

**SUMTER COUNTY
PUBLIC SCHOOL SYSTEM
Livingston, Alabama**

**SUMTER COUNTY
BOARD OF EDUCATION
POLICYMANUAL**

Adopted July, 2014

Preface

NON-DISCRIMINATION STATEMENT

The Sumter County Board of Education does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquires regarding the non-discrimination policies:

Hermania Little, Federal Programs Coordinator, Title IX Coordinator
205/652-2271
hblakely@sumter.k12.al.us

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 Sumter County Board of Education.
- b. "State" means and refers to the State of Alabama.
- c. "System" of "School System" means and refers to all schools, facilities, and operations of the Sumter County Board of Education.
- d. "State Board of Education" means and refers to the Board that exercises general control and supervision over the public schools of the State of Alabama as constituted and authorized by Ala. Code 16-3-1, et. seq (1975).
- e. "Alabama (State) Department of Education" means and refers to the State agency that is charged with implementing the policies, procedures, and regulations of the State Board of Education as provided in ALA Code 16-2-1, et. seq (1975).
- f. "He", "his" or "him" means and includes all genders.
- g. "Law" includes local, state, and federal statutes, regulations, ordinances, court decisions, and binding administrative orders or directives.

Governing Principles

MISSION STATEMENT

The mission of the Sumter County Public School System is to educate and maximize the development of all students as lifelong learners and productive citizens through a diversified curriculum and a well-trained, dedicated staff in cooperation with the home and community.

VISION STATEMENT

We envision a Sumter County School System where a variety of pathways and career success are available for all students; where adults consistently work in a collaborative school culture to improve student learning; where all educators willingly accept responsibility for the academic success of each student, and where all students become independent life-long learners confident in their ability to succeed in a global society following high school graduation.

WE BELIEVE

- ❖ Our business is student achievement and preparedness for post-secondary education, careers, and/or service
- ❖ Learning is a shared responsibility of schools, parents, and communities for which we are all accountable
- ❖ All students, regardless of their personal and socio-economic circumstances, can be high achieving students.
- ❖ Schools should be safe, nurturing, and supportive environments

**SUMTER COUNTY BOARD OF EDUCATION
POLICY MANUAL
TABLE OF CONTENTS**

Preface and Definitions

I.	Governing Principles	
II.	School Board Operations	
2.1	Board Composition and Organization.....	1
2.2	Duties and Authority of Board Members.....	1
2.3	Board Member Compensation.....	2
2.4	Board Member Training.....	2
2.5	Board Meetings.....	2
2.6	Superintendent’s Responsibilities, Qualifications, and Appointment.....	4
2.7	Recordkeeping and Retention of Board Records.....	5
2.8	Association Membership.....	5
2.9	Selection of School, Facility and/or Property Name.....	5
III.	Fiscal Management	
3.1	Chief School Financial Officer.....	6
3.2	Budget.....	6
3.3	Accounting.....	6
3.4	Finance Manual Authorized.....	6
3.5	Fund Balance Policy in Accordance with GASB Statement No. 54.....	7
3.6	Audits.....	9
3.7	Inventories.....	9
3.8	Purchasing.....	9
3.9	Deposit and Expenditure of Funds.....	9
3.10	Employee Compensation.....	11
3.11	Expense Reimbursement.....	13
3.12	Fees, Payments and Rentals.....	13
3.13	School Accounts	14
3.14	Authority to Execute Contracts.....	14
3.15	Affiliated Organizations.....	14
3.16	Fundraising.....	15
3.17	Child Nutrition.....	15
3.18	Worthless Checks.....	15
3.19	Classroom Instructional Support.....	16
3.20	Gifts to Schools/Departments.....	16
IV.	General Administration	
4.1	Security/Access to Schools.....	16
4.2	Safe Schools Policy (Drugs, Alcohol, Tobacco and Weapons).....	17
4.3	Accreditation.....	20
4.4	Use of Board Property.....	20
4.5	Parental/Citizens Concerns.....	21
4.6	Parental Involvement.....	21
4.7	Title IX and Section 504 Grievance Procedures.....	22
4.8	Americans with Disabilities Act Complaint.....	23
4.9	Risk Management.....	24
4.10	Emergency Closing of Schools.....	25
4.11	Internet Safety and Use of Technology.....	25

4.12	Political Activity.....	27
4.13	Copyright Restriction.....	27
4.14	Service Animals in Public Schools.....	27
V.	Personnel	
5.1	Employee Qualifications and Duties.....	31
5.2	Hiring.....	34
5.3	Probationary Employment.....	35
5.4	Non-Teaching Supplemental Duties.....	35
5.5	Professional Development.....	35
5.6	Employee Conflicts of Interest.....	35
5.7	Employee Evaluations.....	36
5.8	Personnel Records.....	37
5.9	Substitute Teachers.....	38
5.10	Employee Leave.....	38
5.11	Family and Medical Leave Act (FMLA).....	43
5.12	Sick Leave Bank.....	47
5.13	Administrative Leave.....	49
5.14	Equal Employment Opportunity.....	49
5.15	Sexual Harassment.....	50
5.16	Reduction-In-Force.....	52
5.17	Unauthorized Payments.....	54
5.18	Drug and Alcohol Testing	55
5.19	Searches (Personnel).....	57
5.20	Self-Reporting Arrest or Conviction.....	58
VI.	Students	
6.1	Admissions and Attendance.....	58
6.2	Transfers and Withdrawals.....	61
6.3	Student Fees, fines, and Charges.....	61
6.4	Extracurricular Activities.....	62
6.5	Off-Campus Events.....	64
6.6	Student Publications.....	64
6.7	Student Employment (Work Release).....	65
6.8	Equal Education Opportunities.....	65
6.9	Title IX.....	65
6.10	Student Sexual Harassment.....	66
6.11	Protection of Pupil Rights Amendment.....	67
6.12	Student Records.....	69
6.13	Student Health Services.....	69
6.14	Student Code of Conduct.....	70
6.15	Searches (Students).....	70
6.16	Student Suspension (including Students with Disabilities).....	71
6.17	Student Expulsion (including Students with Disabilities).....	71

6.18	Electronic Communication Devices.....	72
6.19	Driver’s License.....	72
6.20	Student Parking Privileges – Substance Abuse Policy.....	73
6.21	Student Competitive Extracurricular Activity Substance Abuse Policy.....	73
VII.	Instructional Program	
7.1	Curriculum.....	74
7.2	Textbooks.....	74
7.3	Academic Standards.....	74
7.4	Testing.....	76
7.5	Summer School Operations.....	76
7.6	Dual Enrollment.....	76
7.7	Correspondence or Online Courses.....	76
7.8	Career and Technical Education Programs.....	76
7.9	Foreign Exchange Programs.....	78
7.10	Extended Programs: Community Education.....	78
7.11	Graduation, Certification of Completion, and Commencement.....	78
7.12	School Wellness.....	79
7.13	Selection of Instructional Materials and Materials for School Libraries..	80
7.14	Parent/Family Involvement – Meeting the Requirement of NO Child ... Left Behind Act of 20-01	80
	School Usage Form.....	83
	Employee Data/Emergency Contact Form.....	85

I. SCHOOL BOARD OPERATIONS

2.1 *Board Composition and Organization*

- 2.1.1 Composition - The Sumter County Board of Education is composed of six members, each elected for a six-year term of office. The terms shall be staggered so that no more than two members are elected in a year.

[Reference: Ala. Act 1112 (1975 Regular Session)]

- 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 Sumter 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 president, vice-president and a third presiding officer at a called meeting during the first week of November of each year. If the president or vice-president is not elected or absent, the Board may appoint one of its members to preside over the Board meetings until the position is filled. 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. Act 836 (1975 Regular Session); 16-12-3 (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.

[Reference: Ala. Code §§16-11-5, 9 (1975)]

2.2 *Duties and Authority of Board Members*

The Board has the authority and responsibility to administer and supervise the public schools that are located within Sumter 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. Travel by Board members as official representatives of the school system shall be funded by the system, provided that prior Board approval of any out-of-state travel is obtained.

2.4 *Board Member Training*

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

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

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

[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, 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. The Board president or a majority of the Board members may call a special called meeting giving as much advance notice of the meeting as is practicable under the circumstances.

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

- 2.5.3 Rules of Order - Board meetings will be conducted in accordance with the most recently revised edition of *Robert's Rules of Order* provided that strict adherence to the formalities of the *Robert's Rules of Order* may be reasonably relaxed in order to facilitate or conduct Board business. A majority of the whole Board will constitute a quorum for purposes of transacting Board business except as may otherwise be provided by law.

[Reference: Ala. Code §16-11-5 (1975)]

- 2.5.4 Agenda Preparation and Dissemination – The Board President shall direct the Superintendent to prepare, or cause to be prepared, an agenda for all Board meetings. A request to be considered for a place on the agenda by any group or individual other than a Board member shall be submitted in writing to the Superintendent at least ten (10) calendar days prior to the Board meeting. The purpose for appearing before the Board shall be submitted at the time of the request. Items of business not on the agenda may not be suggested from the floor for discussion except by majority consent of the Board. The order of business and procedures to be followed shall be established by the Board and Superintendent. All Board meeting materials, agenda, and supporting data shall be disseminated to the members of the Board no later than five (5) days prior to any Board meeting. Items of business conducted after the five-day (5) limit that need Board attention, shall be included as an addendum to the agenda and addressed at the Board's discretion.

- 2.5.5 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 submit such requests in writing to the Superintendent at least ten (10) days prior to the meeting date, stating

what matters are to be presented to the Board and the approximate time such matters should consume at the meeting. 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 delegations appearing before the Board shall present their problems and proposals as briefly and concisely as possible. The Board shall be guided by its previously adopted policies in arriving at a decision on matters brought up by any such delegation. This policy in no way interferes with the public's right to address the Board on agenda items.

[Reference: ALA. CODE §16-8-9 (1975)]

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

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

[Reference: Ala. Code §16-23-3 (1975)]

2.6.2 Evaluation - The Superintendent will be evaluated annually in accordance with an evaluation process agreed to by the Board and the Superintendent either in the Superintendent's contract or a separate written agreement.

2.6.3 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 in compliance with legal requirements or attainment of the objects of Board policy.

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

[Reference: Ala. Code §16-1-30.]

2.7 *Recordkeeping and Retention of Board Records*

Board records will be maintained by the Superintendent in the manner and for the length of time required by law. Otherwise, records will be retained and disposed of in accordance with procedures that will include a records retention and destruction schedule to be prepared and promulgated by the Superintendent and approved by the Board.

2.8 *Association Membership*

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

2.9 *Selection of School, Facility, and/or Property Name*

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

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

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

Board of Education system or other accomplished, dedicated, or concerned persons in the Sumter county Board of Education system, city, state or nation.

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 Financial Officer.

[Reference: Ala. Code §16-3A-4 (1975); Ala. Admin. Code 290-2-4-.01, *et seq.*]

3.2 *Budget*

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

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

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

3.3 *Accounting*

Generally accepted accounting principles (GAAP) will be employed in the administration of all Board and school finances. All Board and school accounts will be reconciled to financial records monthly. **(See Finance Manual Page 6)** All reports required by the State Department of Education will be completed in a timely manner with copies provided to Board members.

3.4 *Finance Manual Authorized*

Financial transactions will be administered in accordance with a general finance manual and any local school finance manual that may be developed by the Superintendent or the chief School Financial Officer and approved by the Board. The finance manual(s) will establish and describe specific practices and

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

[Reference: Ala. Code §16-13A-1 (1975)]

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

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

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

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

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

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

- b. Restricted fund balances consist of amounts that are subject to externally enforceable legal restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. Examples of restricted fund balances include: restricted grants.
- c. Committed fund balances consist of amounts that are subject to a purpose constraint imposed by formal action of the Board before the end of the fiscal year and that require the same level of formal action to remove the constraint.
- d. Assigned fund balances consist of amounts that are intended to be used by the school system for specific purposes. The Board authorizes the Superintendent, Chief School Financial Officer, or their designee 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 balances in the general fund is available to finance operating expenditures.

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

3.5.4 Review and Reporting - The Board of Education along with the Superintendent and Chief School Financial Officer will periodically review all restricted, committed, and assigned fund balances. A statement of monthly revenues and expenditures will be provided to the

superintendent and school board by the Chief School Finance Officer. The Chief School Financial Officer will prepare and submit an annual report of all restricted, committed and assigned funds for the Board of Education.

3.6 Audits

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

[Reference: Ala. Code §16-13A-7 (1975)]

3.7 Inventories

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

[Reference: Ala. Code §§16-13A-1, 6; 39-2-1, *et seq.* (1975)]

3.8 Purchasing

Purchases will be made in accordance with the Finance Manual. **(Pages 14-15)**

3.9 Deposit and Expenditure of Funds

3.9.1 Deposits - All funds of the Board will be deposited with qualified depositories, as defined by law, in the manner prescribed by the Chief School Financial Officer or the Finance Manager. School funds must be deposited intact and in a timely manner, usually daily. **(See Finance Manual Page 9)**

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

3.9.3 Expenditures -

a. *Superintendent* - The Superintendent is authorized to enter into

contracts, purchase order, or undertakings that entail an expenditure or financial commitment on the part of the Board of less than three-tenths (3/10) of one percent (1%) of total general fund expenditures without prior express Board approval. The Superintendent's authorization for expenditures hereby granted is subject to any restrictions imposed by law and the following terms and conditions:

- i. This policy shall not be effective if formal Board action and approval is required by law;
 - ii. The transaction and payment shall meet other applicable legal requirements, if any (e.g., the bid law);
 - iii. The Board-approved budget must contain funds for the expenditure;
 - iv. All such expenditures shall be reported to the Board of Education on a monthly basis.
 - v. The restrictions on expenditures contained in this policy shall apply to the total of the expenditure in question, and payments may not be made in installments or otherwise divided in order to avoid the restrictions. Nothing herein shall be deemed to create or give rise to personal liability on the part of any Board official for any good faith error, oversight, or excusable neglect in the administration of this policy.
- b. *Board Employees* - Board employees do not have authority to commit or obligate Board funds or to make purchases with Board funds unless such commitment, obligation, or purchase is made in accordance with Board policy, finance manual(s) created under authority of Board policy, or the employee has been given express authority to take such action by the Superintendent.

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

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

- 3.9.4 Competitive Bid Law - All purchase will be made in compliance with the competitive bid law, when applicable, and with such corresponding rules, regulations and procedures as may be set forth in the Board's Finance

Manual. The Superintendent is authorized to enter into cooperative purchasing agreements with other school systems or local governments as may be permitted by law.

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

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

3.10 *Employee Compensation*

- 3.10.1 Salaries and Pay Rates - Except as established and governed by the terms of a special employment contract, Board employees will be compensated at rates of pay that are approved by the Board. When required, such salary or compensation rates will be included in a schedule to be developed and adopted by the Board in accordance with state law. Employees may receive supplements or other additional compensation in accordance with criteria set forth in Board-approved salary schedules, Board policy, or as otherwise permitted by law.

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

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

- a. The payment is voted on and approved by the membership of the booster or support organization that proposes to fund the supplement at a regular meeting of the organization;
- b. Funding for the payment must be sufficient to cover benefits, expenses, and other payroll costs, contributions, and liabilities, if any;
- c. Sufficient unobligated funds are on hand to provide the supplemental payment;
- d. A check and letter of authorization for the payment is sent to the

Board no later than the payroll cutoff date for the month in which the payment is to be made;

- e. The payments are accepted by the employee with the understanding that they do not constitute a part of any employment contract, salary schedule, or legal obligation that is enforceable against the Board, and that the Board has no continuing obligation to maintain supplemental payments to

any employees that are provided, funded, or underwritten by a booster club, support organization, or similar third party; and
- f. The payments are subject to any payroll deductions that are required by law.
- g. If an employee resigns from or otherwise ceases to perform the duties of a position for which the employee is receiving a supplement, the Superintendent is authorized to prorate the supplement accordingly.

3.10.3 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. Unless otherwise approved by the Superintendent, salaries for full time employees will be paid over twelve months, regardless of the contract term. Personnel will be paid in accordance with customary payroll procedures, which may be modified from time to time as the needs of the system require. No employee is entitled to compensation except for work performed by the employee in accordance with an approved contract or the applicable terms of appointment. Compensation may be withheld pending the employee's timely, accurate, and complete submission of all required records, data, and reports.

3.10.4 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 may make voluntary deductions as a service to employees upon written request of the individual employee as permitted by law. Deductions for membership dues will be made for organizations with at least 200 active members, as established by membership lists provided to the Board by the organization. Such membership lists will be corrected, updated, and returned to the organization no later than November 10 of each school year. Deductions

will be based on the membership lists unless an employee revokes authorization for such deductions by providing written notice to the Board on or before September 15th of each school year or as otherwise required 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)]

- 3.10.5 Minimum Wage and Overtime - In compliance with the Fair Labor Standards Act ("FSLA"), the Board will pay required minimum hourly wages and overtime to all employees who are not exempt employees under the FSLA. For purposes of determining overtime, the workweek begins at 12:01 a.m. on Sunday and ends at midnight on the succeeding Saturday. All non-exempt employees who work more than forty (40) hours in a work week will be paid overtime. Employees must accurately report all time worked for the Board. Non-exempt employees are not authorized to work more than forty (40) hours in a workweek without specific direction or authorization to do so by the Superintendent, the employee's supervisor, or the supervising school principal.
- 3.10.6 Compensatory Time - Non-exempt employees who work more than forty (40) hours in a workweek may, upon agreement between the employee and the Board, be paid overtime in the form of compensatory time. Compensatory time will be based on actual time worked beyond forty (40) hours in a workweek. No more than two hundred forty (240) hours of compensatory time may be accumulated. The Board reserves the right to require an employee to use compensatory time as its needs require and may "pay down" any compensatory time balance in its discretion. The Superintendent is hereby authorized to develop procedures and forms for use in implementing this policy.

3.11 *Expense Reimbursement*

Board members and employees will be reimbursed for reasonable travel and subsistence expenses incurred in connection with official Board business. Reimbursement will be in accordance with Board approved rates and such procedures and standards for submitting and documenting such expenditures as may be developed by the Chief School Financial Officer or provided in the approved Finance Manual (**Page 11**).

3.12 *Fees, Payments, and Rentals*

- 3.12.1 Facility Use Fees - The Superintendent is authorized to develop a schedule

of reasonable fees for use of Board facilities and property by individuals, groups, or organizations. Facilities will not be rented for partisan political use.

3.12.2 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.

3.13 *School Accounts*

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

3.14 *Authority to Execute Contracts*

3.14.1 General Authority - The president of the Board, or, in the absence of the president, the vice-president, will have authority to execute contracts on behalf of the Board upon approval of the contract by the Board. The Board may also authorize the Superintendent to execute contracts on behalf of the Board as its chief executive officer. The Superintendent may execute contracts entered into in accordance with the Board's policy on expenditures (*See 3.9.3*).

3.14.2 Limitation on Authority to Bind the Board - Board employees do not have authority to enter into agreements or contract with third parties, unless such agreements are made in accordance with Board policy, finance manual(s) created under authority of Board policy, or with the express authorization of the Board.

3.15 *Affiliated Organizations*

3.15.1 School Sponsored Organizations - School sponsored student organizations will be subject to Board policies and procedures concerning fiscal management and will maintain organization funds in school accounts. All books, records, and official documents pertaining to the management of such organizations will be maintained at the local school and will be subject to examination and audit by the Board or the principal. The use of

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

3.15.2 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.

3.16 Fundraising

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

- a. The activity will be held at a time and in a manner that will not be disruptive to the instructional program or to any other school or school system activity or function;
- b. The activity is designed and intended to support a *bona fide* school or school system program or activity, or an activity that is consistent with the mission and purposes of the school system;
- c. Adequate provision has been made for the security and proper accounting of funds collected;
- d. Other information regarding the nature, scope, and purpose of the activity is provided to school officials 30 days in advance of activity (**See Finance Manual Page 12**); and
- e. Appropriate arrangements have been made for any special activities to be held in conjunction with the fundraising event.

3.17 Child Nutrition

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, and charged meals will not be considered an allowable expense.

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

3.18 *Worthless Checks*

The Board will take action to collect the amount of a worthless check plus the fee of \$35 in accordance with such corresponding rules, regulations, and procedures as may be set forth in the Board's Finance Manual (**Page 8**) and the worthless check procedures.

3.19 *Classroom Instructional Support*

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

[Reference: Ala. Code §16-1-8.1(b)(7).]

3.20 *Gifts to Schools/Departments*

The Superintendent is authorized to develop procedures and standards for documenting and approving gifts and the use of gifts made to the system, a school, or a department, including the type and amount of gifts that must be presented to the Board for approval. Gifts should be initially reported to the Chief School Financial Officer who will provide any pertinent information needed for Board approval to the Superintendent. Donors of goods, services, funds, or property who request or require formal confirmation, acknowledgment, or documentation of the donation shall be directed to the Chief School Financial Officer for such purposes.

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

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

4.2.1 Prohibition of 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; provided, that the term “firearm” will exclude, to the extent permitted by law, the approval and authorized use of firearms 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 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 school 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 (18 U.S.C. §922(q))]

4.2.2 Prohibition of the Possession of Weapons - The possession of a deadly weapon or dangerous instrument in a school building, on school grounds, on school property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel. For purposes of this policy, the terms “deadly weapon” and “dangerous instruments” include but are not limited to explosives, incendiary devices, projectiles, knives with a blade length of more than two (2) inches, archery equipment, devices designed to expel projectiles at a high rate of speed, any device so classified under state or federal law, and any device either used or intended to be used in 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.

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:

18

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.

4.2.4 Tobacco - The use of tobacco products and the illegal possession, distribution, and sale of tobacco products in a school building, on school grounds, on school buses, or any Board property, or at school-sponsored functions is prohibited.

a. *Penalties for Violations*

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

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

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

b. *Parental Notification* - Parents and guardians may be notified of actual or suspect violations of the tobacco prohibition whether or

not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

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

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

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

- 4.2.6 Drug and Alcohol Free Environment - All students, employees, volunteers, parents, visitors, and other persons are prohibited from possessing, using, consuming, manufacturing, or distributing illegal controlled substances and alcohol while onboard 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)]

4.3 *Accreditation*

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

4.4 *Use of Board Property*

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

Board-related function or purpose, and with the knowledge and approval of the Superintendent or his designee.

- 4.4.2 Use of Board Facilities - Schools and other Board owned or controlled facilities maybe 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 another appropriate terms and conditions is approved by the Superintendent. Board facilities may not be used for partisan political purposes. (See Facilities Usage Form)
- 4.4.3 Advertising - Board property will not be used for commercial advertising except upon such terms and conditions as may be expressly approved by the Superintendent.

4.5 *Parental/Citizen Concerns*

It is the policy of the Sumter County Board of Education to address all concerns brought forth by parents and citizens regarding matters governed by Sumter County Board policies and procedures and/or the Sumter County Board of Education. This policy supports the goal of the Board of Education to encourage the best possible relations among students, parents, citizens, teachers, and administrators and to ensure a happy, healthy, and safe learning environment for all students.

The Board has confidence in its professional staff and parents and desires to be supportive. Therefore, whenever a concern is made directly to the Board as a whole or to a Board Member as an individual, it will be referred to the appropriate administrative staff for review and resolution. The Board expects that all concerns will be reviewed/resolved in timely manner at the appropriate level.

4.6 *Parental Involvement*

It is the policy of the Board of Education to encourage and support effective parent involvement programs that promote family literacy and parenting skills, embrace partnership and communication between schools and parents, and facilitate parent involvement activities which improve student achievement and school performance.

The Board of Education supports the development, implementation, and regular evaluation of a program in each school, which will involve parents and the community at all grade levels in a variety of roles. They will include, but not be limited to, the following components of successful parent and community activities as presented in the PTA National Standards for Parent/Family Involvement Programs:

- a. Family and school communications is two-way, regular, meaningful and respectful of diversity;
- b. Promotion and support of responsible parenting enable families to participate actively in their children's development from birth through their school years;
- c. Recognition that parents play an integral role in assisting students' learning.
- d. Parents and the community are welcome in the school, and their active support and assistance are sought;
- e. Inclusion of parents and community as partners in the decisions that affect children and families; and
- f. Community resources are used to connect students and families with resources that strengthen school programs and to provide educational enrichment and support in daily life.

4.7 *Title IX and Section 504 Grievance Procedures*

It is the intention of the Sumter County Board of Education to fully comply with Title IX of the 1972 Education Amendments and the Rehabilitation Act of 1973, Section 504, and the regulations pursuant thereto.

- 4.7.1 Criteria - Any student, parent, employee or other person claiming a violation of Title of the 1972 Education Amendments or the Rehabilitation Act of 1973, Section 504, and the regulations promulgated pursuant thereto, with regard to any educational program or activity of the Sumter County Schools shall within a reasonable time following the alleged violation (whether from a specific, cumulative, or continuing condition) make written complaint to the principal of the school or the coordinator of the center in which such violation is alleged to have occurred.
- 4.7.2 Complaint Process - Upon receipt of such written complaint, the principal or center coordinator shall make appropriate investigation with regard

thereto, and shall within fifteen (15) days after receiving the complaint, notify the complainant of (1) the decision reached in the matter and (2) the right to appeal to the Superintendent within thirty (30) days of such notification. A copy of the complaint with notation of its resolution shall be forwarded to the Title IX compliance officer if related to alleged discrimination on basis of sex or to the assurance officer for the Rehabilitation Act of 1973, Section 504, if related to alleged discrimination on basis of handicap. Further inquiry as deemed necessary will be made by the compliance officer or by the assurance officer.

- 4.7.3 Appeal Procedure - If the decision of the principal or center coordinator is unsatisfactory to the complainant, then an appeal can be taken to the Superintendent, provided written request thereof is received by the Superintendent within thirty (30) days after the appealing party has been informed of the decision of the principal or center coordinator. If the appeal is received by the Superintendent within the time limitation, a hearing shall be held before the Superintendent, or a designated representative, within thirty (30) days after receiving the appeal. Within fifteen (15) days following the hearing, the complainant shall be notified of (1) the decision reached in the appeal and (2) the right of further appeal to the Board of Education within thirty (30) days of such notification.

If the decision of the Superintendent, or the designated representative, is unsatisfactory to the appealing party, then a further appeal will be allowed to the Board of Education upon written request therefore within thirty (30) days after notification of the decision of the Superintendent, or the designated representative. If the appeal is received within the time limitation, the Board will either ratify, modify, or reverse the decision of the Superintendent or the designated representative, without any further hearing in the matter. The complainant shall be notified within thirty (30) days following receipt of the complainant's appeal to the Board of the decision of the Board, which decision shall be final.

- 4.7.4 Alternate Procedure - If the alleged violation does not occur in one of the several schools or centers operated by the Board, but occurs in some other facility so maintained, then the initial complaint shall be filed with the Title IX compliance officer if related to alleged discrimination on the basis of sex or the assurance officer if related to alleged discrimination on the basis of handicap. The address of the compliance officer and of the assurance officer is available from the Office of the Superintendent. The compliance officer or the assurance officer shall proceed to resolve the dispute in the same manner that the principal of a school or coordinator

of a center would if the alleged violation had occurred at a school or center. The right of further appeal to the Superintendent and to the Board of Education shall be preserved as set forth herein above, with the decision of the Board being final.

- 4.7.5 Exception - Section 504 complaints regarding the identification, evaluation, or services provided to a student under Section 504 will be addressed under a separate process designed specifically to address those complaints.

4.8 *Americans with Disabilities Act Complaint*

- 4.8.1 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 the Americans with Disabilities Act may file a written complaint with the Human Resources Department.
- 4.8.2 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.
- 4.8.3 Complaint Process - The complaint should be submitted to the Human Resources Department as soon as possible, but no later than thirty (30) calendar days after the alleged violation. The Human Resources Department will meet with the complaining party to discuss the complaint and possible resolutions. Within fifteen (15) workdays of the meeting, the Human Resources Department 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.
- 4.8.4 Appeal Procedure - If the response by the Human Resources Department does not satisfactorily resolve the issue, the complaining party may appeal the decision within fifteen (15) work days after receipt of the response to the Superintendent. Within fifteen (15) work days, the Superintendent will respond in writing and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- 4.8.5 Records Retention - All written complaints received by the Human Resources Department, appeals to the Superintendent, and records relating thereto will be retained by the Board for at least three (3) years.

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

4.8.7 Exception - Complaints regarding the identification, evaluation, or services provided to a student will be addressed under a separate process designed specifically to address those complaints.

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

4.9 *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.

4.10 *Emergency Closing of Schools*

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

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

4.11 *Internet Safety and Use of Technology*

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

- 4.11.2 Restriction or Loss of Technology Privileges - Persons who violate any Board policy, rule, or regulation regarding technology use may be denied use of the Board's technology resources and may be subject to additional disciplinary action.
- 4.11.3 Ownership of Technology Resources and Data - All technology resources, including network and Internet resources, e-mail systems, and computers or other access devices owned, leased, or maintained by the Board are the sole property of the Board. Board personnel may, at any time and without prior notice, access, search, examine, inspect, collect, or retrieve information of any kind from the Board's technology resources, including computer or related equipment, files, and data, to determine if user is in violation of any of the Board's policies, rules, and regulations regarding access to and use of technology resources, for or in connection with any other matter or reason related to the safe and efficient operation or administration of the school system, or for any other reason not prohibited by law. Users of school system technology resources have not personal right of privacy, or confidentiality with respect to the use or content of such resources.
- 4.11.4 Adoption of Rules and Regulations - The Superintendent is authorized to develop additional or more specific rules and regulations regarding access to and use of its technology resources and to require adherence to such rules and regulations through such means as the "Acceptable Use Agreement" and application of appropriate disciplinary policies and procedures. Such rules and regulations will address or provide:
- a. Measures to block or filter Internet access to visual depictions that are obscene, that constitute child pornography, or that are harmful to minors;
 - b. Restriction of access to minors to inappropriate material on the Internet;
 - c. The safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
 - d. Prevention of "hacking" and other forms of unauthorized use of or access to computer or Internet files, sites, databases or equipment;
 - e. Unauthorized disclosure, use, and dissemination of personal information regarding minors;

- f. Restriction of minors' access to harmful material; and
- g. Educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.

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

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

4.12 *Political Activity*

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

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

Signs for political candidates may not be placed on schools or school board property. Campaign literature for political candidates and other such material may not be distributed on Board property during the regular school or work day, and may not be distributed at school or Board-sponsored events or activities in a manner that impedes the normal and safe movement of pedestrian or vehicular traffic, that creates any other safety hazard or risk, or that disturbs or disrupts the function, activity, or event.

4.13 *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 Public 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, subject to the following:

4.14.1 Service Animals - A “service animal” means a dog, or in specific circumstances miniature horse, that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler’s disability or necessary to mitigate a disability. School officials may ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person’s disability and may not require documentary proof of certification or licensing of the animal as a service animal.

4.14.2 Requirements That Must Be Satisfied Before a Service Animal Will Be Allowed On School Property

- a. *Request* - Any request for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent of Schools and must contain documentation of vaccinations. This written request must be delivered to the Superintendent of Schools at least ten (10) business days prior to bringing the service animal to school or a school function. The request must be renewed each school year.
- b. *Vaccinations* - The service animal must be immunized against diseases common to that type of animal. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Par influenza, Coronavirus), Bordetella, and Rabies. Owners of service miniature horses must provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephalomyelitis, Rhinoneumonitis, Influenza, and Strangles.
- c. *Health* - The service animal must be in good health. The service animals must be kept clean and groomed to avoid shedding and dander. The service animal must be treated for, and kept free of, fleas and ticks. The service animal must be spayed or neutered.

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

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

- a. *Use of Harnesses, Vest, etc.* - A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.
 - i. A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on one blaze orange leash.
 - ii. A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in harness, backpack, or a vest identifying the dog as a trained service dog.
 - iii. The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

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

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

- a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- b. Whether the handler has sufficient control of the miniature horse;
- c. Whether the miniature horse is housebroken; and
- d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

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

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

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

4.14.7 Damages to School Property and Injuries - The owner or handler of a service animal is solely responsible for any damage to school property or

injury to personnel, students, or others caused by the animal.

4.14.8 Removal of Service Animals from School Property - A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

- a. The animal is out of control and the animal's handler does not take effective action to control it;
- b. The animal is not housebroken.
- c. The presence of the animal poses a direct threat to the health or safety of others; or
- d. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

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

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

[Reference: ADA Regulations, 28 CFR Part 35 (as amended 2010)]

V. Personnel

5.1 *Employee Qualifications and Duties*

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

- A. Employees are required to be punctual and to attend work regularly.
- B. Employees are required to perform the duties and responsibilities that are assigned to them by the Board, the Superintendent, or their supervisor(s). Such duties and assignments may extend beyond or outside the instructional day and may include off-campus

functions, events, and activities.

- C. Employees are expected to treat all students, co-employees, visitors, and guests of the Board with respect. Employees are expected to demonstrate moderation, restraint, and civility in their dealings with others and, in general, to serve as appropriate role models for students in their behavior and demeanor.
- D. Employees are required to obey all laws, ordinances, Board policies, supervisory directives, and other pertinent authority while carrying out duties for the Board.
- E. Employees whose duties include the instruction or supervision of students must provide effective supervision, discipline, organization and instruction of the students.
- F. Employees must complete and submit required reports accurately and in 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 appropriate, “professional” demeanor from students and shall not engage in conduct including communication of any kind that constitutes, solicits, or suggest 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 (Teachers)* - Supervisory and instructional duties of teachers commence a minimum of fifteen (15) minutes prior to the actual arrival and conclude ten (10) minutes after the departure of students. Except as may otherwise be provided by the Board or required, the minimum instructional day for teachers is seven (7) hours. Assignments and duties may extend beyond the instructional day and may include off-campus functions, events, and activities; conferences and meetings with parents; supervision of student arrival and departure; and preparation for the following instructional day. Teachers will be provided a minimum of thirty (30) minutes free of instructional and supervisory responsibilities each instructional day.
- B. *Work Schedules (Support Personnel, 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 testate Board of Education and the pertinent job description, professional employees must hold a degree from an accredited college or university and hold a current, valid, and properly endorsed Alabama Teacher's Certificate, which will be maintained in the Superintendent's office. A teacher who has completed the certification process but has not received the certificate may be employed on tentative or temporary compensation pending verification of certification from the State Department of Education. Upon receipt of such verification, appropriate adjustments will be made to the teacher's salary. If teacher earns a higher certificate that merits increased compensation under the approved salary schedule, any salary increase will become effective upon Board approval following receipt of documentation of the new certification from the State Department of Education.
- D. *Substitute Teachers* - Substitute teachers must, at a minimum, possess a high school diploma and valid and current Alabama Substitute Teacher's Certificate or Alabama Teacher's Certificate.
- 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* - In addition to the requirements established by the State Board of Education, a bus driver must: (i) hold a valid commercial driver’s license, (ii) complete a minimum of twelve (12) hours of approved instruction in school bus driving, (iii) satisfactorily complete a written examination driver’s performance test approved or administered by the State Department of Education or State Superintendent, (iv) complete additional Board requirements as required by the Superintendent or his designee. A bus driver must also meet any requirements of the entity providing the Board’s automobile liability coverage.

[Reference: Ala. Code §16-27-4(1975)]

5.2 *Hiring*

- 5.2.1 Application Procedures - Job applicants for all positions must file an on-line application with the Sumter 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 vote of the Board. No principal, administrator, supervisor, or other employee has authority to hire an applicant without the 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(12)(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(12)(1975).

5.3 ***Probationary Employment***

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

5.4 ***Non-Teaching Supplemental Duties***

Compensation in the form of supplements may be paid for non-instructional supplemental duties in accordance with rates 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, and drill teams) as well as scholastic support activities (e.g., yearbook, service clubs, and academic honoraries). Such supplemental duties are considered additional nonteaching assignments to be made and approved on an annual basis or otherwise as the needs of the school require. Such supplemental duties are not considered to be a part of a teaching contract or appointment, and no tenure, continuing service status, non-probationary status, or contractual right to continued employment or compensation for such supplemental assignment will be recognized or implied in the absence of a separate written contract of employment providing for such rights.

5.5 ***Professional Development***

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

5.6 *Employee Conflicts of Interest*

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

- A. Employees will not engage in outside business activities or render any service for another employer during such time as duties and responsibilities have been assigned by the Board;
- B. Employees will not accept outside employment that would interfere with or impair the ability of the employee to perform duties as a Board employee effectively;
- C. Employees may not accept work that could compromise the employee's independent judgment in the exercise of duties for the Board;
- D. Employees may not use or disclose confidential information acquired through Board employment for their personal gain or for the benefit of a third party.

5.7 *Employee Evaluations*

- 5.7.1 Certified Personnel - Certified employees (other than contract principals) will be evaluated in accordance with an evaluation program approved for use by the 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.
- 5.7.2 Non-Certified Personnel - Non-certified personnel will be evaluated in accordance with criteria and procedures to be developed by the Superintendent and approved by the Board. The evaluation criteria and procedures will, at a minimum, include the following:

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

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

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

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

5.8 *Personnel Records*

5.8.1 Content of Personnel Files– A central personnel file will be maintained for

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

- 5.8.2 Alternate Data Storage– Personnel file data may be stored or maintained electronically or digitally.
- 5.8.3 Confidentiality– In general, the contents of an employee's personnel file will be deemed confidential except for documents, information, and materials that are matters of public information or public record under applicable state or federal law.
- 5.8.4 Access to Personnel Files - Board members, the Superintendent, Board administrators (including principals), employees of the Human Resources Department, and other persons whose duties reasonably require access to personnel files are authorized to view, copy, and use the contents of personnel files for purposes that are required by or in keeping with their official duties on behalf of the Board.

5.9 *Substitute Teachers*

- 5.9.1 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 to secure substitute teacher. Long term substitute teachers will be selected by the school principal and are subject to approval by the Superintendent.
- 5.9.2 Compensation - Substitute teachers will be compensated according to the Board approved salary schedule. A substitute teacher filling a teaching position for more than twenty (20) consecutive school days will be compensated on a daily rate equal to Rank II - Step 0 Beginning Teacher's Salary beginning on the twenty-first (21st) school day. 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.

5.10 *Employee Leave*

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

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

- A. Illness, injury or other qualifying reasons 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.

5.10.3 Absences Require Notice - Employees who know in advance that they will be absent from work must notify the Board of the expected absence in accordance with procedures specified by the Superintendent or the Board. In the event of an emergency or incapacity that makes advance notice impractical, employees must notify 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.

5.10.4 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:
 - a. Personal illness;
 - b. Incapacitating personal injury;
 - c. 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;
 - d. 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;
 - e. 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)]

- 5.10.1 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 principal or department head within twenty-four (24) hours after the injury occurred. If the injured employee is not able to notify the Board, another person reasonably knowledgeable about the employee’s condition and circumstances leading to the injury may provide the required notification.

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

[Reference: Ala. Code §16-1-18.1(1975)]

- 5.10.6 Personal Leave - All regular, full time employees are eligible for two (2) noncumulative personal leave days each scholastic year. Personal leave must be requested in writing in accordance with such procedures as may be established by the Superintendent or the Board. Full time employee’s unused personal leave days will convert to sick leave days at the end of the school year.

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

5.10.7 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. A proportionate number of five (5) vacation days will be awarded as follows when the eligible employee is hired during a contract year (June 1 to June 30).

Initial Employment (between)	Number of Vacation Days
July 1 and July 31	5
August 1 and September 30	4
October 1 and November 30	3
December 1 and January 31	2
February 1 and March 31	1
April 1 and June 30	0

- 2. A proportionate number of ten (10) vacation days will be awarded as follows when the eligible employee begins work at the beginning of a contract year but has not yet been employed by the Board for a full contract year:

Initial Employment (between)	Number of Vacation Days
July 1 and July 14	10
July 15 and August 31	9
September 1 and October 31	8
November 1 and January 31	7
February 1 and March 31	6
April 1 and June 30	5

- 3. Ten (10) vacation days will be awarded to an eligible employee previously employed by the Board for at least a full contract year as an eligible employee.
- 4. Only consecutive service with the Board will be considered in establishing length of service for purposes of determining vacation benefits.

- C. *Accrual and Accumulation of Vacation Time* - Vacation must be used by December 31st of the following year or forfeited. Vacation days may not be sought, sold, or donated. Accumulated vacation time will be forfeited if not used prior to the effective date of resignation or retirement. No payment will be made for any vacation leave that is unused as of the employee's resignation, termination or death.
- D. *Scheduling* - Vacations must be scheduled with the knowledge and approval of the employee's department head.

5.10.8 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 scholastic year must be approved by the Superintendent.

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

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

[Ala. Code §§16-8-25, 12-16-8 (1975)]

5.10.11 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. For classroom teachers, such leave must be taken in semester blocks.
- 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 and have at least five (5) years of service as a professional employee of the Board.
- D. Request for such a leave of absence must be made on the leave request form developed by the Superintendent, with all requested information provided.

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 forth period of leave, length of service of the employee requesting leave, and any other factor the Board deems appropriate.

5.11 *Family and Medical Leave Act (FMLA)*

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

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

- A. The birth and first year care of a 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).

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

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

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

5.11.4 Military Family Leave Provided by the Act

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

parent, or next of kin of a covered service member, is entitled to take up to twenty-six (26) weeks (including any medical leave provided by the Act) of unpaid leave during any twelve (12) month period (beginning the first day of the leave) to care for an individual covered service member with a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating. A covered service member is a 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.

- 5.11.5 Spouse Employed by the Board - Spouses who are both employed by the Board are limited to a combined total of twelve (12) weeks of family leave for the birth and care of a newborn child, for the placement of a child for adoption or foster care, forth care of a parent who has a serious health condition, and for qualifying exigency leave. Spouses who are both employed by the Board are limited to a combined total of twenty-six (26) weeks for military caregiver leave.
- 5.11.6 Intermittent Leave - An employee may take leave intermittently or on a reduced leave schedule only when medically necessary to care for a spouse, parent, or child or to receive planned medical treatment. Intermittent leave should be scheduled to the extent practicable so as not to unduly disrupt the operations of the Board. Intermittent leave may be further limited for teachers in accordance with federal law.
- 5.11.7 Use of 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.
- 5.11.8 Notice - Employees seeking leave under the FMLA must provide thirty (30) days advance notice of the need to take leave when the need is foreseeable. When the need for leave is unforeseeable, employees should notify their supervisors as soon as possible. Employees must also provide notice of the need for qualifying exigency leave as soon as practicable.
- 5.11.9 Certification for Medical or Military Caregiver Leave - Every request for FMLA leave based upon the serious health condition of the employee or employee's spouse, children, or parents, or leave as a military caregiver must be supported by medical certification issued by the appropriate health care provider on forms

provided by the Board.

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

- 5.11.10 Certification for Qualifying Exigency Leave - Certification will be required by the Board for requests for qualifying exigency leave. Certification must be timely submitted on forms available from the Board. For the first such request, certification may include a copy of the military service member's duty orders or other military documentation.
- 5.11.11 Return to Work - The Board may require an employee who has taken leave due to the employee's own serious medical condition to provide the Board with a healthcare provider's certification in order to return to work. Any employee who takes leave under these provisions will be entitled to be restored to the original position held when the leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.
- 5.11.12 Maintenance of Benefits - Benefits accrued by the employee before leave is taken are not lost when approved FMLA leave is taken. Employees who are on approved FMLA leave will remain eligible to participate in benefit programs in which the employee was enrolled at the time of the leave, provided that the employee will continue to be responsible for payment of employee's portion of any cost, premium, or like payment that is required to maintain eligibility for the coverage or benefit. An employee that does not return to work after FMLA leave, will be required to reimburse the Board for the cost of benefits coverage extended to the employee during the leave, unless the reason for the employee's failure to return to work is (i) a continuing serious health condition suffered by either the employee or a family member, or (ii) other circumstances beyond the employee's control.
- 5.11.13 Instructional Employees - Medical leave taken by eligible instructional employees is subject to further limitations and provisions established by the FMLA. The Superintendent or his designee is authorized to develop additional information and guidelines concerning Instructional Employees.
- 5.11.14 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 Sumter 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 and is also granted Medical or Birth/Adoption leave, the first twelve weeks of that leave shall be deemed to be FMLA leave.

5.12 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 Sick Leave Bank Committee will be established to oversee the operations of the Sick Leave Bank in accordance with state law and the following provisions:

- A. *Sick Leave Bank Committee* - The Sick Leave Bank Committee will be composed of one member representing the Superintendent and four members representing participating members of the bank.

Board Representative - The Member representing the Superintendent will be appointed by the Superintendent.

Participate Representatives - The participant representatives will be selected by the sick leave bank members.

- B. *Procedures for Selecting Employee Representatives on Committee*

1. *Nomination* - Before each election of participant representatives, the Board will hold an open nomination period. Any employee who is ineligible to participate in the sick leave bank may be nominated for one of the participant representative positions. Nominations must be written and must be received in the Human Resources Department by the deadline specified in a notice to be provided by the Superintendent or his designee through Board publications and other means of communication that are generally used for such purposes.
2. *Voting* - Each eligible nominee will be placed on the Sick Leave Bank Committee ballot. Voting will take place by ballot at Board facilities at the time specified or as may otherwise be provided by the Board. Supervision of voting will be by local facility personnel. Voting members will be required to verify their ballot by signing the Board’s voter record. Votes will be forwarded to the Human Resources Department for final tabulation. The four candidates receiving the highest number of votes will serve as

participant representatives on the Sick Leave Bank Committee.

- C. *Terms of Committee Members* - Sick Leave Bank Committee members will serve for a term of one year and may not serve for more than five years.
- D. *Chairman of the Sick Leave Bank Committee* - The Sick Leave Bank Committee will elect a chairman from among its representatives at its first Annual meeting. The chairman will be responsible for recording organizational minutes, for conducting meetings, and for organizing meetings as necessary.
- E. *Meetings* - The Sick Leave Bank Committee will meet at least annually following each enrollment period. The Committee will also meet as necessary at its discretion.
- F. *Sick Leave Bank Committee Duties* - The Sick Leave Bank Committee will develop proposed rules and regulations for the Sick Leave Bank, to be submitted to participating members for approval. At a minimum, said rules and regulations must include those terms and provisions that are required by statute. The Committee has the authority to review both participation in the Bank and requests for leave to ensure compliance with state law, Board policy, and such rules and regulations as may be adopted by the Sick Leave Bank Committee.
- G. *Employee Participation* - Participation in the Sick Leave Bank is voluntary and open to all full-time employees of the Board. However, Employee participation is subject to such rules and regulations regarding enrollment procedures, deposits, withdrawals, and participation as may be developed by the Committee.

5.12.1 Catastrophic Sick Leave

Members of the Sick Leave Bank who meet the qualifications required for Catastrophic Sick Leave are eligible to receive sick leave donations from other employees. Individual members may contribute a maximum of 30 days to one person. Catastrophic leave forms are available at the Board's central office.

[Reference: Ala. Code §16-22-9 (1975)]

5.13 Administrative Leave

The Superintendent is authorized to place an employee on administrative leave

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

5.14 *Equal Employment Opportunity*

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

- 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 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.

5.14.2 Implementing Regulations Authorization - 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.

5.15 *Sexual Harassment*

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

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

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

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

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

5.15.3 Employee Complaint Resolution 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 not resolved informally to the satisfaction of the complaining employee, the employee must contact the Superintendent to initiate formal complaint procedures.

5.15.4 Formal Complaint Procedures

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

soon as practicable.

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

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

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

5.16 *Reduction-In-Force*

5.16.1 Definition and Scope

- A. This policy applies to reductions-in-force that are implemented by “layoffs” as contemplated by Ala. Code §61-1-33 (1975).
- B. A reduction-in-force may be declared by the Board of Education and layoffs approved if the Board determines that decreased student enrollment or a shortage of revenues requires a reduction in the workforce (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 Tenure or Fair Dismissal laws and are not subject to the procedural or substantive requirements thereof. Nor 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.

5.16.2 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.

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

- A. The nature of the position and qualifications thereof has not materially changed;
- B. The laid-off employee remains properly qualified, licensed, or certified; and
- C. The laid-off employee confirms in writing his or her availability for and interest in re-employment to the Board’s Director of Human Resources in accordance with any directives that may be contained in or transmitted in conjunction with the notice of layoff.

Circumstances permitting 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.

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

5.17 *Unauthorized Payments*

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

5.17.2 Retention and Recovery Authorized - If no objection to the proposed withholding is received within a reasonable time (to be specified in the notification letter), monies may be retained in the manner and to the extent described in the notification. If the employee objects to the proposed withholding, the Superintendent or his designee may, upon consideration of the objection and information and argument (if any) submitted in connection therewith, take such action as may be warranted under the circumstances and inform the employee in writing of the decision. If the employee is dissatisfied, he may contest the decision through the Board's complaint procedure. Monies may be withheld by the Board pending completion of the grievance process, provided that, should the Board later pay over to the employee monies that have been retained under authority of this policy, such payment(s) will reflect all appropriate deductions and will include accrued interest from the date of withholding at the rate

specified by the then-effective rate applicable to interest on unpaid judgments under Alabama law. If, after exhausting reasonable efforts to do so, the Board is unable to contact the employee in the first instance, the Board may retain or withhold from compensation or other payments due the employee an amount sufficient to satisfy the indebtedness; provided that any such retention or withholding will be subject to review and reconsideration at the request of the employee.

- 5.17.3 Repayment Required as a Condition of Reemployment - The Board reserves the right to require repayment of any outstanding indebtedness as a condition to reemployment of any former employee.
- 5.17.4 Procedures Not Exclusive - The provisions, procedures, and method of review specified herein are in addition to those that are otherwise available to the parties under law for the retention or recovery of funds, and for administrative or judicial review thereof.

5.18 *Drug and Alcohol Testing of Safety Sensitive Employees*

- 5.18.1 Scope - The Board will conduct employee drug and alcohol testing for employees in safety sensitive positions as required by and in accordance with federal law. Testing will be required for all employees holding a commercial drivers' license (CDL) or who occupy a safety sensitive position as designated by the Board ("covered employees").
- 5.18.2 Prohibited Alcohol and Controlled Substance-Related Conduct - In addition to activities identified in other policies, rules, and procedures, Board employees are prohibited from the following:
 - A. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the Federal Highway Administration (FHWA);
 - B. Being on duty or operating a vehicle while possessing alcohol;
 - C. Consuming alcohol while performing safety-sensitive functions;
 - 1. Consuming alcohol within eight hours following an accident for which post-accident alcohol test is required, or prior to undergoing a post-accident alcohol test, whichever comes first;
 - 2. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or

follow-up testing requirements;

3. 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;
4. 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;
5. Reporting for duty, remaining on duty, or performing safety-sensitive functions with controlled substances in the employee's system.

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

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

- A. *Pre-employment Testing* – Prior to the first time a covered employee performs 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).

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

[Reference: Omnibus Transportation and Employment Act of 1991]

5.19 Searches (Personnel)

- A. *Board Property* - All school system property, facilities, and grounds may be entered, inspected, and searched for any lawful purpose by Board officials or their designee 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.

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.

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

5.20 *Self-Reporting Arrest or Conviction*

Reporting Event:

The Sumter County Board of Education insists upon maintaining a safe and secure environment for all students and employees. In that regard, all employees shall self-report to the Superintendent within three business days any arrest or conviction of a felony, any arrest or conviction related to child abuse or crime of violence whether a felony or misdemeanor, any conviction of any other misdemeanor, and any arrest for illegal use or possession of drugs, driving under the influence (DUI) or driving while impaired (DWI), but excluding minor traffic offenses such as speeding, running stop signs, or running red lights.

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

Definitions:

Arrest – the taking of a person into legal custody.

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

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

VI. Students

6.1 *Admissions and Attendance*

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

[Reference: Ala. Code §16-28-3.1 (1975)]

6.1.2 Admission to Schools

- a. *Resident Students* - School-aged children who reside within Sumter County, Alabama and not within the limits of a city school system, may be admitted to Sumter County Schools. The Board of Education shall admit students to the schools of the school district on an individual basis under such rules and regulations as the Board may prescribe. The Board of Education has established school attendance zones. Students must attend school in the zone in which they reside with a parent or legal guardian, where the guardian has been appointed for reasons other than to attend school in Sumter County.

- 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 Sumter 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 district, 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 District. The Sumter County Board of Education authorizes each school to enroll a maximum of 1% of the student population of the sophomore and junior class, up to a maximum of 4 students per school. The Superintendent may grant permission to enroll more than 4 students upon the request of the school principal. No more than two students from any one country shall be enrolled at the same time at the same school. 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 school system Coordinator of Student Services as soon as possible but not later than June 15, except as may be authorized by the Superintendent.

- 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 CFR 200.6]

- d. *Students Expelled or Suspended from Other School Systems* - Any student who is under suspension or expulsion from another school system or 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 or homeless students.

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

6.1.3 Absences and Excuses - Students are not permitted to be absent from school without valid excuse. Absences 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

- 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 or to initiate truancy proceedings.

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

6.2 *Transfers and Withdrawals*

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

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

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

6.3 *Student Fees, Fines, and Charges*

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

6.4 *Extracurricular Activities*

- 6.4.1 General - Students may be offered an opportunity to participate in extracurricular activities and organizations. Extracurricular activities must

meet the following criteria:

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

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

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

6.4.3 Academic Ineligibility - The Board prescribes the following minimum regulations and standards for eligibility to participate in extracurricular activities within this school system. Students entering grades 10 through 12 must have maintained for the immediately preceding school year, a passing grade in each of at least six (6) Carnegie unit credit courses and a minimum composite numerical grade average of seventy (70) for all Carnegie unit credit courses. Students entering grades 8 and 9 must have maintained for the immediately preceding year, a passing grade in at least five (5) subjects and minimum composite numerical grade average of seventy (70) for all five (5) credit courses. Subject to other

restrictions, students entering grade 7 for the first time are eligible to participate in extracurricular activities.

- a. Of the courses used to determine eligibility, four (4) of the credits must be for curriculum courses (i.e., English, Science, Social Studies, and Math). If the student is otherwise on track with the Board's graduation requirements in the core curriculum courses, the student may be exempt from the core curriculum requirement.
- b. Physical education and other related courses may only count as one (1) of the subjects used to determine eligibility.
- c. The use of up to two (2) Carnegie unit credits and the accompanying cumulative grades obtained during summer school may be used in computing the credits required for eligibility.
- d. Eligibility will be determined on the first day of the local school year and will remain in effect for one (1) complete school year. Students ineligible at the beginning of an academic year may become eligible at the end of the first semester if they meet all academic requirements at that time. *Bona fide* transfers may be dealt with according to the rules of the Alabama High School Athletic Association for sports and rules to be developed by the Board as they pertain to other extracurricular activities.
- e. At the end of each grading period, the head coach or sponsor of each extracurricular activity will check the current grades of all students participating in the activity. If a student fails to maintain the academic standards in all of the courses during the preceding grading period, the student will be placed on probation from extracurricular activities, whereby the principal will be notified, and the student placed in a mandated academic remediation program (Academics First) to address the academic performance of the student.
- f. During the probation period, modifications in the student's participation in extracurricular activities may be made by the principal if such modifications necessary to ensure the student's ability to improve academic performance.
- g. Academic remediation will last a minimum of one grading period.

- h. At the end of each grading period while a participant in academic remediation, students must show evidence of satisfactory participation in the remediation program in order to maintain participation in extracurricular activities.

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

6.4.4 Extracurricular Fees - All fees charged for extracurricular activities shall be approved by the Board annually.

6.5 *Off-Campus Events*

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

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

6.6 *Student Publications*

The Superintendent is authorized to develop rules and regulations regarding student publications. Student publications are subject to and will be expected to

64

meet standards associated with responsible journalism. The principal and student publication sponsor are responsible for the content of such publication.

6.7 *Student Employment (Work Release)*

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

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

6.8 *Equal 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.

6.9 *Title IX*

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

under Title IX will be filed and reviewed according to the Board's general complaint and grievance procedures.

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

6.10 *Student Sexual Harassment*

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

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

5. 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;
 6. 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 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.

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

6.10.4 Initial Confrontation of Accused Harasser Not required - A student who invokes the harassment complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to report allegations of suspected harassment to any appropriate Board administrator, teacher, counselor, or employee, and such persons have a duty to promptly refer such allegations to the Superintendent or to take such action as may be required by the procedures established under "Sexual Harassment Complaint Procedures Authorized" (6.8.3) above. In no case will any employee who is the subject of complaint be permitted to conduct, review, or otherwise exercise decision making responsibility in connection with the processing of the complaint.

6.10.5 Notice of Policy to be Promulgated - The Superintendent will promulgate and disseminate this policy and the complaint procedures to the schools

and will take such other steps and measures as may be reasonably available and expedient for informing the school community of the conduct prohibited by this policy and recourse available to students who believe that they have been subjected to sexual harassment.

6.11 *Protection of Pupil Rights Amendment*

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

- a. Political affiliations or beliefs of the student or 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.

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

- a. Any survey that is designated to obtain protected information from a student, regardless of the source of funding;
- b. Any non-emergency, invasive physical 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.

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

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

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

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

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

6.12 *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 handbook or by other appropriate means.

[Reference: 20 U.S.C. §1231g(a)(4); 34 CFR §99.3]

6.13 *Student Health Services*

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

6.14 *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 Sumter 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 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]

6.15 *Searches (Students)*

- a. *Board Property*- All school system property, facilities, and grounds may be entered, inspected, and searched for any lawful purpose by Board officials or their designees at any time, without prior notice and to the fullest extent permitted by law. The right to enter, inspect, and search includes and extends to (but is not limited to) Board owned or 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 maybe searched by authorized school officials, including school principals or their designees, when reasonable suspicion exists that the property contains prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety or welfare of the school community.
- c. *Personal Searches*- Students may be searched whenever reasonable suspicion exists that the student possesses prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety and welfare of the school community. Student searches must be conducted by a school administrator in the presence of another certified school employee and may include private pat down of the student, a search of personal items and clothing, or a more thorough search upon specific approval of the Superintendent. Personal searches will be conducted with due regard for the age and gender of the student. Searches that require physical contact between the school official and the student, removal of clothing, or examination of the student in a way that would implicate privacy concerns must be conducted and witnessed by officials of the same gender as the student and in a way that preserves the dignity of the student to the extent practicable under the circumstances. Refusal to submit to a search or to cooperate in a search as provided in this policy may be grounds for disciplinary action.
- d. *Use of Recovered Items* - Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

6.16 *Student Suspension (including Students with Disabilities)*

In order to maintain order, minimize the risk of potential personal injury, property damage or disruption, or to permit an orderly investigation and evaluation of a suspected violation of school or school system rules, standards, or policies, principals may temporarily suspend a student pending a conference with the

parent or guardian of the student and a final disciplinary decision. Suspension may also be imposed as a disciplinary measure as provided in the Code of 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.

6.17 *Student Expulsion (including Students with Disabilities)*

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

6.18 *Electronic Communication Devices*

The Board of Education authorizes the Superintendent to develop guidelines for these 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, violation or 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 a violation of board policy, the student code of conduct, or other school rules. The Board assumes no responsibility for theft, loss, or damage to any personal/wireless communication device.

[Reference: Ala. Code §16-1-27 (1975)]

6.19 *Drivers’ License*

6.19.1 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 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 student withdraws or fails to attend school. Students may be exempted or excused from otherwise applicable statutory requirements if their withdrawal or nonattendance is caused by circumstances beyond the control of the student. Circumstances beyond the control of the student may be found with respect to:

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

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

6.19.2 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)]

6.20 *Student Parking Privileges - Substance Abuse Policy*

In order to promote the safety and welfare of students and others who work on or visit school campuses, to encourage the development of safe and responsible driving practices, and to serve the general purposes of maintaining a drug and alcohol free school environment, students will be granted the privilege of driving and parking on school property only if they are free of the effects of alcohol or other illegal or controlled substances. Accordingly, any student who desires to drive a vehicle on school property or park on school property may be required to submit to periodically or randomly administered sobriety or drug tests as condition to issuance of a permit authorizing the operation or parking of a motor vehicle on school grounds. The Superintendent or his designee may revoke

or impose reasonable additional conditions or requirements for the privilege of driving or parking a vehicle on school property. Principals may also establish priorities for issuance and assignment of parking permits. The Board reserves the right to require that sobriety or drug tests or screenings be passed as a condition to maintaining parking or vehicle permits, or privileges relating to use of a motor vehicle. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws, and procedures that are developed by the Superintendent for approval by the Board.

6.21 *Student Competitive Extracurricular Activity Substance Abuse Policy*

In order to promote the safety and welfare of students who participate in competitive extracurricular activities, to insure that such participation is neither impaired nor any risk of injury exacerbated, to provide incentives to students to maintain safe and healthful practices, and to promote a school environment that is free of alcohol and illegal drugs or controlled substances, the Board reserves the right to require any student who participates in extracurricular competitive programs or activities to submit to sobriety tests or screening for illegal drugs or controlled substances prior to, during, or following a competitive event, practice, competition, or at any other time while the student is under the supervision of the school system. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws and procedures that are developed by the Superintendent for approval by the Board.

VII. Instructional Program

7.1 *Curriculum*

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

7.2 *Textbooks*

Textbooks will be purchased and distributed in accordance with State Department of Education regulations. Only textbooks recommended by the local textbook

committee will be approved by the Board, upon the recommendation of the Superintendent. The local textbook committee will be appointed by the Board and will include certified employees and parents, who will serve a term of one year. When a student is loaned textbooks, the student is responsible for the care of the textbook. Students must reimburse the Board for the cost of any textbooks that are lost or damaged beyond reasonable wear and tear.

[Reference: Ala. Code §16-36-62 (1975)]

7.3 *Academic Standards*

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

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

<u>Letter Grade</u>	<u>Numerical Grade (100 point scale)</u>	<u>Grade Point Average Points (4 point scale)</u>
A	90 - 100	4.00
B	80 - 89	3.00
C	70 - 79	2.00
D	60 - 69	1.00
F	Below 60	0.00

7.3.2 Additional Grade Points - When calculating a student's grade point average, additional grade points may be awarded for advanced courses as specified in the Sumter County Board of Education High School Course Description and Registration Code.

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

7.3.4 Report Cards - Report cards reflecting student progress will be made

available to the parents or legal guardians of students on a regularly scheduled basis.

- 7.3.5 Promotion - Students are promoted from grade to grade on the basis of academic credit earned during the school year, in summer school programs, or in such other academic programs as may be approved or recognized by the Board.
- 7.3.6 Class Rankings - Beginning with the ninth grade of high school, all students will be ranked based on the four point grade point average scale (GPA) (calculated and weighted as described herein). The GPA calculation will be carried out four decimal places and rounded off.
- 7.3.7 Credit Recovery - The Superintendent is authorized to develop procedures for program through which a student may recover credits in one or more failed courses, in compliance with regulations promulgated by the State Department of Education. The curriculum will align with the State Board of Education course of student and student content standards in which the student seeking credit recovery is deficient.

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

7.4 *Testing*

The Superintendent is authorized to develop and implement a standardized testing program that will include, at a minimum, all testing required under state and federal law. All standardized tests are to be conducted in accordance with the appropriate test administration manual guidelines and any rules or regulations that are intended to ensure their security and validity. Teachers are authorized to conduct tests for their courses in order to determine their students' abilities, knowledge, and skills, and to use in calculating a student's grade.

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 Superintendents authorized to develop and maintain rules and regulations for the operation of summer school, including requirements for enrollment, attendance, transportation, and tuition, which will be subject to approval by the Board.

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

7.6 *Dual Enrollment*

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

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

7.7 *Correspondence or Online Courses*

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

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

7.8 *Career and Technical Education Programs*

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

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

- 7.8.2 Live Work - Live work consists of work conducted by students that relates to the knowledge and skills taught as part of a CTE program of study, but are presented from outside the classroom. The Superintendent is authorized to develop for Board approval guidelines and procedures in accordance with the regulations of the Alabama State Department of Education and any applicable Business/Industry Certification requirements for a live work to be conducted in the school system, including, but not limited to, a systematic method for managing live work, work requests and orders, and procedures for approval of where and for whom work maybe conducted, school liability, and restrictions on live work. Any money collected for live work will be accounted for in accordance with the Board's Finance Manual.

7.8.3 Safety - To the extent practicable, reasonable safety procedures will be implemented in the Career and Technical Education program in accordance with Alabama State Department of Education regulations and any applicable Business/Industry Certification requirements.

7.8.4 Career/Technical Advisory Committee - A Career/Technical Advisory Committee shall be established by the Career/Technical Director for the purpose of receiving input, advice, and counsel relative to the career/technical education programs in the Sumter County schools. The Career/Technical Education Advisory Committee membership shall include representatives of business, industry, labor, and special interests as deemed appropriate by the Career/Technical Director.

The Career/Technical Education Advisory Committee will function as a liaison between the public schools and business and industry advising the Career/Technical Director and the instructional staff about marketable skills, employment needs, and the market and job potential in the area and throughout the southeast. The Committee shall be asked for input and advice in the development of proposals to secure federal and state project funds.

The Career/Technical Education Advisory Committee shall be convened on a bi-annual basis and more often as required.

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

7.9 *Foreign Exchange Programs*

The Superintendent is authorized to develop guidelines and procedures, to be approved by the Board, under which foreign exchange students may attend Sumter County schools and Sumter County students may participate in foreign exchange programs.

7.10 *Extended Programs: Community Education*

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

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

7.11 *Graduation, Certification of Completion, and Commencement*

Students who have satisfactorily completed requisite course work, met minimum

attendance criteria, and passed required examinations are eligible for graduation. Students who successfully complete the requirements to earn a diploma or graduation certification 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.

7.11.1 Honor Graduates - Students who meet the following requirements shall be classified as honor graduates at high school commencement ceremonies:

- a. Enrolled in the school system for a minimum of one full academic semester prior to graduation; and
- b. Maintenance of an overall grade point average (GPA) of 3.00 -4.00 or higher (one 4.00 point scale) for all courses taken during the freshman (or ninth grade) year through the semester immediately preceding graduation. Grades will be calculated and weighted as prescribed in the grading section above.

7.11.2 Valedictorian/Salutatorian

- a. *Criteria* - The valedictorian and salutatorian for the graduating class of each high school must qualify for the most advanced academic diploma offered and have been enrolled in the school system for a minimum of one (1) semester prior to the date of graduation. The student with the highest numerical grade point average (calculated and weighted on a four point scale with weighting as defined in the Sumter County High School Course Description and Registration Guide for the current year) will be the class Valedictorian. The student with the second highest numerical grade point average shall be the class salutatorian. In calculating the numerical grade point average, all semester grades will be used, beginning with the ninth grade through the semester immediately preceding graduation. The grade point average will be carried out four decimal points and rounded off. In the case of a tie, the student with the highest composite score on the ACT during single exam administration will be chosen.

7.11.3 Fifth Year Seniors - The Superintendent is authorized to develop criteria under which student who has completed four full academic years of high school but who has not completed the required course work for graduation may be allowed to attend the number of class periods necessary to complete the courses

required for graduation.

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

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

7.12 *School Wellness*

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

- 7.12.1 Nutrition Education - Nutrition education that teaches the knowledge, skills, and values needed to develop healthy eating behaviors will be integrated into the curriculum and offered throughout school campuses, including school dining areas and classrooms, by appropriately trained personnel.
- 7.12.2 Nutrition Standards - The Child Nutrition Program (“CNP”) will ensure that reimbursable school meals meet the program requirements and nutritional standards established by applicable state and federal regulations. The CNP will encourage students to make nutritious food choices and will monitor all food and beverages sold served to students, including those available outside federally regulated child nutrition programs. The CNP will consider nutrient density and portion size before permitting food and beverages to be sold or served to students.
- 7.12.3 Physical Education and Physical Activity Opportunities - The Board will offer physical education opportunities that include the components of a sound physical education program. Physical education will equip students with the knowledge, skills, and values necessary to maintain healthy 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.
- 7.12.4 Other School-Based Activities Designed to Promote Student Wellness - The Board may implement other programs that help create a school

environment that conveys consistent wellness messages and that is conducive to healthy eating and physical activity.

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

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

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

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

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

7.14.2 Annual Evaluation of Initiatives - An annual evaluation will be conducted, with the involvement of parents, to determine the effectiveness of the parental involvement policy in improving the academic quality of the schools. The evaluation will include parent surveys, focus groups, and student assessment data. Parents will also be given the opportunity to submit suggestions and concerns regarding the parental involvement policy to the parent advisory committee. This information will be

Reviewed annually and used to make revisions to the school system plan as necessary.

- 7.14.3 Impediments to Parent Participation to be Identified - The Board will identify barriers to greater participation by parents in parental involvement activities, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or whose racial or ethnic background may impede effective participation. To the extent practicable, all information required under Section 1111 of the Elementary and Secondary Education Act (“ESEA”), 20U.S.C. §6301 *et seq.*, will be provided to parents in a uniform, understandable format and upon request, in an alternative format and language that the parents understand.
- 7.14.4 Elementary and Secondary Education Act Compliance - The school system will work with its schools to ensure that school-level parental involvement policies meet the requirements of Section 1118(b) of the ESEA and each includes a school-parent compact consistent with Section 1118(3) of the ESEA. This policy will specify that each school will:
- a. Convene an annual meeting to explain the school programs to parents and inform them of their responsibilities and right to be involved in the program;
 - b. Offer a flexible number of informational parent meetings, including building a strong home/school connection, parenting skills, and literacy development;
 - c. Involve parents in an organized, ongoing, and timely way in planning, review, and improvement of school programs;
 - d. Provide timely information about its school programs to parents, describe the curricula, student assessments, opportunities for regular
 - e. meetings where parents can provide input, and respond promptly to parent suggestions; and
 - f. Provide parents with an opportunity for meaningful and ongoing consultation and communication about the academic quality of the school.
- 7.14.5 Notice of Rights and Information - The Board will comply with the *Parents Right to Know* provision of the *No Child Left Behind Act of 2001*,

including the rights of parents to be informed of the credentials/qualifications of their child's teacher(s).

**SUMTER COUNTY SCHOOL DISTRICT
FACILITY USAGE FORM**

P.O. Box 10 - Livingston, AL 35470 Telephone 205-652-9605

APPLICATION FOR THE USE OF SCHOOL FACILITIES

Date of application: _____

Name of organization making application: _____

Name and location of facility requested for use: _____

Date(s) and time requested for use: _____

Purpose for requested use: _____

We agree to the following stipulations:

1. To provide security throughout the activity
2. To pay cost of district supervisory personnel and cost of clean-up;
3. To pay \$ _____ within 10 days prior to the event for each of the facilities, and all additional costs paid within 10 days after the event.
4. To accept responsibility for any and all damages caused either directly or indirectly by this use of school facilities; and,
5. To acknowledge that neither the Board nor any employee of the District, professional or non-professional, shall assume liability for anything which happens as a result of the use of school facilities.

Signature of Authorized Representative

Print Name of Authorized Representative

P.O. Box or Street Address

City State Zip

Telephone

For Office Use Only

APPROVED: _____
Date

Please Initial
COPIES SENT TO: ___ Maintenance
 ___ Principal
 ___ Superintendent

Principal's Approval

Date

Superintendent's Approval

Date

FEE SCHEDULE FOR USE OF BUILDINGS, GROUNDS AND OTHER FACILITIES
OF THE SCHOOL DISTRICT.

NO FEE

1. School Affiliated Groups
 - ___ School Sponsored Events
 - ___ Teacher's Associations
 - ___ Parent/Teacher Associations
 - ___ Booster Clubs
 - ___ Youth Services

2. Youth Services
 - ___ Boy Scouts
 - ___ Girl Scouts
 - ___ 4-H Clubs

3. Civil, Recreation, Citizen Associations
 - ___ Officially appointed groups or local or state governments
 - ___ Municipally – sponsoring recreational programs
 - ___ Local citizens groups of 100% resident membership

FEES:

Cafeteria	\$150.00
Gymnasium	\$200.00
Classrooms	\$ 35.00

EMPLOYEE DATA /EMERGENCY CONTACT FORM
[Please print]

Name _____

Site/Department _____

Personal Contact Info:

Home Address _____

City, State, ZIP _____

Home Telephone # _____ Cell # _____

Emergency Contact Info:

(1) Name _____ Relationship _____

Address _____

City, State, ZIP _____

Home Telephone # _____ Cell # _____

Work Telephone # _____ Employer _____

(2) Name _____ Relationship _____

Address _____

City, State, ZIP _____

Home Telephone # _____ Cell # _____

Work Telephone # _____ Employer _____

Medical Contact Info:

Doctor Name. _____ Phone # _____

Dentist Name _____ Phone # _____

Employee Signature _____ Date _____