the identity, personal preferences, or individual

judgment of the person applying the standard(s). By way of example and not limitation, objective criteria could include seniority, minimum years of experience, degree(s), certification, or licensure, type of position, classification, or field of employment.

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

- a. The nature of the position and qualifications have not materially changed;
- b. The laid-off employee remains properly qualified, licensed, or certified; and
- c. The laid-off employee confirms in writing his or her availability for an interest in re-employment to the Superintendent in accordance with any directives that may be contained in or transmitted in conjunction with the notice of layoff.

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

5.17.4 Notice - Notification of layoff and recall shall be by United States certified or registered mail, hand delivery, or such other means as are reasonable under the circumstances. Upon receipt of notification of recall, a laid-off employee shall respond affirmatively to the notice of recall in accordance with such specific directions or instructions as may be contained therein. Any laid-off employee who does not so respond or who otherwise declines an offer of re-employment by the Board will be deemed to have waived any right to be recalled under the terms of this policy.

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

## **5.18 *Unauthorized Payments***

5.18.1 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.

- 5.18.2 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.
- 5.18.3 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.
- 5.18.4 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.

## **5.19 Drug and Alcohol Testing of Safety Sensitive Employees**

5.19.1 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.

- a. Effective July 1, 2014, the Board will adopt for all "covered employees" provisions in the U.S. DOT regulations (FMCSA) 49 C.F.R. Parts 382 and 392, regarding the use of prescription controlled substance medications. Using, possessing or being under the influence of the following drugs/controlled substances while on duty is prohibited:
  1. Schedule 1 substances (e.g. heroin, marijuana, LSD);
  2. Amphetamines, narcotics, and other controlled substances UNLESS prescribed by a licensed medical practitioner who has advised the employee that the medication(s) will NOT affect the employee's ability to safely perform his/her duties.

5.19.2 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 four (4) 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.

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

- a. *Pre-employment Testing* - Prior to the first time a covered employee performs a safety-sensitive function for the Board, the employee must undergo testing for alcohol and controlled substances.
- b. *Post-accident Testing* - Each surviving driver of an accident, as defined by the FHWA, will be tested for alcohol and controlled substances. In addition, covered employees who are involved in an accident involving injury to a person, or property damage in excess of five hundred dollars (\$500.00) will be subject to post-accident testing.
- c. *Random Testing* - The Board will conduct unannounced random alcohol and controlled substance testing of its covered employees.
- d. *Reasonable Suspicion Testing* - A covered employee must submit to alcohol or controlled substance testing whenever there is reasonable suspicion of alcohol misuse or the use of controlled substances based on specific, contemporaneous, and articulable observations concerning the appearance, behavior, speech or bodily odors of the employee.
- e. *Return-to-Duty Testing* - A covered employee must submit to return-to-work alcohol and /or controlled substance test before being permitted to return to work following a positive alcohol or controlled substance test or other violation of this policy or federal regulations.
- f. *Follow-up Testing* - Any employee who continues performing safety-sensitive functions for the Board, following a determination that the employee requires assistance in resolving problems associated with alcohol misuse or the use of controlled substances, shall be subject to

unannounced follow-up alcohol or controlled substance testing as directed by the Board's substance abuse professional (SAP).

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

[Reference: Omnibus Transportation and Employment Act of 1991]

## **5.20 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, and maintained.
- b. *Employee Property* - The Board reserves the right to inspect employees' vehicles, purses, files, and other personal property if a supervisor forms a reasonable individualized suspicion that the property contains evidence of a violation of Board policy or contains any material, object, or substance that otherwise creates or presents a risk of harm or injury to the school, the workplace, or persons therein.
- c. *Use of Recovered Items* - Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

## **5.21 Self-Reporting Arrest or Conviction**

Reporting Event:

The Coosa County Board of Education insists upon maintaining a safe and secure environment for all students and employees. In that regard, all employees shall self-report to the Superintendent within three (3) business days any arrest or conviction of a felony, any arrest or conviction related to child abuse or crime of violence whether a felony or misdemeanor, any conviction of any other misdemeanor, and any arrest for illegal use or



possession of drugs, driving under the influence (DUI) or driving while impaired (DWI), but excluding minor traffic offenses such as speeding, running stop signs, or running red lights.

Failure to follow this policy is considered insubordination and may subject employees violating this policy to disciplinary action up to and including termination.

Definitions:

Arrest – the taking of a person into legal custody.

Conviction – the act or process of judicially finding someone guilty of a misdemeanor or felony in a court of law.

Self-Reporting – to notify the Superintendent in writing of a reporting event.

## VI. Students

### 6.1 *Admissions and Attendance* (Adopted 7 14 2016)

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

- 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* – Students entering first grade for the first time must be six (6) years old on or before December 31<sup>st</sup>. Students turning six (6) years old after December 31<sup>st</sup> shall not be eligible for admission to first grade during that school year. Except that an underage child who transfers from the first grade of a school in another state may be admitted to school upon the approval of the local school system. An underage child who has moved into this state having completed or graduated from a mandated kindergarten program in another state shall be entitled to admission to the first grade, regardless of age.

[Reference: ALA. CODE §§16-28-3, 4 (1975)]

### 6.1.2 Admission to Schools

- a. *Resident Students* - School-aged children who reside within Coosa County, Alabama may be admitted to Coosa County Schools. The Board of Education shall admit students to the schools of the school system on an individual basis under such rules and regulations as the Board may prescribe.
- b. *Foreign Exchange Students* – The residence of students attending a Board school as part of a foreign exchange student program will be the residence of the host family. The Coosa County Board of Education understands and appreciates the cultural and language contribution to education made possible by the interaction of students from other countries with our own and shall make accommodations for having such students attend our schools. Because of the increasing number of opportunities for foreign students to obtain a visa and reside temporarily in our system, either through organized foreign exchange programs or through informal arrangements with families of relatives or friends, the Superintendent and/or his designee shall develop procedures to be followed for admission

of foreign students. Foreign exchange students may be admitted only to attend grades 10 or 11 in the school system. The standards for successful completion of a course and the granting of credit for the course shall be the same for foreign exchange students as they are for resident students.

All foreign exchange students who wish to enroll should present their request to the Superintendent as soon as possible.

- c. *Homeless Students* – Homeless students will be permitted to enroll without regard to residency status and may be entitled to other accommodations under federal law.

[Reference: McKinney-Vento Homeless Assistance Act (42 U.S.C. §11431) *et seq.*, 34 C.F.R. 200.6]

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

- e. *Required Documentation* – Students entering the school system for the first time, regardless of grade level, will be required to submit a certified birth certificate, documentation or other proof of residency, and such other registration materials as school officials may reasonably require, including but not limited to a certificate of immunization or an exemption as prescribed by the Department of Health and signed by 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, Limited English proficient or homeless students.

- f. *Placement of Students*- Local school administration will determine the placement of newly enrolled students in accordance with state law.

6.1.3 Absences and Excuses - Anytime a student is absent from school, the absence will be designated as excused or unexcused. Excused absences will be permitted for the following reasons:

- a. Illness;
- b. Death in immediate family;

- c. Inclement weather which would be dangerous to the life and health of the child as determined by the principal;
- d. Legal quarantine;
- e. Emergency conditions as determined by the principal; or
- f. Prior permission of the principal upon request of the parent or legal guardian.

Documentation supporting an excused absence must be submitted in a timely manner (3 school days) 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.

- 6.1.4 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 and to initiate truancy proceedings.

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

## **6.2 *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 local school administration and approved by the Superintendent. All such fees, fines, and charges will be collected and accounted for in accordance with the procedures, rules, and regulations to be developed by the Chief School Financial Officer or as provided in the Board finance or local school finance manual(s).

## **6.4 *Concussions***

The Board will use concussion-related information and forms prepared by the Alabama High School Athletic Association as they may be revised from time to time, but nothing

in any such materials should be interpreted or otherwise understood to create a duty or standard of care on the part of any person charged with its implementation.

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

## **6.5 *Extracurricular Activities***

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

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

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

6.5.3 Extracurricular Fees- All fees charged for extra-curricular activities shall be approved by the local school administration.

## **6.6 *Drug/Alcohol Policy For "Activity Students"***

6.6.1 Purpose - Coosa County Schools recognizes that students who participate in

extracurricular activities are assets to the sports, academics, and leadership components of our educational institutions. These include athletics, cheerleading, band, and students that possess campus parking passes. Collectively, these students will be referred to as "activity students". To assist its "activity students" in maximizing their skill and talents and afford them every opportunity to remain drug/alcohol free in order to help protect themselves, as well as other students with whom they come in contact, the Coosa County Schools has implemented the following drug and alcohol screening program. This program is enacted as a preventive measure and as a deterrent to "activity students" who may be thinking of trying alcohol or other drugs.

#### 6.6.2 Definitions

**“Activity Students”** - athletes, cheerleaders, band students and students that possess campus parking passes.

**Athletics** - sports, games, and exercises that require strength and/or skill, sanctioned by AHSAA.

**Random Testing** - testing without definite date and time.

**Positive Result** - positive proof of a substance(s) found in a student’s body, as indicated by the test administered.

#### 6.6.3 Policy - This policy will apply to all “activity students” whose privileges can be taken away for failure to comply.

Each "activity student" shall be provided with a consent form, a copy of which is attached hereto, which shall be dated and signed by the "activity student" and by a parent or legal guardian before such student shall be eligible to participate in athletics, cheerleading, band, or student drivers.

Any "activity student" testing positive, refusing to test, refusing to cooperate with testing, or being in violation of this policy will not be penalized academically. Information, including testing positive, will not be released to criminal or juvenile authorities.

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the school through its drug/alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings.

#### 6.6.4 Enforcement - The Coosa County School System reserves the right to require all “activity students” to submit to alcohol and/or other drug tests to determine the

presence of prohibited substances. All current “activity students” may be required to undergo testing on a random basis without advance notice.

“Activity students” testing positive for drugs/alcohol will be subject to suspension from student athletics, cheerleading, band, and student driving privileges, until the student can provide a negative test result. Refusal to cooperate with the school in any test investigation will include immediate suspension from participating in extracurricular activities—athletics, cheerleading, band, and/or forfeiture of parking privileges.

#### 6.6.5 Testing Procedures

- a. The school will conduct random drug/alcohol testing on “activity students.”
- b. An “activity student” who is subject to random testing and is absent on the day of the random drug/alcohol screening will not be penalized in any way should his/her name be on the random list for testing that day.
- c. If an “activity student” has a positive drug/alcohol test result, depending on the substance(s) found in the urine, the parent or legal guardian will be given the opportunity to submit a valid prescription that may have produced a positive result. The student will be suspended from all activities until a valid prescription is provided.
- d. Once an “activity student” has tested positive, his/her name will not be removed from the random pool of names and may be subject to testing every time drug/alcohol testing is conducted.
- e. Testing will be in-house at the school by a certified drug tester. “Activity students” will not be observed during the test. Testing will be equally proportioned on a percentage based upon the number of participants in each chosen activity.
- f. An “activity student” may, together with his/her parent or legal guardian, request a re-test. (This re-test must be collected within 24 hours of notification of the final test results.) The re-test may be conducted by any facility on the approved list. The parent or legal guardian will be responsible for the cost of any re-test. If the re-test result is negative, his/her parent or legal guardian will be reimbursed by the school.

- g. All information, whether written or otherwise, received by the Coosa County Board or the Coosa County Schools are confidential communications and will remain strictly confidential, per Federal Regulation CFR 42.

#### 6.6.6 Actions For Failed Drug/Alcohol Screens

- a. First Positive - The first time an “activity student” tests positive on a drug/alcohol test, the student's parent/legal guardian will be notified and the student will result in an automatic 7-day suspension from participation in all extracurricular activities and a forfeiture of parking privileges for that same period. The “activity student” must also complete 4 hours of community service, approved by the principal and completed within 45 days of the failed test. The “activity student” must also retake and test negative on another drug/alcohol test within 45 days. The “activity student” will be responsible for the costs of any re-test and it must be conducted through the school's certified drug testing provider. If there is no re-test conducted within 45 days, the “activity student” will be treated as if they had tested positive on a second occasion. The student will be referred to the school counselor.
- b. Second Positive - A second positive test result for an “activity student” will result in an automatic 14-day suspension from participation in all extracurricular activities and a forfeiture of parking privileges for that same period. The “activity student” must also complete 8 hours of community service, approved by the principal and completed within 45 days of the failed test. In order for privileges to be reinstated, the “activity student” must first retake and test negative on another drug/alcohol test. The “activity student” will be responsible for the costs of this re-test and it must be conducted through the school's certified drug testing provider. If there is no re-test conducted within 45 days, the “activity student” will be treated as if they had tested positive on a third occasion. The student will again be referred to the school counselor.
- c. Third Positive - A third and any subsequent positive test result for an “activity student” will result in a 100-day ban from all extracurricular activities and a forfeiture of parking privileges. The “activity student” must also complete 16 hours of community service, approved by the principal and completed within 45 days of the failed test. In order for privileges to be reinstated, the “activity student” must first retake and test negative on another drug/alcohol test. The “activity student” will be responsible for the costs of this re-test and it must be conducted through the school's certified drug test provider. The student will again be referred to the school counselor.



***This policy in no way replaces nor changes the Coosa County board policy and school rules pertaining to use, possession, distribution, of alcohol and/or other drugs at school or school-sponsored events.***

### **6.7 *Off-Campus Events***

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

- a. The destination is an activity, event, or function that services a *bona fide* educational or related extracurricular purpose, or is an athletic event or function sponsored or sanctioned by the school or the school system and the state athletic association;
- b. Adequate information regarding the trip (e.g., destination, duration, purpose, educational purpose, mode of transportation, nature and extent of student participation) has been provided to the local school administration;
- c. Adequate arrangements are made for supervision and other risk management considerations (e.g., parental permission, medical treatment authorization, special insurance requirements);
- d. Properly licensed and qualified drivers have been selected and arrangements for the costs of the trip (e.g., salary, fuels, maintenance, lodging) have been made;
- e. Prior administrative approval of the trip is obtained; and
- f. All out-of-state field trips must be approved by the Board.

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

### **6.8 *Student Publications***

The local school administration 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 publication.

### **6.9 *Early Dismissal***

The Board may allow early dismissal of seniors who are on track to graduate with their

class for work-based learning, according to guidelines set out in the Student Code of Conduct.

## **6.10 *Equal Education 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.

## **6.11 *Title IX***

6.11.1 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.

6.11.2 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.

## **6.12 *Student Sexual Harassment***

6.12.1 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.

6.12.2 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.

6.12.3 Initial Confrontation of Accused Harasser Not Required - A student who invokes the harassment complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to report allegations of suspected harassment to any appropriate Board administrator, teacher, counselor, or employee, and such persons have a duty to promptly refer such allegations to the Superintendent or to take such action as may be required by the procedures established under "Sexual Harassment Complaint Procedures Authorized" (6.10.3) 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.

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

### **6.13 *Anti- Harassment Policy***

6.13.1 Harassment, Violence, and Threats of Violence Prohibited - No student shall engage in or be subjected 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.

6.13.2 Definitions – 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:

- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
  - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
  - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
  - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
  - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- a. 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.
- b. 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.
- c. The term “intimidation” as used in this policy means a threat or other action that is intended to cause psychological or mental 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.

- d. The term “student” as used in this policy means a student who is enrolled in the Coosa County school system.

#### 6.13.3 Description of Behavior Expected of Students -

- a. Students are expected to treat other students with courtesy, respect, and dignity and comply with the Student Code of Conduct. Students are expected and required (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 (also referred to as bullying) 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, which may include but are not limited to the following:
  - The student’s race;
  - The student’s sex;
  - The student’s religion;
  - The student’s national origin; or
  - The student’s disability.

6.13.4 Consequences for Violations – A series of graduated consequences for any violation of this policy will be those outlined in the Student Code of Student.

#### 6.13.5 Reporting, Investigation, and Complaint Resolution Procedures -

- a. Students should immediately report all alleged violations of this policy to a school employee, if possible to the teacher or employee responsible for supervision at the time of the violation. Complaints alleging violations of this policy must be made on Board approved complaint forms available at the principal and/or counselor’s office, and located on the school system’s

website. The complaint must be completed and 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.

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

6.13.6 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, including publication on the Coosa County school system's website.

6.13.7 Construction of Policy – This policy is supplemental to other Board policies and procedures and does not repeal, replace, or supersede any other prohibition on harassment, violence, threats of violence or intimidation found elsewhere in Board policy or procedure, including the Code of Student Conduct. This policy shall not be construed to allow harassment, violence, threats of violence or

intimidation for any reason not specifically listed in this policy or to prohibit the Board from disciplining students for acts of harassment, violence, threats of violence or intimidation not specifically listed herein. Students who engage in harassment, violence, threats of violence or intimidation not specifically covered by this policy may be subject to appropriate disciplinary action in accordance with the Code of Student Conduct.

[Reference: ALA. CODE §16-28B-1, et seq. (1975)]

## **6.14 *Protection of Pupil Rights Amendment***

6.14.1 Consent - The Coosa County Board of Education 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 the 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.

6.14.2 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.

6.14.3 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.

6.14.4 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.

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

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

## **6.15 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 regulations. The Superintendent is authorized to establish administrative standards and procedures respecting access to such records, including a schedule of reasonable charges for the reproduction thereof. Parents will be provided required annual notification regarding educational records through the student code of conduct or by other appropriate means.

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



## **6.16 *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. 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. The ALSDE Student Medication Prescriber/Parent Authorization Form must be completed and on file.

## **6.17 *Student Code of Conduct***

The Superintendent will prepare and present to the Board for adoption and periodic revision a Student Code of Conduct (“Code”), 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 Code will comprehensively describe the rules and standards of conduct and discipline that will be maintained and enforced within the Coosa County Schools. The Code will set forth the specific grounds for disciplinary action, the penalties, sanctions, or consequences that may be imposed for a violation of the Code, the methods and procedures by which violations of the Code will be determined, and any appeal or review procedures that are available to students. The Code will incorporate applicable statutory and regulatory requirements, and the hearing and appeal procedures specified in the Code will conform to applicable statutory and constitutional standards and requirements. The Code 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 Code will be deemed an extension of Board policy and will have the force and effect thereof.

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

## **6.18 *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 any electronic 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 or his or her designee in the presence of another certified school employee and may include a private pat down of the student or 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.
- d. *Use of Recovered Items* - Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

## **6.19 Corporal Punishment**

The Board allows reasonable corporal punishment of students under the following terms and conditions. Corporal punishment will be administered only as a disciplinary measure, with due regard for the age and physical condition of the student, and without excessive force. Parents will be given the opportunity to opt out in writing from the use of corporal punishment for their child as a disciplinary measure. Corporal punishment will be administered by the school principal or his or her representative in the presence of another adult professional school system employee. Corporal punishment should not be administered in the presence of another student.

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

**6.20 *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 Student Code of Conduct. 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.

**6.21 *Student Expulsion (including Students with Disabilities)***

Students may be expelled from school for offenses serious enough to warrant such action as provided in the Student Code of 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 or his designee 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.

**6.22 *Restraint***

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

[Reference: Ala. Admin. Code R. 290-3-1-.01, 290-3-1-.02]

**6.23 *Electronic Communication Devices***

The Board of Education authorizes the Superintendent to develop guidelines for the use of wireless communication devices for instructional purposes. The Board prohibits the inappropriate or disruptive use of personal, wireless communication devices by students. Principals or their designees will also have the authority to further restrict or deny the use of personal/wireless communication devices by any student to prevent the misuse, abuse,

or violation of school rules regarding the use of such devices. School administrators may read, examine, or inspect the contents of any such device upon reasonable suspicion that the device contains evidence of an actual or suspected violation of the law, Board policy, the Student Code of Conduct, or other school rules, provided that the nature and extent of such examination shall be reasonably related and limited to the suspected violation. The Board assumes no responsibility for theft, loss, or damage to any personal/wireless communication device.

[Reference: ALA. CODE §16-1-27 (1975)]

## **6.24 *Drivers' License***

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

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

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

6.24.2 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)]

## **6.25 *Student Religious Liberties at School***

- 6.25.1 The Coosa County Board of Education may not discriminate against students or parents on the basis of a religious viewpoint or religious expression. The Board shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the Board treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate based on a religious viewpoint expressed by the student on an otherwise permissible subject.
- 6.25.2 Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Homework and classroom assignments shall be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the Board. Students may not be penalized or rewarded on account of the religious content of their work. If an assignment requires a student's viewpoint to be expressed in coursework, artwork, or other written or oral assignments, a public school may not penalize or reward a student on the basis of religious content or a religious viewpoint. In such an assignment, a student's academic work that expresses a religious viewpoint shall be evaluated based on ordinary academic standards of substance and relevance to the course curriculum or requirements of the coursework or assignment.
- d. Students in public schools may pray or engage in religious activities or religious expression before, during, and after the school day in the same manner and to the same extent that students may engage in nonreligious activities or expression. Students may organize prayer groups, religious clubs, "see you at the pole" gatherings, or other religious gatherings before, during, and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. Religious groups shall be given the same access to school facilities for assembling as is given to other noncurricular groups without discrimination based on the religious content of the students' expression. If student groups that meet for nonreligious activities are permitted to advertise or announce meetings of the group, the Board may not discriminate against groups that meet for prayer or other religious speech. The Board may disclaim school sponsorship of noncurricular groups and events in a manner that neither favors nor disfavors groups that meet to engage in prayer or religious speech.
- e. Students in public schools may wear clothing, accessories, and jewelry that display religious messages or religious symbols in the same manner and to the same extent that other types of clothing, accessories, and jewelry that display messages or symbols are permitted.

- 6.25.3 Nothing herein shall be construed to authorize the Board, its Superintendent, officers, members, administrators and/or employees to require any student or person to participate in prayer or in any other religious activity or to violate the constitutional rights of any student or person.
- 6.25.4 Nothing herein shall be construed to limit the authority of the Board, its Superintendent, officers, members, administrators and/or employees to do any of the following:
- a. Maintain order and discipline in the schools in a content and viewpoint neutral manner;
  - b. Protect the safety of students, employees, and visitors of the schools, and
  - c. Adopt and enforce policies and procedures regarding student speech at school provided that the policies and procedures do not violate the rights of students as guaranteed by the United States and Alabama constitutions and laws.
- 6.25.5 The provisions of this policy shall apply to all religions. Nothing herein shall be construed as establishing a particular religion nor as prohibiting the free exercise of a particular religion.

[Reference: ALA. CODE §16-1-20.5]

## **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.

### **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 a minimum of ten (10) members, including principals, teachers, administrators, parents, lay citizens and board members who will serve a term of one year. Students are loaned textbooks for the duration of the course that requires the textbook and are responsible for the care of the textbook. Students must reimburse the Board for the cost of any textbooks that are lost or damaged beyond reasonable wear and tear.

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

The Board of Education authorizes the Superintendent or his designee to sell or dispose of used, out-of-adoption textbooks. Prior to any sale or disposition, the Superintendent shall recommend to the Board a list of titles of textbooks to be declared surplus property. A determination of the value of surplus textbooks shall be made prior to any sale or disposal. Textbooks determined to have value may be sold to the highest bidder or sold in a public auction. In the event surplus textbooks have minimal value, the Superintendent is authorized to offer surplus textbooks to other public schools or agencies, teachers, parents and students, textbook companies, salvage companies, tutors, private schools, or other private citizens.

### **7.3 *Academic Standards and Expectations***

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 in the Student Code of Conduct.

[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.

## **7.5 *Summer School Operations***

A "summer school" program may be implemented in compliance with regulations promulgated by the State Department of Education. Summer school is provided as a service by the Board and is separate and distinct from the regular academic year. The Superintendent is authorized to develop and maintain rules and regulations for the operation of summer school, including requirements for enrollment, attendance, transportation, and tuition.

[Reference: ALA. ADMIN. CODE 290-3-1-.02(6)]

## **7.6 *Non-Traditional Learning***

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

7.6.2 Cooperative Education or Work Study Programs - Upon recommendation of the Superintendent, the Board may approve cooperative education or work-study programs in accordance with State Department of Education regulations (including the Cooperative Education Manual) and other appropriate terms and conditions. These programs will combine school-based instruction and work-based experience.

7.6.3 Live Work Program - The Superintendent is authorized to implement a live work program for the Board and to develop guidelines and procedures for the program. Live work may be permitted when necessary for training and the acquisition of occupational skills and will not be used for monetary gain or profit of the individuals in the program. Live work may be conducted by students in the program in conjunction with public employees, tax supported programs and institutions, charitable organizations, and individuals and organizations approved by the Superintendent or his designee. Requests or proposals for live work projects must be presented to the live work instructor or principal in the location of the career/ technical education program prior to the performance of any work and must describe fully the scope and extent of each project. Payment for live work will be handled in accordance with Board policies and procedures. Where work is completed for the Board, including a local school, a waiver may be submitted for any service charge. The Board does not provide guarantees,



warranties, or refunds for any work conducted as part of the live work program and will not assume any liability whatsoever associated therewith.

[Reference: ALA. ADMIN. CODE 290-6-1-.04]

- 7.6.4 Virtual School - The Superintendent is authorized to establish, implement, and maintain procedures for providing a virtual school option for eligible students in grades 9 through 12, inclusive. The procedures shall allow eligible students in grades 9 through 12, inclusive, an online pathway for earning a high school diploma and set out the scope and delivery of the virtual options offered by the Board, student eligibility criteria for initial and continued participation in the virtual program, specific requirements and testing protocol, and attendance requirements..

[Reference: ALA. CODE §16-46A-1]

## **7.7 *Extended Programs: Community Education***

Upon their approval by the Board, the Superintendent is authorized to implement programs and projects designed to meet the needs of the community served by the school system in accordance with any laws or regulations governing such programs. Such programs may include but are not limited to the Grandparent Support Group, the Single Parent Project, Adopt-A-School Program, Extended Day Enrichment Program, Summer Enrichment, and Adult Education.

[Reference: ALA. ADMIN. CODE 290-080-050]

## **7.8 *Dual Enrollment and Dual Enrollment/ Dual Credit***

In addition to the guidelines by which qualified high school students are allowed to take post secondary college courses, the Board may, upon recommendation of the Superintendent, establish guidelines and procedures for Dual Enrollment and Dual Enrollment/ Dual Credit in accordance with the regulations of the State Department of Education.

- 7.8.1 With Dual Enrollment - qualified students may take post secondary college courses and may earn college credit

- 7.8.2 With Dual Enrollment/ Dual Credit - qualified students may take post secondary college courses and may earn both high school and college credit

## **7.9 *Graduation, Certification of Completion and Commencement***

Students who have satisfactorily completed requisite course work, and met minimum attendance criteria are eligible for graduation. Students who successfully complete the requirements to earn a diploma are eligible to participate in graduation ceremonies.

Student participation in graduation ceremonies and related graduation activities will be subject to the principal's approval and payment of outstanding financial obligations. Participation in a graduation-related ceremony may be prohibited by the principal if the student violates disciplinary standards or if, in the judgment of the principal, the student's participation could lead or contribute to disorder or disruption of the ceremony or activity.

## **7.10 School Wellness**

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

- 7.10.1 Nutrition Education – The Instructional Services Department in conjunction with the Child Nutrition Program will provide nutrition education, nutrition promotion, and physical education to foster lifelong habits of healthy eating and physical activity. All students will be encouraged to follow the United States Dietary Guidelines for Americans. Both departments will establish links between health education and meal programs within the school and community. The Board website will keep the public updated on the policy content and implementation status. The Coosa County Board of Education will proactively comply with all federal and state nutrition and physical activity regulations.
- 7.10.2 Nutrition Standards – Schools will participate in available school meal programs, including the National School Breakfast Program, National School Lunch Program, and the Summer Food Service Program. Child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods; will accommodate the ethnic and cultural diversity of the student body in meal planning; and will provide a clean, safe, and pleasant dining experience. All foods and beverages sold or served at school during the instructional day will meet or exceed the nutrition recommendations identified by the USDA and the State of Alabama Board of Education.
- 7.10.3 Physical Education and Physical Activity Opportunities - The Board will offer physical education opportunities that include the components of a sound physical education program based on the students needs. 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.
- 7.10.4 Administrative Implementation – The Board, as the recognized food and nutrition services authority for the school system, shall annually approve a free and reduced price meal program. It is the Board's expectation that the teachers shall

support the food service program in every respect and encourage children to eat a well-balanced meal each day. Teachers should use the cafeteria as a laboratory to teach good nutrition and etiquette to students. Principals and teachers are encouraged to eat in the school cafeteria with their students. Any concerns regarding the local school breakfast or lunch program should be reported to the CNP Director.

The superintendent and his designated representatives shall be responsible for operating an economically sound child nutrition program in accordance with state and federal laws and regulations. The Superintendent shall recommend for appointment the necessary personnel to initiate and maintain a quality child nutrition program. The accounting, financial planning, and reporting functions of the program shall be coordinated within the central office.

All sanitation standards required by law shall be strictly observed in each local school's nutrition program. This shall include, but is not limited to, physical examination requirements of employees, preparation procedures, conditions of kitchens and dining areas and maintenance procedures. The CNP Director and School Principal will share responsibility for the operation and supervision of the school child nutrition program.

[Reference: P.L. 108.265, Part 210 and 220, and Section 204 Child Nutrition and WIC Reauthorization Act.]

### **7.11 *Selection of Instructional Materials and Materials for the School Libraries***

The Superintendent is authorized to develop criteria for approval by the Board for selection, use, and retention of supplemental learning resources for schools operated by the Board and a procedure for the use and review of those materials, to include procedures for addressing objections or reconsideration of those resources.

### **7.12 *Parent/Family Involvement***

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

- 7.12.2 Impediments to Parent Participation to be Identified - The Board will identify barriers to greater participation by parents in parental involvement activities, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or whose racial or ethnic background may impede effective participation.
- 7.12.3 Annual Evaluation of Initiatives – An annual evaluation will be conducted, with the involvement of parents, to determine the effectiveness of the parental involvement policy in improving the academic quality of the schools. The evaluation will include parent surveys, focus groups, and student assessment data. Parents will also be given the opportunity to submit suggestions and concerns regarding the parental involvement policy to the parent advisory committee. This information will be reviewed annually and used to make revisions to the school system plan as necessary.