

ELBA CITY BOARD OF EDUCATION

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CHAPTER 1.00 – PHILOSOPHY

SYSTEM PHILOSOPHY AND BELIEFS

1.10

Elba City Schools will nurture the development of life-long learners with skills and attitudes necessary to maximize their potential for success. This will be accomplished by a committed, effective staff using sequential, innovative curricula taught in a non-threatening environment.

The beliefs of the Elba City School System include:

1. Students are the reason for the school's existence.
2. All programs must grow and change with the needs of students.
3. Each individual deserves an environment that is safe and conducive to learning.
4. Each individual is unique, has worth and dignity, and deserves respect.
5. Each individual can learn.
6. Each individual needs instructional guidance to initiate the learning process, and reassurance and praise to promote actual learning.
7. Each individual should have an equal opportunity for participation and acceptance.
8. Each individual deserves the best education possible in order to achieve his/her highest potential.
9. Each individual needs to perceive, experience, and promote the beauty of the world in which he/she lives.
10. Each student learns best through active student, parent, and teacher cooperation.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9; 16-3-16 et seq**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 1.00 – PHILOSOPHY

SYSTEM LEGAL STATUS

1.12

The Elba City School System derives its legal status from the State Legislature which, in turn, is subject to the Constitutions of both the State of Alabama and the United States. Amendment III to the Alabama Constitution provides that the legislature may by law provide for or authorize the establishment and operation of schools.

The Elba City School System is, therefore, under the exclusive control and management of the Elba City Board of Education as prescribed above, and shall be operated in accordance with constitutional and authority of law.

The corporate name of this school system shall be the Elba City Board of Education, and it conducts its business at the Elba City Board of Education, 131 Tiger Drive, Elba, Alabama.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-11-12, 16-11-18
ALABAMA CONSTITUTION OF 1901 AMENDMENT III**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCOPE OF THE SCHOOL SYSTEM

2.10

The Elba City Board of Education is the governing body of the system and is responsible for the control, operation, organization, management, and administration of public schools in the system pursuant to the provisions and minimum standards prescribed by Alabama statutes and State Board of Education rules.

REFERENCE(S):

CODE OF ALABAMA

16-11-1, 16-11-2, 16-11-18

ALABAMA CONSTITUTION OF 1901 §256, AMENDMENT 111

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

QUALIFICATIONS OF BOARD MEMBERS

2.11

Many desirable characteristics are needed to be a Elba City Board of Education member, such as a willingness to give time and effort; a belief in the spirit and need for public education; the ability to motivate other people; the capacity to understand people; the insight which is needed to work as a part of a cooperative body; and a devotion to the concept of a better society through education.

The following qualifications are legally required to become one of the members of the Elba City Board of Education:

- I. The individual must not be a member of the City Council.
- II. The individual must be a legal resident of the city council district he/she seeks to represent. (Residence is defined as having established a legal residence within the district for at least twelve consecutive months immediately preceding the date of appointment.)
- III. The individual shall be at least 21 years of age.
- IV. The individual shall not have a conviction of any crime involving moral turpitude or be on the National or State Sex Offender Registry.
- V. The individual shall not have been convicted of a felony crime.
- VI. The individual has earned a high school diploma or its equivalent.
- VII. The individual cannot be serving as a board member for a private elementary or secondary school.
- VIII. The individual cannot be an employee of the Elba City School System.

REFERENCE(S):

CODE OF ALABAMA
16-11-2 through 3, 17-16-12, 41-16-60, 36-25-1 through -14,
16-8-2, 16-8-6, 36-9-1, LEGISLATIVE ACT 2012-221.

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

BOARD MEMBER ORIENTATION AND TRAINING

2.12

Elba City Board of Education members shall 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 Board members;
- b. Training or consulting workshops for the local Board as a whole as mandated by Act 2012-221 of the Alabama Legislature. Failure to participate may lead to sanctions being imposed on the individual board member.
- c. State or national school board association events addressing Board governance operation, or other Board member development opportunities relating to leadership development, Board governance, or Board operations.

The Board recommends the requirements of this policy be satisfied by participation in training provided by the Alabama Association of School Boards and the Alabama Department of Education.

The Superintendent shall include an amount in each proposed annual budget to cover expenses to support the participation of the Board in activities and programs conducted by the State and other organizations as the Board chooses. Board member travel outside of the state of Alabama must be approved in advance by the Elba City Board of Education in order for a member to receive reimbursement.

The Elba City Board of Education may maintain membership in the Alabama Association of School Boards.

REFERENCE(S):

CODE OF ALABAMA
16-1-6, 16-11-9, LEGISLATIVE ACT 2012-221

HISTORY:

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

TERMS OF BOARD MEMBERS

2.13

The Elba City Board of Education shall be composed of five (5) members who are duly appointed by the Elba City Council. Newly appointed board members will assume office at the first regular meeting of the Board in May, following their appointment by the City Council in April. Elba City Board of Education members shall serve a five (5) year term.

The Elba City Council shall make appointments to fill unexpired vacancies on the Board of Education.

Any Board member shall be considered resigned when he or she permanently establishes residence outside the district he/she was appointed to represent or becomes an employee of the Elba City Board of Education.

Members of the Elba City Board of Education are officers of the State and may be removed from office through impeachment proceedings in Circuit Court or other court of like jurisdiction as stipulated in the Alabama Constitution of 1901. Board members may also be removed from office as stipulated in Act 2012-221 of the Alabama Legislature.

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

1. willful neglect of duty;
2. corruption in office;
3. incompetence;
4. intemperance in the use of intoxicating liquors or narcotics to such an extent that it renders the officer unfit to discharge duties of the office; or
5. any offense involving moral turpitude while in office, or connected therewith.

REFERENCE(S):

CODE OF ALABAMA
16-11-2 through 3, 16-8-2, 16-11-5, 16-11-16, 16-8-41, 36-9-1,
16-8-32, 16-28-19, 16-8-36, 35-5-1, 16-9-8, 16-9-3,
LEGISLATIVE ACTS 91-161, 93-536, 95-258, 98-627,
2012-221 ALABAMA CONSTITUTION of 1901
ARTICLE VII

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

BOARD RESPONSIBILITIES, AUTHORITY, AND ETHICS

2.20

- I. The Elba City Board of Education is responsible for the organization and control of the public schools of the system and is empowered to determine the policies necessary for the effective operation and general improvement of the school system. The Board is a public corporate entity and may take action only when the Board is meeting in official public session and a quorum is present. The Elba City Board of Education shall limit its action to establishing policy and to meeting the requirements prescribed by federal and state law and rules of the State Board of Education. Individual members of the Elba City Board of Education have authority to take official action only when sitting as a member of the Board in public session, except when the Board specifically authorizes the member to act. The Elba City Board of Education shall not be bound in any way by any action on the part of an individual Board member or an employee, except when such statement or action is in compliance with the public action of the Elba City Board of Education.
- II. The specific duties of the Board shall include, but not be limited to the following:
 - A. To approve policies relating to the operation of the public schools;
 - B. To adopt a calendar of school events for each ensuing year which shall be distributed to the teachers and others as deemed necessary;
 - C. To adopt the annual budget and approve expenditures of funds as recommended by the Superintendent;
 - D. To monitor the financial status of the system;
 - E. To appoint principals and other Elba City School System employees upon the written recommendation of the Superintendent;
 - F. To determine or approve salary schedules and other personnel policies;
 - G. To consider reports of the Superintendent on the progress of the schools and advise him/her on recommended changes in educational programs;
 - H. To adopt plans for structural improvements and contracts for construction of new facilities and determine the means to finance them; and
 - I. To inform the citizens of the community and the Legislature of the needs of the schools.
- III. The duties and obligations of an individual Elba City Board of Education member shall include, but not be limited to the following:
 - A. To attend all meetings;

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- B. To become familiar with selected federal and state school laws, State Department of Education rules and regulations, and local Board policies, rules and regulations;
 - C. To assist in establishing the highest goals and objectives for the Elba City School System which realistically can be achieved;
 - D. To vote and act in the Board meetings for the total good of the school system;
 - E. To accept the will of the majority vote and give support to the resultant policy;
 - F. To represent the Elba City Board of Education in such a way as to promote public interest in and support for Board-related activities;
 - G. To refer complaints and inquiries to the proper school authorities and to abstain from individual counsel and action;
 - H. To recognize that candid discussions based on objective rationale are vital to the ultimate success of the school system;
 - I. To comply with statutory requirements, state and Elba City Board of Education policies, and regulations of duly authorized administrative agencies;
 - J. To act ethically in all matters at all times, thereby representing the school system to the best of one's ability; and
 - K. To receive no financial interest or personal benefit, either directly or indirectly, in the purchase of or contract for real or personal property or contractual service with the Elba City Board of Education.
- IV. The Elba City Board of Education may maintain membership in the Alabama Association of School Boards.
- V. The Elba City Board of Education adopts for its members the following Code of Ethics:
- As a member of the Elba City Board of Education, I will strive to improve public education, and to that end I will:
- A. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning the issues to be considered at those meetings;
 - B. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings;
 - C. Render all decisions based on the available facts and By independent judgment and refuse to surrender that judgment to any individual or special interest group;

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- D. Encourage the free expression of opinion by all Board members and seek systematic communication among the Board and students, staff, and all elements of the community;
- E. Work with other Board members to establish effective Board policies and to delegate authority for the administration of the Elba City schools to the Superintendent;
- F. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- G. Inform myself about the current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards association;
- H. Support the employment of those persons best qualified to serve as school staff and insist on a regular and impartial evaluation of all staff;
- I. Avoid being placed in a position of conflict of interest and refrain from using my Elba City Board of Education position for personal or partisan gain;
- J. Take no private action that will compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law; and
- K. Remember always that my first and greatest concern must be the educational welfare of the students attending the Elba City School System public schools.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-11-5, 16-11-17, 16-11-24, 16-22-6, 16-24-1, 36-25-1,
36-26-100, 41-16-50, 41-16-57; LEGISLATIVE ACT 2005-40
STATE OF ALABAMA ETHICS LAW , LEGISLATIVE ACT 2012-221**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

ORGANIZATION AND OFFICERS OF THE BOARD

2.21

- I. The Elba City Board of Education shall elect, at its annual meeting in May of each year, one of its members as President and one as Vice-President. The President shall preside at all meetings of the Board and he/she shall call special meetings when circumstances require such meetings.
- II. The President shall sign, with the Superintendent, the minutes and other official documents which require the signature of the President. He/she shall perform other duties as prescribed by law or specified in the policies of the Elba City School System.
- III. The President shall preside at all Board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the School Board. The Vice-President shall preside in the absence of the President and shall perform such other duties of the President as required by circumstances.
- IV. If the President and Vice-President are absent from a meeting at which a quorum is present, the Superintendent may assume the Chair to conduct an election to select a President Pro-Tem for that respective meeting. The Superintendent shall have no nominating or voting rights.
- V. The Superintendent, as provided by law, shall be the secretary and executive officer of the School Board.

REFERENCE(S):

CODE OF ALABAMA
16-11-3, 16-11-5, 16-11-6, 16.11.7
16-12-1, 16-12-3, Legislative Act 91-161 § 4 and 8

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

BOARD MEETINGS

2.22

All Elba City Board of Education meetings shall be open to the public, and all informal meetings and conferences involving Board members shall be conducted as public meetings unless specifically exempted by Alabama Statutes. The Elba City Board of Education may take no official action at any time other than at an open meeting.

- I. Regular Elba City Board of Education meetings shall be established at the organizational meeting held in May. The regular meeting date may be changed by Board action at any previous meeting or at the direction of the Superintendent and/or Board President, provided that each member is notified. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.
 - A. Special meetings shall be held at the time designated by the Superintendent, Board President, or when requested by two (2) Board members in written notice.
 - B. Emergency meetings may be held at any time by the Superintendent, either upon his/her initiative or upon the Board President's request. An emergency meeting may be called and the public shall be notified. Elba City Board of Education members shall be given a tentative agenda during the notification.
- II. Regular, special, and emergency meetings of the Elba City Board of Education shall be held in the regular Board meeting room, unless changed in the manner prescribed herein. Regular meetings are scheduled on the third (3rd) Tuesday of each month at 6:00 pm in the general office of the Board unless another place is designated in the call of the meeting. Any regular or special meeting may be held at any other appropriate public place within the system by giving prior public notice.
- III. Board members shall receive notice of each regularly scheduled Board meeting, including an unapproved agenda, at least twenty-four (24) hours prior to regular Board meetings. The Superintendent shall, whenever possible, notify or cause to be notified, all Board members at least twenty-four (24) hours prior to special meetings.
- IV. All Elba City Board of Education meetings shall be conducted in accordance with the latest edition of Roberts' *Standard Rules of Order*. A majority of the Board shall constitute a quorum for the transaction of business. An official act of the Board shall require a majority vote of the total membership. The President may discuss, make motions, second motions, and have a vote on all matters before the Board.
- V. Order of Business

The Board shall adhere to the following order of business when conducting regular meetings:

- A. Call to order, welcome of visitors
- B. Establish quorum

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- C. Additions or corrections to written agenda
 - D. Approval of agenda items
 - E. Approval of minutes
 - F. Consideration of specific agenda items
 - G. Administrator's reports
 - H. Adjourn
- VI. Participation Procedure
- A. All citizens are encouraged to attend open meetings of the Elba City Board of Education.
 - B. All delegations or individuals who wish to appear before the Board shall submit a request to the Superintendent at least five (5) days prior to the meeting date. Such requests shall specify the nature of the business to be taken up with the Board, the names of those who wish to address the Board, and the approximate time the matter will take. Each delegation which appears before the Board shall select one of its members as a spokesperson and provide his/her name to the Superintendent. The designated speaker for the group shall adhere to time allotments as specified by the Board President.
 - C. The President of the Board shall not be obligated to recognize any person who desires to take up any business with Board unless the time has been properly placed on the agenda for that meeting. The Board vests in the President or presiding officer full authority to terminate the remarks of any person when such remarks have as their objective a personal attack on any person associated with the Elba City School System.
- V. A majority shall constitute a quorum for any Elba City Board of Education meeting. Unless a majority is present, no meeting can be convened.
- VI. The official minutes of the Elba City Board of Education shall be kept as prescribed by Alabama statutes. The minutes shall be kept in a safe place by the Superintendent and shall be made available by the Superintendent during the time the office is open to any citizen desiring to examine the minutes.
- VII. The Elba City Board of Education may vote in a legally called meeting and, upon approval of the majority of the whole Board, may hold executive sessions for specific purposes. Such purposes shall be limited to those involving the character or good name of a person or pending litigation in which the Board is a party. Executive sessions shall be attended only by members of the Elba City Board of Education, the Superintendent, counsel if necessary, and persons necessary to ensure due process for the individual discussion. All matters discussed by the Board in executive session shall be regarded as confidential by all persons in attendance and shall not be divulged to the public. No minutes shall be kept of executive session discussions. Nothing having the effect of regulation, policy or official action of any kind shall be decided in executive session.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- VIII. There shall be no representation by proxy of any Elba City Board of Education member.
- IX. Public notice shall be given of the time, date, and place of Elba City Board of Education meetings. Persons wishing to receive individual notice by email must notify the Superintendent in writing of their request. Persons requesting such notice shall be responsible for having a valid email address and are responsible for informing the Superintendent of any changes of address. The Board is not responsible for email that is not deliverable for whatever reason. The Superintendent may remove any address for which email is undeliverable via the Internet. The Superintendent shall establish a notification system for members of the public.

REFERENCE(S):

**CODE OF ALABAMA
16-11-5, 13-5-1, 16-13-140,
16A-13-2, LEGISLATIVE ACTS 91-161, 93-536
ALABAMA OPEN MEETINGS ACT NO. 2005-40**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHOOL BOARD POLICY ADOPTION and DISSEMINATION

2.23

- I. The Elba City Board of Education shall formulate policies by which its schools shall be managed.
- II. No Elba City Board of Education policy shall be construed to create or confer any contractual right, property right, entitlement of, expectancy of, or other legal cognizable interest in employment or continuing employment. Nothing in any policy shall be construed to create or grant employment rights greater than or in addition to those expressed in law or written contract.
- III. Before adopting written policies, the Board shall directly or indirectly through the Superintendent, consult with the local employees' professional organization whose parent organization represents the majority of school employees statewide. Input by the applicable professional organization shall be made in writing to the Superintendent. The Superintendent may also consult professional assistants, principals, employees and interested citizens. All policies shall be made available to all persons affected and employed by the Elba City Board of Education.
- IV. Policy Dissemination
 - A. Board policies and administrative rules and regulations shall also be made accessible to all members of the Elba City Board of Education, students and members of the community served by the school system.
 - B. Any amendments to the policies, rules and regulations of the Elba City Board of Education shall be furnished to the affected persons employed by the Board.
 - C. Local schools, school system offices, and the city library shall be provided electronic media copies of school system policies. The Superintendent shall provide at least two (2) computer terminals in locations readily accessible to employees where policies may be viewed and used in work-related tasks.
- V. The Elba City Board of Education is aware that a preliminary requirement for demanding certain standards of performance is adequate notification of such requirements. The Board is also aware that the responsibility of familiarization with specific aspects of policies rests with the employee following fair and reasonable attempts by administrative personnel to provide such information.
- VI. Policy Suspension

All policies established at any time by the Elba City Board of Education pursuant to the Code of Alabama §16-11-18 are implemented with the expectation that they will apply under routine circumstances. No policy is intended to restrict the Board's general authority under §16-11-9 to exercise all powers necessary and proper for the administration and management of the schools. Therefore, whenever in the Board's

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION
opinion it would be in

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the best interest of the system to suspend one or more policies, the Board may acknowledge that fact, suspend the application of the policies, and take whatever action it deems appropriate. Any such action taken by the Board under this policy shall not be a violation of any suspended policy, provided the minutes of the Board reflect the Board's determination that the best interest of the system justified the suspension of the policy.

VII. Administration in the Absence of Policy

The Board authorizes the Superintendent to take reasonable and prudent action when the Board has provided no guidelines for administrative action. The Superintendent shall have the power to act unless the power to take such action is invested solely in the Board by law.

REFERENCE(S):

**CODE OF ALABAMA
16-12-5, 16-11-18, 16-11-9, 16-11-2, AAC §290-3-1-.02**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 – SCHOOL BOARD GOVERNANCE AND ORGANIZATION

BOARD MEMBER COMPENSATION

2.24

Elba City Board of Education members shall serve on the Board without compensation. Board members shall be reimbursed for such expenses that are approved in advance by majority vote of the Board.

REFERENCE(S):

CODE OF ALABAMA
16-1-26; LEGISLATIVE ACTS 83-603,
93-536, 95-528, 2000-123

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY 2.25

The Elba City Board of Education shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to Alabama statutes and State Board of Education rules. The system shall establish the individual school as the unit for education accountability and shall conform to the provisions of planning and budgeting as required by Alabama statutes. School as used herein shall include each school-within-a-school, magnet school, self-contained educational alternative center, and satellite center.

The system shall include, but not be limited to, the following components:

- I. Continuous improvement plans which are adopted for each system school. Each system school shall develop and present to the Superintendent, by the date set by the Superintendent, an individual continuous improvement plan for consideration by the Elba City Board of Education. The approved plan shall be implemented the next school year.
 - A. The plan shall be designed to achieve the state education goals and student performance standards and shall be based on a needs assessment conducted pursuant to data collection requirements in Alabama statutes.
 - B. The plan shall address school progress, goals, and indicators of student progress, strategies, and evaluation procedures, including adequate measures of individual student performance. Also included shall be specific school safety and discipline strategies.
 - C. The plan for each school shall be approved annually and shall be implemented as a new, amended, or continued improvement plan.
 - D. The plan shall be developed by Elba City Board of Education employees in each school in conjunction with an advisory council.
- II. The system process for initial approval and subsequent annual approval of Elba City School System continuous improvement plans shall provide for each improvement plan to be reviewed and approved or disapproved by the Elba City Board of Education.

REFERENCE(S):

CODE OF ALABAMA
16-6B-3, 16-6B-7, 16-11-9, AAC §290-4-1-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SPECIAL COMMITTEES OF THE SCHOOL BOARD

2.26

Special committees may be appointed by the Elba City Board of Education President when deemed necessary. The duties of any such committee shall be outlined at the time of appointment; the committee shall be automatically dissolved when the Board accepts the committee's final report. Each Elba City Board of Education member shall be notified of all committee meetings, but shall have no vote unless the member is serving as a committee member. All meetings of Board committees shall be open to the public.

Special committees or individuals who serve on special committees shall take no action which is binding upon the Elba City Board of Education.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

LEGAL COUNSEL – BOARD

2.30

The Elba City Board of Education attorney, obtained from outside the Board's membership, shall act as legal advisor to the Elba City Board of Education and the Superintendent. When approved by the Board, special counsel may be retained to assist in any litigation or other matter.

REFERENCE(S):

CODE OF ALABAMA

16-11-9, 16-11-12

HISTORY

ADOPTED: February 21, 2013

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

BOARD AND SUPERINTENDENT RELATIONS

2.31

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

The Elba City Board of Education considers the formulation and adoption of policies as its most important function. The execution and implementation of adopted policies shall be the function of the Superintendent.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy-making and judicial and evaluative functions.

The Board shall hold the Superintendent responsible for carrying out its policies within established guidelines and for keeping the Board informed about school operations. In an effort to keep the Board informed, the Superintendent shall promptly notify Board members of any happenings of an emergency nature that occur in the schools.

REFERENCE(S):

**CODE OF ALABAMA
16-1-30, 16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

ADMINISTRATIVE ORGANIZATION

3.10

The Superintendent shall prepare and submit for Board approval an organizational chart which shall serve as a guideline for organizing administrative responsibilities within the Elba City School System. The approved organizational chart shall be disseminated through School System publications.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, 16-12-5, 16-12-15 TO -21**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 –SCHOOL ADMINISTRATION

CALENDAR, LENGTH OF SCHOOL DAY AND YEAR

3.12

The Elba City Board of Education shall approve a school calendar as prepared by the Superintendent to be released to the various schools in the system prescribing or announcing the opening and closing dates of all schools, legal holidays, reporting periods, and due dates of official reports. The annual school calendar for the upcoming school year should be announced from the Superintendent's office prior to the April Board meeting. The scholastic year or school year shall begin on July 1, and end on June 30.

The length of the school day and of the school year for students will be in keeping with the intent of State laws and Alabama State Board of Education rules and regulations. They are as follows:

1. School Day – shall not be less than six (6) hours, or 360 minutes, of actual teaching, exclusive of all recesses or intermission periods. Class periods shall be planned to allow for this amount of instructional time.
2. School Year – shall provide for at least the minimum number of days of classroom instruction established by the Alabama State Department of Education.

The school principal shall ensure that the school's schedule shall reflect at least six (6) hours (360 minutes) of instructional time as specified herein.

The Board has discretionary power to establish holidays to be observed during the school year with the exception of Veterans' Day.

The Board shall extend the school year when necessary to meet the minimum requirements set forth by the Alabama Administrative Code and rules of the Alabama State Board of Education regarding the number of days school shall be in session.

REFERENCE(S):

CODE OF ALABAMA
16-1-1, 16-11-9, 16-11-18, AAC §290-3-1-.02(2)(a)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SUPERINTENDENT SELECTION

3.13

The Elba City Board of Education shall appoint the Superintendent as provided by the laws of the State of Alabama. The Superintendent is a statutory officer as provided by the Constitution and laws of the State of Alabama. As such, he/she has certain authorities and functions which are provided for by law. His/her duties include serving as secretary and executive officer of the Elba City Board of Education.

The Superintendent may delegate, with the approval of the Board, certain administrative duties and responsibilities to his/her staff and principals.

The Superintendent shall, with the approval of the Board, organize the system staff and schools, create and fill positions, and assign duties and responsibilities.

All personnel who work in the Elba City School System shall be responsible directly to the Superintendent.

REFERENCE(S):

CODE OF ALABAMA
16-9-1 16-9-2, 16-9-11, 16-12-1, 16-12-2

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

QUALIFICATIONS OF SUPERINTENDENT

3.20

- I. The Superintendent of the Elba City Board of Education shall possess the following qualifications as minimum requirements:
 - A. Hold a degree from a recognized four-year college or university;
 - B. Have three (3) years of successful educational experience as a teacher, principal, supervisor or superintendent during the five (5) years immediately preceding his/her selection;
 - C. Have not less than five (5) years of experience in public school work;
 - D. Have prior years administrative experience, preferably a broad range of elementary and secondary experience;
 - E. Demonstrate ability in group dynamics and in working with people who have varying backgrounds and interests;
 - F. Possess ability to view all aspects of issues and deal fairly when views differ from his/her own;
 - G. Demonstrate knowledge of school finance;
 - H. Demonstrate knowledge of educational research and methods of research;
 - I. Possess ability to delegate;
 - J. Hold an Alabama certificate in administration and supervision;
 - K. Possess good character, high moral standing and integrity;
 - L. Possess any other qualifications that the Board deems necessary and proper.
- II. Any candidate selected must satisfactorily complete the Alabama State Department of Education's training on school finance, education law and curriculum/instruction and/or other required professional development.

REFERENCE(S):

CODE OF ALABAMA
16-1-38, 16-11-9, 16-12-2

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

CONTRACT OF SUPERINTENDENT

3.21

- I. The Elba City Board of Education shall contract with the duly appointed Superintendent, subject to such conditions and limitations as are prescribed by law. The Superintendent shall be evaluated each year as prescribed by the Board and according to legislative acts and regulations of the State Department of Education.
- II. The Board shall determine the salary, additional benefits, vacation entitlement and other leave of the Superintendent. Additional benefits such as health and other forms of insurance, holidays, and temporary and extended leaves and absences shall be at least equal to those granted other professional Elba City School System staff members.
- III. The Superintendent may also be provided, as determined by the Board, with an annual travel allowance.

REFERENCE(S):

CODE OF ALABAMA
16-9-38, 16-11-99, 16-12-1, 16-12-3

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

RESPONSIBILITIES OF SUPERINTENDENT

3.22

- I. The Superintendent shall be responsible for the administration of the entire school system as provided by law, State Board of Education and Elba City Board of Education rules. The Superintendent shall keep the Elba City Board of Education informed regarding all facets of the school system.
- II. The Superintendent serves as the secretary and executive officer of the Elba City Board of Education. He/she shall be responsible for keeping such minutes and records as may be necessary to set forth clearly all actions and proceedings of the Board. The Superintendent shall inform the Elba City School System employees of any Board action relating to them.
- III. All members of the instructional and non-instructional staff shall be under the general supervision of and subject to the direction of the Superintendent.
- IV. The Superintendent shall have the authority to issue directives and to prescribe such procedures as may be necessary to carry out the purpose of Elba City Board of Education policy.

REFERENCE(S):

CODE OF ALABAMA
16-1-30, 16-11-8, 16-11-9, 16-12-3, 36-5-1

HISTORY

ADOPTED: February 21, 2013

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OPENING AND CLOSING OF SCHOOLS

3.24

The times set for the opening and closing of the schools of the Elba City School System are thirty (30) minutes prior to the time students are to report to homeroom/first class and thirty (30) minutes after the last class period each day. Between these times and throughout the school day, school personnel will be on duty and available to supervise and care for students. However, School System personnel should not be expected to assume responsibility for students whose parents permit their child(ren) to arrive at school before the time noted above and/or to remain at school after the time noted above.

REFERENCE(S):

**CODE OF ALABAMA
16-1-1, 16-11-9, 16-12-3**

HISTORY

ADOPTED: February 21, 2013

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CARE OF STUDENTS BEFORE AND AFTER SCHOOL

3.24.1

Parents/guardians are expected to take responsibility for seeing that their child arrives before the beginning of school and is picked up after the end of school within the time frames noted above. If for any reason parents are not able to comply with the times noted, a conference should be scheduled with the principal to discuss the matter.

Students Not Picked Up Promptly After School

Due to the necessity of having to supervise young students closely and the fact that teachers and other school personnel have many responsibilities after the regular school day, parents/guardians must assume the responsibility for picking up their child(ren) promptly after the school day ends. In situations where parents do not abide by the school dismissal schedule and fail to pick up their child(ren) within the specified time frame, the following procedure will be used to ensure compliance:

1. After the first occurrence, the principal will contact the parent/guardian by telephone to discuss and attempt to resolve the matter.
2. After the second occurrence, the principal will write a letter to the parent/guardian outlining the requirements of this policy.
3. If the parent/guardian fails to comply with the stated procedures the principal has the authority to contact the Department of Human Resources and to instigate neglect charges against the parent(s)/guardian(s).

Before and After-School Supervision Plan

Each school principal should develop a plan for supervising students who arrive prior to the time set for the opening of school and for students who remain after the time set for the closing of school. Such plan should incorporate the following minimal requirements:

1. The plan should be written.
2. The plan should direct students arriving early to report immediately to a designated room/location/site, etc. The room/location/site should be properly supervised by an appropriate number of staff members.
3. The plan should direct students remaining on the school premises after school closes for any extended length of time to report to a designated room/location/site, etc.

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4. The room/location/site should be supervised by an appropriate number of staff members.

Notification

School principals are hereby directed to give notice to the parents/guardians of all students in their respective school of the content and intent of this policy. The notification shall be given in written form (newsletters, student handbooks, newspaper articles, etc.) at the beginning of each school year. Further, the Board directs that the content and intent of this policy be made a part of the Elba City School System's newspaper advertisement at the beginning of each school year.

Care of Students after School-Sponsored Events

The schools of the Elba City School System offer a variety of after-school, extra-curricular activities, which contribute greatly to the total educational experiences of students. Students' involvement in such activities contributes to their physical, mental, social, and emotional growth and development. Events, such as plays, athletic contests, debates, scholars bowl, beauty contests, band presentations, choral events, etc. are vital components of each school's curriculum. The Board supports and encourages such after school learning opportunities for students of the School System; however, the Board is also cognizant that such activities necessitate additional work and time on the part of teachers, school administrators, and others to develop and conduct such meaningful extra-curricular events. The Board encourages parents/guardians to do their part in assisting school personnel by assuming responsibility for their child(ren) promptly after participating in or attending such activities.

Limits of Care: School System's Responsibility

The Board expects that school administrators will assign sponsor and personnel to supervise and monitor before, during, and after all extra-curricular events sponsored by the schools of the School System in order to ensure the safety and well-being of students who must remain on school premises until picked up by their parents/guardians. Further, the Board expects that school administrators will announce to parents/guardians that they are expected to pick up their child(ren) promptly after such events in order to permit school personnel to return to their homes at reasonable hours. In an effort to assist school personnel with this important issue, the Board authorizes school administrators to operate in accordance with the following guidelines:

Events for Which a Price is Charged

1. For price-paying participants, school personnel shall be responsible for supervising up to and through the end of the activity.

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2. For student participants in an event requiring a price for admission, school personnel shall be responsible for supervising the student participants for not more than thirty (30) minutes after the conclusion of the activity.

Events for Which a Price is Not Charged

1. School personnel shall be responsible for supervising students for not more than thirty (30) minutes after the conclusion of the activity.
2. Parents/guardians, whose child(ren) participates in after-school extra-curricular activities, are expected to take responsibility for seeing that their child(ren) is picked up promptly after the conclusion of such activities.

Students Not Picked Up Promptly After School-Sponsored Events

In situations where parents/guardians repeatedly fail to pick up their child(ren) promptly following after-school, extra-curricular activities, the following procedure will be used to insure compliance:

1. After the first occurrence, the principal or event sponsor will contact the parent/guardian by telephone to discuss and attempt to resolve the matter.
2. For children participating in the extra-curricular event, after the second occurrence, the principal will write a letter to the parent/guardian notifying him/her that the school will not assume responsibility for supervising his/her child(ren) after such activities.

REFERENCE(S):

**CODE OF ALABAMA
16-1-1, 16-11-9, 16-12-3**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

EMERGENCY CLOSINGS

3.25

- I. In case of emergency, the Superintendent may close any school or all schools. The members of the Elba City Board of Education shall be informed of any event or condition which requires the closing of any school(s) of the system.
- II. In the event of a declared state of emergency, control of students shall be retained by school personnel until students are released from school or in the case of transported pupils, until the students depart from the school bus. School administrators in affected schools will take necessary precautions to insure the safety and well being of students.
- III. The Superintendent shall establish and disseminate procedures to be followed in emergency school closings that include means of notifying students, parents, employees.
- IV. The school officials shall cooperate with emergency management and Red Cross authorities in the event of a natural or man-made disaster. In the event of a violent act, riot, or similar condition, the principal shall cooperate with law enforcement.

REFERENCE(S):

CODE OF ALABAMA
16-1-1, 16-11-9

HISTORY

ADOPTED: February 21, 2013

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RESPONSIBILITIES OF PRINCIPALS

3.30

The principal is assigned direct and primary responsibility for his/her school and serves as the administrative and supervisory head of the school. Each principal is responsible for the enforcing of Alabama statutes, State Board of Education rules, Elba City Board of Education rules and directives of the Superintendent. Each principal shall carry out all duties as reflected in the Board-adopted job description and state law relating to making advisory recommendations regarding the appointment, assignment, promotion, transfer and cancellation of contracts.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-24B-4**

HISTORY

ADOPTED: February 21, 2013

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SAFE AND SECURE SCHOOLS

3.40

- I. The Elba City Board of Education has as its first obligation to provide a safe, secure, and orderly learning environment in all schools and at all school-sponsored activities.
- II. An orderly environment can only be achieved by developing procedures to control students, personnel, and other persons on school property and attending Elba City Board of Education or school-sponsored events or activities. All procedures shall reflect the following provisions:
 - A. No persons other than Elba City School System students and employees shall be on a school campus during school hours unless they have been approved by the principal's office.
 - B. A student who is suspended or expelled is not in good standing and is not permitted on the Elba City school campus or school grounds.
 - C. Any person on a Elba City school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. Each principal shall keep a log of such incidents which shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify a building administrator.
 - D. Individuals who enter Elba City School System property, an Elba City Board of Education meeting or attend a school-sponsored activity without a legitimate reason and create a disturbance or refuse to leave the property or activity when asked by the Board President, Superintendent or designee, principal or person in charge are subject to criminal penalty as provided in Alabama statutes. The person in charge shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school property or activity and take appropriate actions to have the offender punished as prescribed by law. The Superintendent shall be notified of any such action at Elba City School System schools or school activities.
- III. Safety – Emergency Plans
 - A. The Superintendent shall develop and present to the Elba City Board of Education for review and approval, appropriate school emergency management and preparedness plans.
 - B. The Superintendent shall establish a uniform format for the development of the schools' emergency management and preparedness plans. A program of safety shall be established.

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- C. Each Elba City school shall develop and maintain an up-to-date plan based upon the uniform guidelines and including the provisions of Alabama law, State Board of Education rules, and other applicable regulations.
 - D. School alarms shall be monitored, and malfunctions shall be reported for immediate repair.
 - E. Emergency evacuation drills (fire, bomb threat, terrorist, tornado, other disaster, and school bus) shall be held in compliance with state requirements. Each Elba City School System principal, site administrator or transportation official is responsible for
 - 1. Developing and posting emergency evacuation routes and procedures;
 - 2. Assigning and training staff members in specific responsibilities to ensure prompt, safe and orderly evacuation and re-entry; and
 - 3. Identifying and reporting hazardous areas requiring corrective measures.
- IV. Safety – Violence Prevention
- Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to personnel of the Elba City School System.
- V. Security
- A. The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions.
 - B. The principal shall conduct an annual review of each school's security provisions and submit a written report to the Superintendent or designee for submission to the Board for review.
 - C. Each Elba City school's emergency plan shall include security provisions including emergency lockdown procedures.
 - D. All doors and exits shall remain unlocked from the interior during school hours and shall meet the required codes.
 - E. The Superintendent shall require that all state statutes regarding safety, security and discipline are carried out.

REFERENCE(S):

CODE OF ALABAMA
16-1-24, 16-1-24.1, 16-6B-7, 16-11-9, 16-12-3,
36-19-10, 36-19-11, AAC §290-3-1-.02(1)(E)

HISTORY

ADOPTED: February 21, 2013

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ALCOHOL, ILLEGAL DRUGS AT SYSTEM ACTIVITIES

3.42

No person shall be in possession of or be under the influence of an intoxicating beverage or an illegal drug, as defined by Alabama law, while on Elba City School System property, at school-sponsored activities, or while on school trips involving students.

- I. Principals must notify local law enforcement when this policy has been violated.
- II. Persons in violation of this policy are subject to disciplinary actions as described in the Code of Conduct, personnel/employment policies, and legal prosecution.
- III. Any other person having purchased an admission ticket to an Elba City School System event shall forfeit his/her rights under this rule by having an alcoholic beverage/illegal drugs in his/her possession at the event or be under the influence of an intoxicating beverage or illegal drug.

REFERENCE(S):

CODE OF ALABAMA
16-1-10, 16-1-24.1, 16-4-13, 16-28A-4, 16-41-1 TO -10,
AAC §290-3-1-.02

HISTORY

ADOPTED: February 21, 2013

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PROHIBITION OF HARASSMENT

3.43

- I. The Elba City Board of Education prohibits harassment against any employee, applicant for employment, student, or student applicant based upon race, color, religion, gender, age, ethnicity, national origin, marital status, disability, political or religious beliefs, or social and family background. This policy also applies to non-employment volunteers who work subject to the control of school authorities.
- II. The Superintendent shall develop procedures which shall be used by persons alleging harassment.
- III. Sexual Harassment by Students – The Elba City Board of Education desires to maintain an academic environment in which all students are treated with respect and dignity. A vital element of this atmosphere is the Board's commitment to equal Elba opportunities and the eradication of discriminatory practices including sexual harassment. Sexual harassment is specifically prohibited by state and federal law and instances of harassment may result in both civil and criminal liability on the part of the individual harasser as well as the Elba City Board of Education. Sexual harassment's destructive impact wastes human potential, demoralizes students, and perpetuates the tendency toward further unacceptable behavior. For these reasons, the Elba City Board of Education forbids harassment against any student on the basis of gender. The Board will not tolerate harassment activity by any of its students.
 - A. Definition – Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature, wherever such harassment occurs on school property or at a school-sponsored event, that is aimed at coercing an unwilling person into a sexual relationship whether or not it involves physical contact, or that substantially interferes with a student's academic performance, or creates an intimidating, hostile, or offensive school environment.

Examples of sexual harassment may include but are not limited to the following:

1. Verbal harassment or abuse of a sexual nature;
2. Subtle pressure for sexual activity;
3. Repeated remarks to a person with sexual or demeaning implications, e.g., a person's body, clothes or sexual activity;
4. Unwelcome or inappropriate physical contact such as patting, pinching, or unnecessary touching;
5. Suggesting or demanding sexual involvement accompanied by implied or explicit threats;
6. Display of sexually suggestive objects, pictures, or written materials;

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7. Sexual harassment does not refer to occasional compliments or welcomed interactions of a socially acceptable nature.
 - B. Specific Prohibition - It is sexual harassment for a student to subject another student or a school employee to any unwelcome conduct of a sexual nature on school property or at a school-sponsored event. Students who engage in such conduct shall be subject to penalties as described herein.
 - C. Procedures - Any student who alleges sexual harassment by an employee or student should report the harassment to the building principal, assistant principal(s), guidance counselors or school system Title IX coordinator. Filing of a complaint or otherwise reporting sexual harassment will not affect the student's status, extracurricular activities, grade or any other assignments. The complaint should be in writing, state the act or acts, state the date(s), state the names of witnesses, and be signed by the complainant.
 1. The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.
 2. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The Superintendent or designee has the responsibility of investigating and resolving complaints of sexual harassment.
 - D. Penalties - A substantiated charge against a student shall subject that student to disciplinary action consistent with the Code of Student Conduct.
- IV. Sexual Harassment by Employees – Definition – Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, non-verbal or physical conduct of a sexual nature when:
- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's education;
 - B. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual;
 - C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or student's educational performance, or creating an intimidating, hostile or offensive work or school environment.
 - D. Examples of sexual harassment may include, but are not limited to, the following:
 1. Verbal harassment or abuse of a sexual nature;

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2. Subtle pressure for sexual activity;
 3. Repeated remarks to a person with sexual or demeaning implications, e.g., a person's body, clothes or sexual activity;
 4. Unwelcome or inappropriate physical contact such as patting, pinching, or unnecessary touching;
 5. Suggesting or demanding sexual involvement accompanied by implied or explicit threats;
 6. Display of sexually suggestive objects, pictures, or written materials.
- E. Sexual harassment does not refer to occasional compliments or welcomed interactions of a socially acceptable nature.
- F. Any suspected child abuse shall be reported in accordance with state law.
- G. Specific Prohibition – Sexual harassment in any form is prohibited. All claims of sexual harassment will be subject to prompt and thorough investigation.
1. It is sexual harassment for an administrator or supervisor to use his/her to solicit sexual favors or attention from subordinates, including, but not limited to, incidents when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment. Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to penalties.
 2. It is sexual harassment for a non-administrator and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to penalties.
 3. It is sexual harassment for a Elba City Board of Education employee to use his or her office or position to solicit sexual favors or attention from students. Board employees who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to penalties.
- H. Procedures – It is the responsibility of any employee to promptly report any occurrence of alleged sexual harassment. This policy on sexual harassment shall be communicated to all employees to inform them that a procedure exists for reporting claims of sexual harassment, that management will promptly investigate all alleged incidents of sexual harassment, and appropriate corrective action will be taken. Complaints should be reported to the Superintendent or

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designee and should be in writing, state the act(s), state the date(s), state the name(s) of witnesses and be signed by the complainant.

Investigations will be conducted with discretion. The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred. Claims found to be factually supported will be promptly acted upon. No employee or student shall be retaliated against, in any manner, for reporting conduct which is believed to be a violation of this rule or for participating in an investigation of a possible violation of this rule.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The Superintendent or designee has the responsibility of investigating and resolving complaints of sexual harassment.

- I. Penalties – Necessary disciplinary action, up to and including termination, may result if sexual harassment occurs. Any employee who makes false allegations of sexual harassment will be subject to appropriate disciplinary action, up to and including termination.

REFERENCE(S):

**CODE OF ALABAMA
16-8-23; 26-14-3**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

EQUAL OPPORTUNITY

3.44

- I. No person shall, on the basis of race, color, religion, gender, age, ethnicity, marital status, disability if otherwise qualified, political or religious beliefs, national origin, social and family background, or on the basis of the use of a language other than English, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this school system except as provided by law.
- II. The Elba City Board of Education shall comply with the Americans with Disabilities Act of 1990 (ADA). This law makes it unlawful to discriminate against a qualified individual with a disability who can perform the essential functions of his/her job with reasonable accommodations.
- III. Persons alleging such discrimination shall use the grievance procedure provided elsewhere in these policies as a remedy.
- IV. The Superintendent shall develop procedures to notify Elba City School System employees, applicants for employment, and other affected groups.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3,**

AMERICANS WITH DISABILITIES ACT OF 1990

HISTORY

**ADOPTED:
February 21, 2013**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

TOBACCO USE IN SYSTEM FACILITIES

3.45

The Elba City Board of Education prohibits the use or possession of tobacco in any form by students, faculty, support personnel, or any other person on school property under the control of the Elba City Board of Education. This includes a public school building, Elba City Board of Education Building, bus maintenance building, bus, campus, recreational area, athletic field, parking area or other area under the control of the Elba City Board of Education.

Parents/guardians and other persons are hereby notified that they are prohibited from use or possession of tobacco in any form on Elba City School System property at any time.

School principals and other work site supervisors as may be designated are directed to post signs at the entrance of all school buildings and on the grounds of Elba City School System property designating the school property as a tobacco free facility.

Elba City Board of Education employees found in violation of this policy are subject to disciplinary actions not limited to: reprimand, suspension pending a hearing, and termination of employment.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-15, AAC §290-3-1-.02(1)(b)(2)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

PUBLIC INFORMATION

3.50

- I. All public records pursuant to Alabama statutes, except those involving sensitive personnel records, pending criminal investigations, recorded information received by a public officer in confidence or other records, the disclosure of which would be detrimental to the public's interest, shall be available for inspection or copying at reasonable times during normal office hours of the Elba City School System office or other offices in which records are maintained.
- II. The Superintendent shall:
 - A. Keep citizens adequately informed through all channels of communication on policies, programs, problems, and planning of the Elba City School System and instruct schools to carry out this policy through their efforts and the office of the Superintendent.
 - B. Seek input from community members.
 - C. Encourage Elba City School System staff to cooperate in keeping the public informed of newsworthy events which would be of interest or concern to citizens and which would promote the welfare of the school system, provided that any news release be approved by the principal or supervisor and that any adverse information of a serious nature or any release relating to the system as a whole be approved by the Superintendent.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, 36-12-40, 41-13-1,
AAC §290-1-4-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

COPYING OF PUBLIC RECORDS

3.51

Copies of Elba City School System public records may be obtained by making a request to the lawful custodian of the records. Charges for copies of public records will be based upon a fee schedule set by the Superintendent. Copies shall be made by the appropriate staff members and reproduced at a time which does not interfere with the normal work duty.

REFERENCE(S):

CODE OF ALABAMA

16-11-9, 16-12-3

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

FLAG DISPLAY AND PLEDGE

3.60

- I. The Pledge of Allegiance to the flag shall be recited at the beginning of each school day in Elba City School System schools.
- II. Students shall have the opportunity to voluntarily recite the Pledge of Allegiance each day.
- III. The United States flag and the Alabama state flag shall be displayed appropriately during the school year.

REFERENCE(S):

**CODE OF ALABAMA
16-6B-2, 16-11-9, 16-43-1, 16-43-5**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

A PERIOD OF QUIET REFLECTION

3.61

At the opening of every school day, Elba City School System teachers shall provide students a moment of quiet reflection for one (1) minute.

REFERENCE(S):

**CODE OF ALABAMA
16-1-20.4**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SCHOOL VOLUNTEERS

3.70

The Elba City Board of Education recognizes that volunteers can make many valuable contributions to the schools and can be used as effective learning resources. Therefore, the Board endorses a volunteer program in the district, subject to suitable regulations and safeguards. These regulations and safeguards shall include volunteer operating within the written authorization of the Board and/or members of its administrative staff and under the supervision of Board employees. These regulations shall be developed and promulgated by the Superintendent or staff in cooperation with the faculty of each school.

Any volunteer (i.e., a person performing services for non-profit organization, a non-profit corporation, a hospital, or a governmental entity without compensation, other than reimbursement for actual expenses incurred) shall be immune from civil liability in any action on the basis of any act or omission of a volunteer resulting in damage or injury if:

1. The volunteer was acting in good faith and within the scope of such volunteer's official functions and duties for a non-profit organization, a non-profit corporation, hospital, or a governmental entity; and
2. The damage or injury was not caused by willful or wanton misconduct by such volunteer.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 3.00 - SCHOOL ADMINISTRATION

COMMUNICABLE DISEASES and CONDITIONS

3.80

It is the intent of the Elba City Board of Education, in cooperation with county and state agencies, to carry out laws and regulations designed to protect and promote the health, safety, and general welfare of school children and Board employees.

I. Communicable/Infectious Diseases or Conditions.

Students and/or employees having communicable diseases and/or conditions, including students wishing to enroll or potential employees, will be dealt with on an individual basis. Administrators and supervisors shall observe current Regulations for the Control of Communicable Diseases in the schools of the Elba City School System as required by the State Board of Health. The system's nurse(s) will maintain liaison with the State Board of Health and support the processing of cases.

A student with a communicable or contagious disease or a viable parasite shall be ineligible to attend schools in the School System for a period of time as may be prescribed by the local Health Department, school nurse, or a physician. In all cases, a statement of clearance from the Department of Health or physician shall be required before the student may re-enter schools of the School System.

II. Infection Control

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

III. Exposure Control Plan and Staff Development

The Superintendent will direct the preparation of procedures for processing cases and an exposure control plan. Procedures will incorporate appropriate considerations of confidentiality. Employee training and communication of school system procedures related to student health education, exposure control, communicable diseases and conditions, and standard precautions shall be implemented by the direction of the Superintendent.

REFERENCE(S):

CODE OF ALABAMA
16-11-2, 16-11-9, 16-22-3, AAC §290-1-4-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

THE CURRICULUM

4.10

- I. The Elba City School System curriculum shall be determined by
 - A. Alabama State Department of Education Courses of Study;
 - B. Students' needs and interests;
 - C. Regular evaluation of curriculum effectiveness; and,
 - D. Applicable Alabama statutes, State Board of Education rules, and the Elba City Board of Education priorities.
- II. The Superintendent may appoint such committees and special study groups as may be necessary to assist in determining the educational needs of the system.
- III. The Superintendent shall designate appropriate staff members who are responsible for the development and coordination of the curriculum of the system.
- IV. The Superintendent shall cause to be developed and regularly updated a program of instruction for all grade levels.
- V. The responsibility and right of an instructional staff member to present information of a controversial nature is hereby recognized. The teacher shall not present controversial material or issues which are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the question without bias or prejudice and shall permit each student to arrive at his/her own conclusions.
- VI. When dealing with political issues, the positions of all parties will be presented on a non-partisan basis.
- VII. The Superintendent shall recommend and the Board shall approve standards relating to graduation requirements, dual enrollment, promotion and retention, grading systems and methods of reporting.
- VIII. All course materials and verbal or visual instruction shall conform to the requisites and intent of Alabama law and the state Constitution. All instructional materials, including teachers' manuals, films, tapes, electronic media, or other supplementary instructional material, shall be available for inspection by parents/guardians of the children engaged in such classes.
- IX. The Superintendent or designee shall develop procedures to ensure that all aspects of curriculum development are implemented.

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

- X. There shall be a systematic and comprehensive evaluation of the instructional program and all related areas.

REFERENCE(S):

CODE OF ALABAMA
16-1-13, 16-1-16, 16-6B-2, 16-11-9,
16-35-1, 16-35-3, 16-35-5, 16-40-1, 16-40-1.1,
16-40-8, 16-40A-2, 3, 16-41-1-2, -3, -6, 16-41-8
AAC §290-3-1-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SPECIAL EDUCATION

4.11

The Elba City Board of Education will provide educational and related services to students with disabilities who qualify under state and federal guidelines. Such students are encouraged to take full advantage of or to respond to educational programs and opportunities because of a physical, mental, emotional, social, or learning exceptionality, as determined by a multi-disciplinary team which reviews psychological, educational, and/or physical evaluation results provided by qualified specialists. Exceptional students include students with mental retardation, hearing impairments, speech or language impairments, visual impairments, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities and students who are classified as gifted.

- I. Upon recommendation of the Superintendent, the Board shall adopt a plan for the provision of education programs for all Elba City School System students with disabilities and gifted students.
- II. The plan for special programs and procedures for exceptional students shall include screening procedures, pre-referral activities, referral procedures, eligibility criteria, program placement, program dismissal, and descriptions of program organization and operations.
- III. The Elba City School System special student education program shall conform to the provisions adopted by the Board and shall function in accordance with the provisions of state and federal law, State Board of Education rules, and other applicable provisions of Board rules.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-13-231, 16-39-1-6, 8-10, 16-39-31
IDEA AMENDMENTS OF 1997, ALABAMA ACT 106,
AAC §290-1-4-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

AT-RISK PROGRAM

4.12

The Superintendent or designee shall develop, for the Elba City Board of Education's approval, a plan for at-risk students addressing drop-out prevention. Components of the plans for academically at-risk students may include, but are not limited to High Hopes grants/programs, Childrens' First, Title I, and other state, federal, or local initiatives.

REFERENCE(S):

CODE OF ALABAMA
16-12-3, 16-13-231, 19-11-9, AAC §290-1-4-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

HOMEWORK

4.13

The Elba City Board of Education recognizes that homework should be meaningful and reasonable. Homework should provide reinforcement, practical application, and enrichment of what has been taught. Consideration should be given to the time involved in completing the assignment. No homework assignment should be made that does not directly support a clearly identified instructional objective.

Assignments should be commensurate with the resources available.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, AAC §290-1-4-.01**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SUMMER PROGRAMS

4.14

- I. The Elba City Board of Education authorizes summer programs when needed. The Superintendent or designee shall determine the building site(s).
- II. Summer program requirements and extended school year services shall be developed by the Superintendent and approved by the Elba City Board of Education.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-3-1-(6)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SUPPLEMENTAL SCHOOL DONATIONS

4.15

Where school funds are not otherwise available for consumable instructional supplies and personal items to meet the instructional needs of Elba City School System students, donations and fees may be solicited from students and parents with such donations to be known as "School Supplemental Instructional Donations," provided that any such solicitation has prior approval of the principal.

- I. Communications to parents and students in any format must clearly indicate that the response to such solicitation on the part of any student or his/her parents/guardians shall be voluntary, and no sanctions shall be imposed against the student or embarrassment caused a student or his/her parents/guardians for failure or refusal to make a donation.
- II. The principal shall keep the Superintendent apprised of such requests.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-11-26, 16-13-13,
AAC §290-2-1-3**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT FEES, FINES AND CHARGES

4.16

- I. The Elba City Board of Education shall hold each student responsible for all textbooks and other educational materials issued to him/her. It shall be understood that the parent, guardian or other person having custody of any student to whom textbooks or other materials are issued shall be held liable for any loss, abuse or damage in excess of that which would result from the normal use of such materials.
- II. No fees shall be charged to students in grades K-6.
- III. Fees may only be charged in courses which are not required for graduation.
- IV. Principals shall have the right to waive fees for students with financial limitations who cannot afford the fee.
- V. The Elba City Board of Education maintains that activities for which an admission fee is charged shall be kept to a minimum. The admission charges shall be fixed at amounts permitting the maximum number of pupils to attend, commensurate with the cost of providing such activities. Uniform admission costs shall be set by the principals.
- VI. Concession sales at school activities shall be operated by student groups or parent groups as approved by the principal.
- VII. All income from school activities and concession sales shall be deposited in the appropriate account and shall be disbursed in accordance with Board Policy, accreditation standards, and State Department of Education regulations.

REFERENCE(S):

CODE OF ALABAMA
16-10-6, 16-11-9, 16-11-26,
16-12-3, 16-8-7, 16-13-13, 16-36-69,
AAC §290-2-1-2

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

DUAL ENROLLMENT

4.17

The Elba City Board of Education authorizes the establishment of dual enrollment programs allowing certain high school students to enroll in postsecondary institutions in order to dually earn credits for a high school diploma and/or a postsecondary degree at both the high school and participating postsecondary levels. The dual enrollment program will strictly follow all State Department of Education regulations.

Eligible Students

Students participating in a dual enrollment program shall pay normal tuition as required by the postsecondary institution and shall:

1. Have at least a B average and have passing scores on all required assessments for graduation, or meet requirements for Career Technical students enrolling in dual enrollment Career Technical elective courses;
2. Have written approval of the student's Principal and Superintendent; and
3. Be in grades 10, 11 or 12 or have an exception granted by the participating postsecondary institution upon the recommendation of the student's Principal and Superintendent and in accordance with AAC §290-8-9-.17 regarding gifted and talented students.

Course Offerings and Credits

1. Courses shall be postsecondary/college level. Postsecondary/college level remedial courses shall not meet the requirements of this program.
2. Students enrolled in courses offered during the normal high school day on or off the high school campus shall have prior permission of the student's Principal, Superintendent, and the participating postsecondary institution President.
3. The Superintendent or his/her designee will put into place necessary procedures, forms, etc. as need to implement Dual Enrollment.
4. Ten (10) quarter/six (6) semester credit hours at the postsecondary level shall equal one (1) credit at the high school level in the same or related subject. Partial credit agreements shall be developed between the local Board of Education and participating postsecondary institutions.
5. Articulation agreements with all postsecondary institutions participating in this program shall utilize these guidelines.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, AAC §290-3-1-.02(10)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CLASSROOM INSTRUCTIONAL SUPPORT FUNDS

4.20

- I. The distribution of funds for classroom instructional support materials shall be based on projected enrollment, available funds, and Alabama statutes and shall include library enhancement, classroom materials and supplies, professional development, technology, and other classroom instructional support approved by the State Board of Education.
- II. Each Elba City School System school shall develop a budget for library enhancement, classroom materials and supplies, professional development, technology and any other classroom instructional support funds allocated to the school.
 - A. The composition and procedures used by such committee will follow Alabama statutes and guidelines.
 - B. The proposed budget shall outline common purchases, specify the common items which may be purchased and designate a specific allotment per teacher.
 - C. The proposed budget will be consistent with the plans developed for the school and the Elba City School System.
 - D. The proposed budget will be submitted for approval by the teachers at each school prior to the close of the current school year.
- III. All funds must be spent on classroom instructional support purposes consistent with system and state rules; funds may be spent on instructional and electrical equipment used in the classroom with students.
- IV. Funds should be made available to each teacher before December 1. Unused funds will revert to the School System and/or state.
- V. The Superintendent and the CSFO shall establish a timeline by which purchases must be finalized each year in order to ensure timely and efficient account for all funds prior to the close of the fiscal year.

REFERENCE(S):

CODE OF ALABAMA
16-1-8.1, 16-11-9, 16-12-3, 16-36-61, 16-36-62, 16-36-68,
16-36-69, 16-36-70, 16-39-3, AAC §290-2-1-5

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

INSTRUCTIONAL MATERIALS AND TEXTBOOK MANAGEMENT

4.21

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

The textbook committee(s) of the Elba City School System and the Central Office personnel designated by the Superintendent shall endeavor to insure that the selection and adoption of textbooks for use within the school system shall be in accordance with applicable provisions of Alabama law.

The Superintendent shall develop procedures based on Alabama statutes for purchasing, managing, selling, and discarding textbooks and other instructional materials. Inventories and records related to textbooks and instructional materials of the School System shall be maintained as prescribed by Alabama statutes and State Board of Education guidelines.

REFERENCE(S):

**CODE OF ALABAMA
16-36-4 to -39; AAC §290-2-3-.01
LEGISLATIVE ACT 98-320**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

LIBRARY MEDIA CENTERS

4.22

The Elba City Board of Education believes that the school library media center is a fundamental part of the educational program. It adheres to the premise that an effective library media program will provide:

1. Equal and maximum access to information resources which extend the limited content of textbooks.
2. Instruction for students in acquiring the research skills necessary for independent learning.
3. Motivation for students to read and enjoy good literature.
4. Encouragement for students to use a variety of media for a lifetime of learning and pleasure.

Each school in the Elba City School System shall maintain a library media center under the direction of a state certificated library media specialist in accordance with accreditation standards. The responsibility for coordinating the selection and purchasing of instructional materials rests with the library media specialist with the final responsibility being vested in the Board.

Since the library media program is an integral part of the total school program, the school's philosophy and goals help establish direction for library media services. Programs may vary somewhat based on different school characteristics; however, some functions will be common in all schools. Those functions include:

1. Equal access to information in the school collection.
2. Provision of supplementary materials to enhance the school curriculum.
3. Integration of information skills instruction with classroom activities.
4. Assistance to teachers in using a variety of media formats to improve instruction.
5. Motivation for students to enjoy good literature and other worthwhile resources.
6. Access to the use of current technologies to improve instructional effectiveness.

The Elba City School System library media specialists and teachers should collaborate to ensure that all students have adequate and equal access to the library media center and its collection.

REFERENCE(S):

**CODE OF ALABAMA
16-21-1 TO -3**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

LIBRARY MATERIALS SELECTION

4.23

- I. Objectives of Selection - The primary objective of the Elba City School System schools' educational media centers is to implement, enrich, and support the educational program of the schools. The centers shall provide a wide range of materials on all levels of difficulty, with diversity of appeal and the representation of different points of view.
- II. Criteria for Selection
 - A. The standards to determine the propriety of the educational materials shall be pursuant to Alabama statutes.
 - B. Educational media materials shall be evaluated and selected to implement, enrich, and support the educational programs of the schools.
 - C. Media, *e.g.*, films, videotapes, software, print texts, from sources other than the system or a school media center collection must be approved by the principal. Request for Use of Educational Media forms are available at each school site and shall be used to request permission to use such materials. The content of the curriculum shall determine the need for use of media.
- III. Funds shall be spent in accordance with the budget adopted for designated local school or system funds.
- IV. Media specialists shall be consulted in budgeting all library enhancement funds.

REFERENCE(S):

CODE OF ALABAMA
16-1-8.1, 16-11-9, 16-11-23, 16-21-1 TO -3

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CHALLENGED MATERIALS

4.30

The following procedures shall be followed when the appropriateness of books or instructional materials is questioned:

- I. School/community citizens may register their concerns with the principal of the school where material is being challenged.
- II. All concerns shall be presented in writing to the school principal. The statement shall include the following information:
 - A. Author, compiler, or editor;
 - B. Publisher;
 - C. Title;
 - D. Reason for objection;
 - E. Page number of each item challenged; and,
 - F. Signature, address and telephone number of person making criticism.
- III. These procedures shall be followed for Elba City School System school-level reviews:
 - A. A committee of teachers, educational media specialists, parents, and other qualified personnel shall be appointed by the principal to evaluate the challenged materials and to make recommendations for any changes. The principal shall notify the Superintendent or his/her designee when a committee is convened.
 - B. Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
 - C. Challenged materials shall be read and evaluated by the committee, considering the specific objections presented by the complainant.
 - D. The complainant shall be informed in writing concerning the committee's recommendations.
- IV. These procedures shall be appropriate for system-level appeals and shall be followed when the complainant disagrees with the decision rendered from the school-level appeal.
 - A. A committee of teachers, educational media specialists, parents, and other qualified personnel shall be appointed by the Superintendent to review the appeal, to evaluate the challenged materials and to make recommendations of

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

any changes. A committee member shall not be selected from the school where the challenged materials originated.

- B. The Superintendent shall designate a member of his/her staff to be responsible for the organization of this review committee according to School Board policies.
- C. The committee's review shall be treated objectively and in a business-like manner and shall be conducted in the best interests of students, the schools, and the community. Efforts shall be made to meet with citizens who register concerns to consider their objections.
- D. The committee's recommendations shall be submitted to the Superintendent.
- E. The complainant shall be informed, in writing, after the committee's recommendation is received by the Superintendent.
- F. An appeal to the Elba City Board of Education may be requested by the complainant when the school and system-level appeals do not satisfactorily resolve the concerns. The Board shall review recommendations of the school and system-level committees and shall render the final decision on the complainant's concern.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

CONTROVERSIAL ISSUES

4.31

The Elba City Board of Education recognizes that controversial issues are an inherent part of our democratic tradition and that knowledge and understanding of controversial issues are an indispensable part of education for citizenship. Therefore, professional employees shall have the freedom to deal with controversial issues in the public school curriculum provided the following guidelines are observed.

- I. Teachers shall adapt the study of controversial issues to the age, maturity and academic background of pupils.
- II. Teachers shall place major emphasis on **HOW** to think rather than **WHAT** to think.
- III. Pupils shall have access, insofar as possible, to all materials that are relevant and educationally significant to the issues at hand.
- IV. Pupils shall have the opportunity to express their opinions within the limits of decency, good will and respect for the opinions of others.
- V. Teachers shall teach pupils the principles and techniques of the scientific method and shall provide opportunities for practice in applying established facts to specific problems.
- VI. Teachers shall seek to develop in pupils the ideals of truth and honesty.
- VII. Teachers shall seek to create an atmosphere in which differences of opinion can be voiced without fear or hostility but with mutual respect for all viewpoints.
- VIII. Teachers shall seek to develop in pupils a sense of responsibility for their beliefs, opinions and attitudes and shall encourage pupils to base same on research, tested experience and knowledge as recorded in our cultural heritage.
- IX. Teachers shall encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined and checked for accuracy.
- X. Teachers shall take a neutral position in the classroom during the discussion of controversial issues.

REFERENCE(S):

CODE OF ALABAMA
16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

PUBLIC APPEARANCE OF SCHOOL GROUPS

4.42

- I. Requests for any Elba City School System group or organization to make a public appearance shall be directed to the principal for approval.

- II. The parent/guardian shall be notified prior to any public appearance. Such notice shall state the place to be visited, the date of the public appearance, the time of departure, and the time of return to the school. Any student making a public appearance shall present a note from his/her parent/guardian giving permission for the student to make the public appearance. All documents needed in case of emergency should be provided before the public appearance and should be in the possession of the Elba City Board of Education employee in charge of the public appearance. Medication administration procedures shall be followed in accordance with the established medication disbursement guidelines.

REFERENCE(S):

CODE OF ALABAMA

16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

FIELD TRIPS

4.43

The Elba City Board of Education Board delegates to the Superintendent the responsibility for development of administrative criteria governing field trips. Only those field trips, however, that grow out of the instructional program or are otherwise related to the program are to be permitted on school time. Other trips such as those involving band and athletic activities should be confined to non-school time except where the school is engaged in an activity, competition, or contest that requires use of school time.

- I. All local and in-state field trips, including travel associated with athletic contests, must be approved in advance by the school principal with prior notification given the Superintendent. Notification of such travel should be received, when possible, by the Superintendent at least seven (7) days prior to the anticipated travel date.
- II. All out-of-state and overnight field trips, including travel associated with athletic contests, must be approved in advance by the principal and the Superintendent. Requests for out-of-state and overnight travel must be submitted to the Superintendent at least thirty (30) days prior to the anticipated travel date when possible.
- III. Requests for approval of all field trips, including travel associated with all school sponsored events and activities must be submitted on School System Field Trip Request Forms. Upon approval of any field trip, the school principal shall be responsible for notifying the Superintendent through the submission of a copy of an approved School System Field Trip Request Form.
- IV. Before any trip as noted above is taken, a completed and signed School System Parental Permission Form shall be secured from each student planning to go on the field trip. Students who have not submitted a signed Parental Permission Form shall not be allowed to take the trip. Students participating in a series of trips, such as football, basketball, etc., may submit one Parental Permission Form to cover all trips associated with the activity.
- V. Field Trip Transportation Using School System or Common Carriers: In order to reduce the costs of field trips for students, Elba City School System buses should be used for local field trips when possible. Privately owned buses/common carriers may be used for trips extending beyond the normal school day based on prior approval by the Superintendent. Approval for the use of privately owned buses/common carriers must be secured from the principal prior to discussions of the trip with students. Private buses/common carriers should be used only when School System buses are unavailable or impractical. When School System buses are used, the following provisions will apply:
 - A. Field trip buses, when available, shall be operated according to terms and conditions that apply specifically to such buses. Reservations must be made through the principal or designee with the teacher/sponsor preparing the Field Trip Request Form for approval by the principal.

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- B. At least one system employee approved by the principal and superintendent must ride the bus and accept responsibility for seeing that all rules and regulations governing school buses are carried out.
 - C. All field trip bus passengers must be enrolled in school, be an employee of the School System, or be designated as chaperon by the field trip sponsor and approved by the school principal.
 - D. The principal of each school is responsible for handling the scheduling of such trips.
 - E. Mileage and other applicable cost factors (driver, substitute driver, etc.) for each field trip will be computed by the Board based on the current, approved rates with billings submitted to schools on a monthly basis.
 - F. Only adult drivers with a commercial driver's license will be permitted to drive field trip buses with the cost of paying the driver to be borne by the school or class making the trip(s).
 - G. The field trip sponsor should return the School System-owned bus in a clean condition as determined by the Director of Transportation.
 - H. Due to energy regulations, allocations, proration, and other financial problems, the Board may cancel trips, increase prices, or curtail the use of buses. Principals will be notified if changes occur.
- VI. Field Trip Transportation Using Private Vehicles: The Board approves the use of privately-owned vehicles to transport students participating in field trips, excursions, or interscholastic activities where only a small number of students will be attending or participating in a respective activity. Such approval is based on a recognized need for additional standard, cost effective transportation at certain times to support the School System's instructional program and extra-curricular activities. Privately-owned vehicles may be utilized to transport a student or student groups to and from such activities provided :
- A. A small number of students will be involved in the respective field trip, excursion, or interscholastic activity. In such instance, the school principal shall have the discretion to utilize a private vehicle(s) with sufficient passenger capacity(ies) not to exceed the number of approved seat belts to transport the student or student group on such trips.
 - B. Students going on the field trip, excursion, or interscholastic activity present signed School System Parental Permission Forms noting the use of private vehicles to the field trip sponsor prior to the date of expected travel.
 - C. The principal ensures that appropriate financial arrangements have been made to pay for all costs associated with the trip; arranges for an adequate number

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of chaperones for the trip; and complies with all requirements for field trip preparations, i.e.:

- i. Communicating with parents about the trip and securing a Parental Permission form for each student participating in the activity.
- ii. Preparing a roster of students, employees, and chaperons making the trip.
- iii. Providing timely notice to other teachers of the field trip to include roster of names of those students making the trip.
- iv. Providing notice to appropriate lunchroom personnel when the field trip will necessitate students being away during the normal lunch period.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-1-4-.01**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SCHOOL FUNCTIONS

4.44

Any school social function shall be sponsored by an instructional staff member and shall be approved by the principal prior to scheduling. Elba City School System faculty members shall be encouraged to attend social functions.

All Elba City school functions including field trips, extracurricular events, and recreational activities such as picnics, parties, and excursions under the sponsorship of the school shall have a sponsor and an appropriate number of chaperones as determined by the school principal. Chaperones shall be board employees who are approved by the principal.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT CLUBS AND ORGANIZATIONS

4.50

- I. All Elba City School System student clubs and organizations shall be approved by the principal before they can operate within a school.
- II. All student clubs and organizations shall comply with the following:
 - A. All clubs and organizations must clearly establish and adhere to membership criteria that have been approved by the principal.
 - B. The charter and constitution of each student club or organization shall set forth the purposes, qualifications for members, and the rules of conduct and shall be maintained on file for immediate reference by all students and instructional personnel of the school.
 - C. There shall be no type of hazing in any club or organization within the school. Hazing shall be defined as any action or situation which recklessly or intentionally endangers a student's mental or physical health or safety.
 - D. Dues shall be reasonable and not prohibitive.
 - E. All meetings shall be held on Elba City Board of Education property, unless waived upon the faculty sponsor's request and principal's approval of special meetings and events.
 - F. An Elba City School System faculty sponsor/designee shall be present at all meetings and functions.
 - G. All social events shall be adequately chaperoned.
 - H. All monies accruing to any school club or organization shall be accounted for through the school's internal accounting system.
 - I. A student club or organization shall not conduct any activity or act which violates Alabama statutes, Elba City Board of Education rules, or the regulations of the local school.
- III. Any school club or organization which engages in an initiation ceremony for its members shall prepare and submit the program of initiation exercises to the faculty sponsor for review and approval by the school principal.

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

REFERENCE(S):

**CODE OF ALABAMA
16-12-15, 13-32, 16-26-1**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT PUBLICATIONS

4.51

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

- I. The principal shall be responsible for supervising the publication of newspapers, magazines, yearbooks, and programs and for ensuring these publications do not impede or otherwise interfere with the educational purpose of the school.
- II. The principal shall not allow advertisements of intoxicants or tobacco products or other products which would be inappropriate for the intended audience.

REFERENCE(S):

CODE OF ALABAMA
16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ASSESSMENT PROGRAM

4.60

- I. The Elba City School System shall periodically assess student performance and achievement within each school of the system. The assessment programs must be based upon local goals and objectives that are compatible with the state Courses of Study adopted by the State Board of Education. All schools will participate in the state assessment program designed to measure annual student learning and school performance.
- II. The Elba City School System will follow recommendations of the State Board of Education for the provision of test adaptations and modifications of procedures as necessary for students in exceptional education programs and for students who have limited English proficiency.
- III. Test results shall be treated with confidentiality.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, AAC §290-4-2-.01-.04**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

TEST SECURITY

4.61

All mandatory tests administered by or through the State Board of Education and system-administered national norm-referenced achievement tests shall be secured.

- I. Elba City School System and school personnel who have access to mandated tests shall be informed of test security laws and procedures and of penalties for breaches of test security.
 - A. The testing coordinator shall instruct school test coordinators and principals on test security measures.
 - B. Principals shall be responsible for informing the faculty of test security measures.
- II. The loss of tests, cheating, or any other breach of test security procedures and laws shall be reported immediately to the testing coordinator. Any unresolved problems in the system shall be reported to the appropriate agency.
- III. The testing coordinator shall oversee the destruction of statewide assessment test materials in a secure manner.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, AAC §290-4-2-.04

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

REPORT CARDS

4.71

The Superintendent shall develop procedures relating to the content and issuance of Elba City School System student report cards.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

TRANSFERS FROM NONACCREDITED OR HOME SCHOOLS

4.80

To allow transfer of credits and/or determine the appropriate class/grade placement of a student transferring to this system from a non-accredited or home school, the following shall be implemented:

- I. Credit for all elective courses shall be accepted without validation.
- II. Uncontested credit for core courses of English, mathematics, science and social studies shall be transferred as follows:
 - A. Using all available records and nationally standardized tests, if available, the principal or his/her designee shall determine the appropriate placement and then notify the student and the parent/guardian.
 - B. Upon agreement by the parent/guardian, the student shall be assigned to the class and/or grade agreed upon.
 - C. For any initial core course the student completes successfully in this system, he/she shall be permitted to transfer in that subject area all previous credits earned at a non-accredited or home school. (Example: Successful completion of eleventh grade English in this system would allow the student to transfer ninth and tenth grade English if completed successfully at the non-accredited or home school.
- III. Contested credit for core courses shall be transferred as follows:

If the parent/guardian disagrees with the placement decision, the principal or designee shall supervise the administration of the school's most recent semester examination or other appropriate assessment for each prerequisite to the core course in which the parent/guardian is requesting enrollment. For each test passed, the student shall be placed in the next level core course and credit for the prerequisite course(s) shall be transferred.
- IV. In the event of the existence of controversial records/transcripts and/or the absence of any official or notarized records/transcripts, the student shall take placement tests consisting of the school's previous semester tests for core courses.

All transfer students must pass any mandated state assessments and meet all other requirements for graduation.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, AAC §290-3-1-.02(7)j2(k)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CAREER TECHNICAL COOPERATIVE EDUCATION

4.81

The Elba City Board of Education recognizes the importance of the school-community linkage in training individuals for specific occupations; assisting individuals with the transition from school to the world of work; providing an environment for developing proper skills, knowledge, work and safety habits, and pride in achievement. As such, Cooperative Career Technical Education Programs will be provided to the extent possible to strengthen this linkage. These programs will operate in compliance with general career/technical education policies established by the Board and program standards outlined in current administrative code.

Each cooperative career/technical education program shall provide on-the-job training that:

1. is related to existing employment opportunities which offer promotion and advancement.
2. is related to the student's occupational objective.
3. does not displace other workers who can perform such work.
4. is conducted in accordance with written training agreements and training plans that incorporate methods for solving problems at work and problems at school.

CRITERIA FOR PARTICIPATION

The following criteria must be met prior to a student's participation in Cooperative Career Technical Education Programs:

1. The student and his/her parent(s)/guardian(s) must select the cooperative career/technical course(s) as an elective.
2. The student's parent(s) /guardian(s) must sign a release form authorizing the school to release his/her child from school to travel to and from the educational job site.
3. All transportation costs must be borne by the student and his/her parent(s)/guardian(s).
4. The student meets prerequisites for the cooperative career/technical course selected as described in the current Elba City School System course catalog.

REFERENCE(S):

CODE OF ALABAMA
16-3-12, 16-3-13, 16-37-1

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SAFETY IN CAREER TECHNICAL CLASSES

4.82

In order to ensure safety of students and personnel in Elba City School System career technical education classes, all laws, regulations, and guidelines established by local, state, and federal agencies shall be followed.

Elba City School System teachers in career technical classes shall establish safe working conditions and shall promote the development of safety awareness and safe work habits by students. Safety procedures and safe work habits shall be taught and tested in all career/technical classes as specified in the Alabama Course of Study for each content area.

A safety plan shall be posted in each career/technical classroom and shall include methods for encouraging safe procedures in the following areas:

- Continuous supervision of students in the classroom, laboratory, and/or shop environment
- Ensuring that protection devices are worn by students when appropriate.
- Safe storage of toxic, flammable, or hazardous materials.
- Safe use of electrical devices and avoiding electrical hazards.
- Safety demonstrations, safety instruction, and testing for safety knowledge.
- Periodic inspection of materials, equipment, and tools to ensure safe use.

The goals of safety instruction are to keep students safe while participating in career technical programs and for transfer of this knowledge to the work place.

REFERENCE(S):

**CODE OF ALABAMA
16-3-12, 16-3-13, 16-37-1, AAC § 290-6-1-.04(6)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CAREER/TECHNICAL PROGRAM EQUIPMENT MAINTENANCE, REPAIR, REPLACEMENT AND DISPOSAL

4.83

Elba City School System teachers in career technical classes are expected to keep all machines, equipment, tools, and other items needed for effective instruction in good repair. A program of preventive maintenance of machines, tools, and equipment shall be implemented to prolong the use of the items and to teach proper care and maintenance of equipment. A schedule for the cleaning, greasing, and oiling of equipment, the changing of filters, and other routine maintenance shall be developed by the teacher for all equipment, machines, and tools used in the classroom.

Annual review of needs for repairs, servicing, and other maintenance shall be submitted to designated system personnel. Requests for major repairs or replacement of equipment or tools shall be submitted with estimates of costs for parts, service, or replacements. The teacher using allocated maintenance funds, fees, program funds, or school funds shall pay for routine maintenance and small repairs. Major repairs and appropriate equipment replacement shall be considered in the annual system career/technical budget. The Elba City School System shall maintain a reasonable allocation to fund emergency repair of equipment essential to the instructional program.

Principals and system personnel shall conduct periodic inspection of career technical shops, laboratories, and classrooms to determine that tools, supplies, and equipment are properly maintained and stored and to see that equipment is kept in good repair and operated safely.

The Career Technical Director shall work cooperatively with teachers and school administrators to annually assess the need for updated equipment, supplies, tools, and materials for career/technical classes. Each teacher shall maintain an accurate inventory of equipment, tools, supplies, furnishings, textbooks, and other materials necessary for instruction in career/technical classes. When equipment is unserviceable or obsolete, the teacher shall notify the school principal. The principal shall notify the designated central office personnel in writing of equipment, tools, or other items in need of disposal. The Career Technical Director will make arrangements for the removal of such items from the school and for the proper disposal of the items according to state and system regulations.

To maintain the optimum classroom learning environment, each teacher shall:

1. Make students aware of the importance of the proper care of tools, equipment, furnishings, and materials at school and in the work place.
2. Maintain tools and equipment daily.
3. Maintain an accurate inventory of tools, supplies, and equipment.
4. Notify the principal of safety hazards and/or problems with heating, cooling, lighting, or ventilation that may interfere with learning.

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5. Take appropriate disciplinary actions against persons who abuse facilities and/or equipment.
6. Secure tools, equipment, and work areas before leaving the class, laboratory, or shop area for any time.

REFERENCE(S):

**CODE OF ALABAMA
16-3-12, 16-3-13, 16-37-1, AAC § 290-6-1-.10(1-3) revised**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

LIVE WORK IN CAREER/TECHNICAL PROGRAMS

4.84

The Elba City Board of Education recognizes live work as being a valuable tool for students in career technical programs to assist students in developing workplace competencies as a tool for positive community relations. Live work experiences are authorized by the Elba City Board of Education in career technical classes when the following guidelines are followed.

Live work is defined as work performed by students as part of the instructional training program. This work may be performed by students at a job site or at school. All live work projects must be pre-approved by the teacher in writing and coordinated with the school principal. Live work projects are not to be performed in competition with private enterprise. The career/technical education programs assume no responsibility for the results of the work being performed by students.

The person or organization for which the live work project is performed shall assume all costs of materials, supplies, and parts associated with the work performed by students. The career technical teacher is responsible for documenting the live work through a work order, the invoicing of the person/organization for whom the work is performed, and the collection of all charges associated with the live work projects performed by students. The Elba City Board of Education, the school, nor school employees shall receive economic benefit from career technical education live work projects.

REFERENCE(S):

**CODE OF ALABAMA
16-3-12, 16-3-13, 16-37-1, AAC §290-6-1-.04(5)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

PLACEMENT AND FOLLOW-UP OF CAREER TECHNICAL GRADUATES

4.85

Each Elba City School System career technical teacher is responsible for assisting graduates in job placement or entry into post-secondary education. Active files will be maintained in each school of opportunities for employment and graduates who are seeking employment. The principal shall designate school personnel to serve as a placement coordinator to maintain records of student placement and to serve as a liaison with businesses and industry representatives when career technical teachers are not available.

School counselors shall maintain active files available to students on colleges, junior colleges, technical schools and other post-secondary training possibilities. In addition, scholarship information shall be made available to students.

Each career technical teacher is responsible for the implementation of a follow-up system to determine employment and/or post-secondary education placement of graduates. A purpose of the follow-up of graduates is to solicit feedback regarding the appropriateness and effectiveness of career technical programs.

Formal follow-up reports of graduates shall be completed according to schedules established by the Alabama State Department of Education. In addition, career technical teachers should use informal contacts with employers of graduates to gain information and suggestions for improving instruction in career technical classes.

REFERENCE(S):

**CODE OF ALABAMA
16-3-12, 16-3-13, 16-37-1, AAC §290-6-1-.06(2)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

ADMITTANCE - ENROLLMENT REQUIREMENTS

5.10

- I. Any student who initially enrolls in the Elba City School System shall be required to present certification of immunization as required by law.
 - A. Immunization shall be required for the prevention of those communicable diseases designated by the State Health Officer.
 - B. A transfer student and any student for whom the lack of a certificate of immunization is related to their residential, immigrant, or English-speaking status, may be granted thirty (30) school days to provide documentation of school-entry health examination and certificate of immunization record.
 - C. Exceptions may be granted as provided in Alabama statutes and federal law.
- II. The school principal shall determine grade placement of students from a private or non-public school or from home education based on state regulations and Elba City Board of Education rules regarding transfer of credit as well as other factors including test data, age, and previous school records.
- III. Admission may be denied a resident student who is over seventeen (17) years of age and who has been expelled or otherwise removed from previous schools for violation of the rules of the school.
- IV. When a student facing some type of disciplinary action is withdrawn from school prior to receiving the punishment, said student (and his/her parent/legal guardian) should be informed that prior to readmission to any Elba City school, the disciplinary action would have to be completed. This includes any suspension, work assignment, or referral to the Superintendent or Board of Education for a hearing.
- V. Resident Students
 - A. The Board defines resident students as students whose parents or legal guardians live within the Elba City School District or students whose parent/legal guardian is employed by the Elba City Schools. All resident students of the school district shall be entitled to be admitted, subject to policy limitations and judicial constraints, to the Elba City Schools.
 - B. Children who are enrolled as Homeless, Migratory, or LEP pursuant to the requirements of the No Child Left Behind Act of 2001 and the McKinney-Vento Homeless Education Act of 2001, will be enrolled on probationary status. School district officials shall be diligent in verifying the true status of these students and in assisting parents/guardians in obtaining the otherwise required documents.

CHAPTER 5.00 – STUDENTS

- VI. If a person's twenty-first (21st) birthday is on or before September second (2nd) in any given school year, he/she shall not, with the exception of students enrolled in the school system's special education program, be admitted to a school within the school system without the written approval of the principal and Superintendent. A person applying for enrollment who would not be able to graduate before his/her twenty-second (22nd) birthday must have the written approval of the principal and the Superintendent.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, 26-2A-73, 16-2A-7
16-30-1, 16-30-4, AAC §290-3-1-.02

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

ADMISSION OF HOMELESS, MIGRATORY, IMMIGRANT AND LIMITED ENGLISH PROFICIENT STUDENTS

5.10.1

- I. All homeless, migratory, immigrant, and limited English proficient children shall have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth. Such children will be provided the opportunity to participate in the same state educational programs and to meet the same state student performance standards as all other children without being isolated or stigmatized.
- II. Students who live in the attendance areas of Elba City School System and who are homeless, migratory, immigrant and/or limited English proficient shall not be prohibited from school attendance due to any of the following:
 - A. Residency requirements
 - B. Lack of social security number
 - C. Lack of birth certificate
 - D. Lack of school records or transcripts
 - E. Lack of immunizations
 - F. Legal custody requirements
 - G. Transportation
 - H. Language barriers
 - I. Disabilities
- III. The Elba City School System shall employ practices that increase the awareness of the homeless education program. The School System shall notify parents/guardians of homeless children and youth of available resources and shall assist them in accessing the resources. The Elba City School System shall conduct an annual evaluation of its homeless education program to determine the effectiveness of the program. The School System will adjust practices and procedures as needed to improve the effectiveness of program implementation and student achievement.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, 16-30-1, 16-30-3, 16-30-4, AAC §290-3-1-.02(7)(C)(D)
NO CHILD LEFT BEHIND ACT OF 2001,
TITLE VII-B OF THE MCKINNEY-VENTO HOMELESS
ASSISTANCE ACT OF 2001**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

AGE OF ADMISSION

5.11

Any child shall be eligible for admission to kindergarten if he/she has attained the age of five (5) years on or before September 1 of the school year.* However, a child who transfers from another state shall be admitted under the same age requirements as established in the state where he/she previously resided

For admission to first grade, a student shall be six (6) years old on or before September 1 of the school year.* Previous attendance in an out-of-state school into which a student was admitted on the basis of age requirement established by the state of residency shall be accepted as meeting the age requirement.

*An opinion of the Attorney General states in effect that under the common law one's age is computed by including the day of birth so that a given age is obtained the day before the birthday anniversary. Therefore, a child whose sixth birthday falls on September 2 is entitled to attend the public elementary schools at the opening of school for that school year. A child whose fifth birthday falls on September 2 is entitled to attend kindergarten.

REFERENCE(S):

CODE OF ALABAMA
16-11-16, 16-28-3, AAC §290-5-1-.01(3)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 - STUDENTS

STUDENT RIGHTS AND RESPONSIBILITIES

5.17

The Elba City Board of Education possesses the responsibility to offer an education which shall be provided in an orderly, healthy atmosphere, both physical and emotional, and in which treatment of students is both firm and fair in all matters pertaining to school life.

Every student shall comply with all rules and regulations of both the State and the Board pertaining to pupil behavior. Codes of student conduct shall be based on maintaining within each school a proper atmosphere for learning. Codes of conduct shall be consistent with the policies of the Board, which in turn, shall be in full compliance with State and Federal provisions.

The Elba City Board of Education shall make every effort to provide for the free expression of ideas by students unless this interferes with the educational process. No student shall have the right to interfere with the educational process of other students

All students shall be free to express their points of view in an orderly manner in keeping with democratic ideals. All students shall have the freedom to exercise the right of free speech and to protest deprivation thereof, through proper channels, providing that such protection does not interfere with the educational program of the School System or result in harm to other individuals.

All students shall have the responsibility to grant the same rights and responsibilities to other individuals, to develop tolerance for the view points or opinions of others, and to recognize the rights of other individuals to form or hold different points of view.

REFERENCE(S):

CODE OF ALABAMA

16-1-14

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 - STUDENTS

GRADUATION REQUIREMENTS

5.22

All students entering the 9th grade will be required to complete course requirements specified by the Alabama State Board of Education. The Elba City Board of Education shall direct the Superintendent to produce a widely-disseminated publication which describes requirements for all diplomas and certificates awarded by the Elba City Board of Education.

Publications describing graduation requirements for Elba City students shall describe types of diplomas and endorsements, core course requirements, elective course offerings, and the process for earning weighted credit.

Beginning with the 9th grade class of the 2009-2010 school year, all students will have as their default diploma option the Advanced Academic Endorsement to the Alabama High School Diploma. Should a student and his/her parent or guardian determine that the Advanced Academic Endorsement is not appropriate for the student's educational needs, the parent or guardian may remove the student from the Advanced Academic Endorsement by meeting with the student's counselor and completing the Endorsement Change Request Form.

Effective for student entering the 9th grade in the 2009-2010 school year, all students are required to complete one on-line/technology enhanced course prior to graduation. Exceptions through IEPs shall be allowed for special education students.

Twenty-four (24) units are required for graduation. Grade level assignments will be based on the following for all diplomas:

10 th grade	5 units
11 th grade	12 units
12 th grade	17 units and be a candidate for May graduation

Students pursuing the Alabama High School Diploma with Advanced Academic Endorsement or the Alabama High School Diploma with Advanced Honors Academic Endorsement may take courses in mathematics and/or foreign language in the eighth (8th) grade.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, AAC §290-3-1-.02(8)(a-e)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

VALEDICTORIAN, SALUTATORIAN, HONOR GRADUATES

5.23

The following criteria shall become effective in the 2013-2014 school year in determining who may be eligible for Valedictorian, Salutatorian, and Honor Graduates in the Elba City School System.

To be designated as an honor graduate, a student must

- Be pursuing either the Alabama High School Diploma, an Honors Diploma, or the Alabama High School Diploma with Advanced Academic Endorsement,
- Maintain a cumulative numeric, weighted GPA of 3.5 or above on all course work earned in grades 9 through 12, and have no grade below an 80 in any course, and
- Pass the minimum number of units required by the Alabama State Department of Education, and
- Pass all required state mandated testing.

The honor graduate with the highest cumulative weighted GPA will be designated as the valedictorian. The honor graduate with the second highest weighted GPA will be designated as salutatorian. In case of a tie there may be Co-Valedictorians or Co-Salutatorians. The names of the Valedictorian and Salutatorian shall be announced at the conclusion of the last grading period.

REFERENCE(S):

CODE OF ALABAMA

16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ADVANCED PLACEMENT COURSES

5.24

The Elba City Board of Education seeks to offer as many Advanced Placement offerings as possible in order to provide a rigorous, college-level experience for students.

The Advanced Placement exam, as administered according to the guidelines of The College Board, may be taken in place of a final semester exam.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 - STUDENTS

STUDENT PROMOTION AND RETENTION

5.26

No student should be recommended for retention unless their case has been presented to the school's problem solving team. Any teacher recommending retention must document using intervention strategies and their results.

Grades K-6

The process of making decisions as to promotion and retention of elementary students should take into consideration a variety of factors including age, maturity, motor coordination, capacity for learning, and academic progress. The determination process should involve the principal and teacher(s) with the authority for determining promotion and retention resting entirely with the teacher(s) and principal, except that a kindergarten student may be retained only upon approval/agreement of the student's parent(s) or guardian(s).

If a student needs to be retained based on the teacher's professional judgment of the student's academic performance and/or other factors, the parent(s) or guardian(s) of that student would be informed as early in the school year as possible and no later than the beginning of the last grading period. In all cases, the decision of whether a student should be promoted or retained shall be made by the principal on the basis of which grade placement provides the student a better chance of progressing in his/her educational development.

Grades 7-8

Students enrolled in grades seven (7) through eight (8) must pass all academic core subjects to be promoted to the next grade. Successful participation in an approved summer school program after retention in a grade level may make the student eligible for promotion in the subsequent school year.

Grades 9-12

For students to be permitted to move to the next higher grade level, the following standards must be met:

9th to 10th Grade – students who have earned five (5) Carnegie units will be classified as tenth graders.

10th to 11th Grade - students who have earned twelve (12) Carnegie units will be classified as eleventh graders.

11th to 12th Grade – students who have earned seventeen (17) Carnegie units, three of which must be English, will be classified as twelfth graders.

English Requirement – Grades 9-12

A student in grades 9-12 must make satisfactory progress by passing courses in a logical and sequential fashion. Example: ninth grade English before tenth grade English.

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Special Education Students

Promotion of any student in a special education program, with the exception of gifted students, must be based on his/her accomplishments of goals stated in the IEP in conjunction with all other regular program requirements. However, a special education student (except gifted) may not be placed at any grade level unless the student has attended school for a commensurate number of years equal to the proposed grade placement; i.e., for a special education student to be placed at the sixth (6th) grade level, he/she must have been enrolled in school for at least five (5) years.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

STUDENT HARASSMENT PREVENTION

5.28

- I. No student shall engage in or be subjected to harassment, violence, bullying, threats of violence, or intimidation by any other student that is based on any of the specific characteristics that have been identified by the Elba City Board of Education in this policy. Students who violate this policy are subject to disciplinary sanctions.

- II. Definitions
 - A. The term “harassment” as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the characteristics set forth in Section III B below. To constitute harassment, a pattern of behavior may do any of the following:
 - Place a student in reasonable fear of harm to his or her person or damage to his or her property.
 - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
 - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
 - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
 - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
 - B. The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
 - C. The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
 - D. The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.

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- E. The term “student” as used in this policy means a student who is enrolled in the Elba City School System.

III. Description of Behavior Expected of Students

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

- IV. A series of graduated consequences for any violation of this policy will be those outlined in the rules governing student behavior or any rule or standard adopted under authority of this policy.

V. Reporting, Investigation, and Complaint Resolution Procedures

- A. Complaints alleging violations of this policy must be made on approved complaint forms available at the principal’s and or counselor’s office. The complaint must be signed by the student alleging the violation or by the student’s parent or legal guardian and delivered to the principal or the principal’s designee either by mail or personal delivery. At the request of the complaining student or the student’s parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.
- B. Upon receipt of the complaint, the principal or the principal’s designee will, in his/her sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal’s designee determines that the complaint alleges a serious violation, the principal or the designee will undertake an investigation of the complaint in a reasonably prompt time period taking into

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account the circumstances of the complaint. If the investigation establishes a

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violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.

- C. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the rules governing student behavior. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy is subject to disciplinary sanctions as outlined in the rules governing student behavior.
 - D. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee will inform the student's parent or guardian of the report.
- VI. This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication on the School System web site.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9; LEGISLATIVE ACT 2009-571**

HISTORY

ADOPTED: February 21, 2013

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DUE PROCESS

5.29

The Elba City Board of Education recognizes that observance of applicable substantive due process entails two basic considerations: (1) any objective sought relative to student governance must be legally defensible, e.g., based upon a rational or compelling state interest; and (2) the means taken to accomplish such objective must be within the constitutional limitations applicable to the in loco parentis position of school officials within the School District. To assure compliance with these two substantive aspects, the Board has approved the following guidelines as applicable to all policies, rules, and regulations.

1. Each local school policy, rule, or regulation shall specify its purpose as it relates to accomplishment of a legally defensible objective;
2. Each local regulation shall be based on a Board policy
3. All policies, rules, and regulations at any level shall be consistent with local, county, or city ordinances, statutes of the State of Alabama, administrative regulations of duly authorized agencies; e.g. State Board or State Department of Education.
4. Both policies of the Board and regulations designated by local school administrators shall be specific and precise.
5. No Board policies or local school codes of conduct shall deny any student his constitutional rights.
6. Discharge of administrative responsibilities and exercise of shall recognize applicable legal parameters placed upon the in loco parentis position of school officials.
7. Exercise of all authority by administrators, teachers or school officials, be capable of withstanding close judicial scrutiny relative to freedom from arbitrary, capricious, discriminatory, or otherwise illegal practices.
8. Students, parents, citizens, teachers, and administrators should be participants in developing local school codes of conduct.

Procedural due process within the School District shall relate primarily to the area of discipline and disciplinary measures, e.g., short-term suspension, long-term suspension, and expulsion.

The degree of procedural due process afforded in each of the above situations shall be dependent upon: (1) the gravity of the offense a student is alleged to have committed; and (2) the severity of the contemplated penalty.

Before being punished for violation of Board policies or school regulations, a student shall have the right of the following minimum due process procedures:

1. The student shall be given oral or written notice of the charges against him;
2. The evidence against the student shall be explained to him; and

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3. The student shall be given an opportunity to present his own version of the facts concerning the charges.

When a student is facing possible long-term suspension (more than 10 days) or expulsion, the Board shall afford the student the following:

1. The right of a hearing before the Board of Education;
2. The right to be represented by counsel;
3. The opportunity for cross-examination of witnesses;
4. A written record at the hearing;
5. A written record of the decision; and
6. The right of appeal.

A school may not unilaterally expel, or cease the provision of educational services to a student with a disability whose education is governed by an individualized education plan (IEP).

REFERENCE(S):

**CODE OF ALABAMA
16-28A-1, 16-28A-2, 16-28A-3, 16-28A-5**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

STUDENT CONDUCT AND SUPERVISION

5.30

All students enrolled in the Elba City School System shall be subject to federal and state laws, regulations of the State Board of Education, the rules and policies of the Elba City Board of Education and the Code of Student Conduct, and shall be under the control and direction of the principal or designee during the time they are transported to or from school at public expense, during the time they are attending school or a school-sponsored activity, and during the time they are on Elba City Board of Education premises for school attendance and authorized activities.

- I. The principal or the principal's designated representative shall ensure that students are properly supervised while at school and during any school-sponsored activity.
- II. The teacher, other members of the instructional staff, bus driver, or other assigned supervisory staff shall assume such authority for the control and supervision of students as may be assigned by the principal or the principal's designated representative and shall keep good order in the classroom or other places where in charge of students.
- III. The Elba City Board of Education's authority and responsibility do not extend to students while they are being transported by private vehicles not affiliated with a school-sponsored activity or on school property.
- IV. The Code of Student Conduct and any revisions shall be approved and adopted by the Elba City Board of Education. The Code of Student Conduct shall:
 - A. Be developed with input from Elba City Board of Education members, appropriate grade level teachers, school personnel, school administrators, students, and parents.
 - B. State grounds for disciplinary action procedures and the rights of students.
 - C. Be distributed to all Elba City School System teachers, school personnel, students, and students' parent(s)/legal guardian(s) at the beginning of each school year or upon enrollment.
 - D. Be filed in the Superintendent's office and in the office of the school principal.
- V. The Code of Student Conduct shall be discussed with students, parents and teachers at the beginning of each year. Students who enroll after the beginning of the school year shall be given an orientation to the Code of Student Conduct upon enrollment.
- VI. The principal shall use the Code of Student Conduct to familiarize students with Elba City Board of Education rules relating to students' rights, responsibilities, and conduct at the beginning of each school year and whenever he or she deems it necessary.

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REFERENCE(S):

**CODE OF ALABAMA
16-1-10, 16-1-14, 16-11-1 to -6, 16-11-9
AAC §290-3-1-.02**

HISTORY

ADOPTED: February 21, 2013

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CORPORAL PUNISHMENT

5.30.1

In order to establish and maintain an educational climate conducive to learning, the Elba City Board of Education permits reasonable corporal punishment (paddling) of students. If such punishment is required, it shall be administered only as a last resort, with extreme care, tact, and caution by the **principal or his/her certificated designee** according to the published Code of Student Conduct and the following stipulations:

- I. Corporal punishment shall not include more than three (3) licks (per infraction) administered to the buttocks. No other form of corporal punishment is permitted in Elba City schools.
- II. Corporal punishment will be administered privately (not in the presence of the class or other students) and in the presence of another certified professional employee. Records of all corporal punishment shall be maintained by the principal.
- III. Corporal punishment shall not be administered to any student receiving special education services (with the exception of gifted and speech-impaired) until and unless a determination has been made showing that the student's infraction was not a manifestation of his/her disability(ies).

REFERENCE(S) :

CODE OF ALABAMA
16-28A-1, 16-28A-2, 16-28A-3, 16-28A-5, 16-1-14

HISTORY

ADOPTED: February 21, 2013

PHYSICAL RESTRAINT AND SECLUSION

5.30.2

A. Policy Purpose

1. The Elba City School System acknowledges that maintaining a school environment conducive to school learning requires that the environment be orderly and safe. Accordingly, physical restraint of a student may sometimes be necessary in order to protect the student or other individuals.
2. The purpose of this policy is to ensure that physical restraint is administered only when needed to protect a student and/or member of the school community from imminent, serious physical harm, and to prevent or minimize any harm to a student as a result of the use of physical restraint.
3. The Elba City School System places an emphasis under this policy on the prevention and de-escalation of inappropriate behavior, which reduces the risk of injury to students and program staff, as well as the care, safety, and welfare of our students.

B. Definitions

1. **Physical restraint** is direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to a student in order to promote safety or to prevent self-injurious behavior; providing physical guidance or prompting to a student when teaching a skill; redirecting attention; providing guidance to a location; providing comfort; or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.

2. **Chemical restraint** is any medication that is used to control violent physical behavior or to restrict the student's freedom of movement that is not a prescribed treatment for a medical or psychiatric condition of the student.

3. **Mechanical restraint** is the use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation.

4. **Seclusion** is a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. Seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student; time-out as defined herein; in-school suspension; detention; or a student-requested break in a different location in the room or in a separate room.

5. **Time-out** is a behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used and is not seclusion when:
 - (a) The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.

 - (b) The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however, each time-out should not exceed 45 minutes.

- (c) The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student and has sight of the student while in time-out.
- (d) The time-out space is free of objects that unreasonably expose the student or others to harm.

C. Prohibitions

1. The use of physical restraint is prohibited in the Elba City School System and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. Physical restraint is prohibited when used as a form of discipline or punishment.
2. All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress during the restraint. Any method of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs is prohibited in the Elba City School System and its educational programs.
3. The use of chemical restraint is prohibited in the Elba City School System and its educational programs.
4. The use of mechanical restraint is prohibited in the Elba City School System and its educational programs.
5. The use of seclusion is prohibited in the Elba City School System and its educational programs.

D. Requirements

1. Each local school's principal or his/her designee and each educational program of the School System that utilize physical restraint under this policy will provide staff with guidelines and procedural information regarding physical restraint and will arrange for the appropriate training of those designated staff members that may be called upon to physically restrain a student. This training of designated staff members shall be provided as a part of a program which addresses prevention and de-escalation techniques as well as positive behavioral intervention strategies. The training of designated staff members will be based on evidence-based techniques and strategies when possible. Each local school's principal or his/her designee or program coordinator shall be responsible for providing periodic reviews.

2. Each local school's principal or his/her designee and each educational program that utilize physical restraint will maintain written or electronic documentation on training provided at the local school regarding physical restraint and the list of participants in each training session. Records of such training will be made available to the Alabama Department of Education or any member of the public upon request.

3. Each local school's principal or his/her designee and each educational program that utilize physical restraint is responsible for generating and maintaining incident and debriefing reports of the use of restraint as well as reports of any prohibited use of seclusion and chemical, mechanical, or physical restraint at the local school and for gathering/reporting data to the Elba City Board of Education and to the Alabama Department of Education annually. The use of physical restraint will be monitored by each local school's principal or his/her designee or program's coordinator on an on-going basis to ensure fidelity of implementation. Follow-up training will be provided following any situations in which procedures are not being followed.

4. Each local school's principal or his/her designee and each educational program that utilize physical restraint shall ensure that following an incident of restraint or seclusion of an student, all school personnel involved in the incident and appropriate administrative staff participate in a debriefing session for the purpose of planning to prevent or reduce the reoccurrence of the use of restraint. A student's parent or legal guardian will be provided notification of this debriefing session and afforded the

opportunity to attend or to request that the debriefing session be rescheduled. The debriefing session shall occur no later than five school days following the imposition of physical restraint or seclusion, unless the debriefing session is delayed, at the request of a student's parent or legal guardian, so that the parent or legal guardian may attend.

5. Each local school's principal or his/her designee and each educational program that utilize physical restraint will provide written notification to a student's parent or legal guardian when physical restraint is used on a student within a reasonable time following the restraint not to exceed one school day from the use of restraint.
6. Each local school's principal or his/her designee and each educational program will provide written notification to a student's parent or legal guardian when their child is removed from his/her school or program setting by emergency, medical, or law enforcement personnel within a reasonable time following the removal not to exceed one school day from the removal.
7. Each student's parent or legal guardian will be provided information regarding the school or program's policies governing the use of physical restraint. This information will be provided to parents at the beginning of each school year or upon the student's enrollment if the student enrolls after school has started. To effectuate this requirement, the School System's website and student handbook/code of conduct will contain the following statement:

As a part of the policies and procedures of the Elba City School System, the use of physical restraint is prohibited in the Elba City School System and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Physical restraint is expressly prohibited when used as a form of discipline or punishment. The use of other physical restraint, chemical restraint, mechanical restraint, or seclusion is prohibited in the Elba City School System and its educational programs.

The use of restraint may occur along with other emergency actions such as the school seeking assistance from law enforcement and/or emergency medical personnel which could result in a removal of the student by such personnel.

Significant violations of the law including assaults on students and staff will be reported to the police. As soon as possible after the restraint or removal of a student (and no longer than one school day following the occurrence), the parent or legal guardian will be provided written notification.

E. Clarifications

1. Nothing in this policy shall be construed to interfere with the School System's or school personnel's authority to utilize time-out as defined herein or to utilize any other classroom management technique or approach, including a student's removal from the classroom that is not specifically addressed as part of this policy.
2. Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28-12.
3. Nothing in this policy shall be construed to prohibit the School System's or school personnel's right to take reasonable action to diffuse or break up a student fight or altercation.
4. Nothing in this policy shall be construed to prohibit the School System or school personnel from taking reasonable action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student.

5. Nothing in this policy shall be construed to eliminate or restrict the ability of school personnel to use his or her discretion in the use of physical restraint as provided in this policy to protect students or others from imminent harm or bodily injury.

6. Nothing in this policy shall be construed to create a criminal offense or a private cause of action against any local board of education or program or its agents or employees.

7. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel or to interfere with the rights the School System or school personnel from seeking assistance from law enforcement and/or emergency medical personnel.

REFERENCE(S):

CODE OF ALABAMA

16-28-12, 16-1-14, AAC§290-3-1-.02(1)(F)

HISTORY:

ADOPTED: _____

FORMERLY: NEW

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DETENTION, SEARCH, AND SEIZURE

5.31

- I. Any instructional or administrative staff member shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that such student has committed, is committing, or is about to commit a violation of Alabama statutes, Elba City Board of Education, or a school's Code of Student Conduct.
- II. Desks, lockers and other equipment at school belong to the Elba City Board of Education and, although assigned to particular students for use, may be entered and searched by school officials whenever said school officials have reasonable belief that some substance or other material, which is illegal, harmful to the safety of the student himself or the student body as a whole, or significantly disruptive or dangerous to the overall discipline of the school, is contained therein.
- III. Students shall reasonably expect his or her person to be free from search in accordance with rights guaranteed by the U.S. Constitution. Therefore, any search of a student conducted by school officials shall be made only when reasonable belief that the student is in possession of weapons, stolen items, illegal drugs, or other items harmful to the safety of the student or others. Any search shall not be intended to embarrass, intimidate, or harass any student.
 - A. Elba City School System officials shall be authorized to search a student and the student's property including vehicles under the following conditions:
 1. Reasonable suspicion for a search exists.
 2. The search must be conducted in privacy by a person of the same sex, if at all possible.
 3. A third person of the same sex must be present during the search, if at all possible.
 - B. Parents or legal guardians shall be notified if the search results in the identification of any illegal paraphernalia.
 - C. If a reasonable suspicion exists for a search of an individual student and the student does not agree to the search, school officials shall not search the student. The following procedure shall be followed:
 1. The student shall be retained in the presence of school officials under constant observation and supervision.
 2. Parents or legal guardians of the student shall be notified and requested to come to the school.

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3. Parents or legal guardians shall be informed of the situation and asked to search the student.
4. If parents or legal guardians refuse to cooperate with school officials, appropriate law enforcement authorities shall be notified and proper suspension or expulsion procedures shall be initiated.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-3-1-.02**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

USE OF VIDEO SURVEILLANCE EQUIPMENT

5.31.1

To provide and maintain a safe and secure environment for students, staff, and authorized visitors, the Elba City Board of Education may use surveillance equipment on properties owned and or maintained by the school system. Properties include buildings and grounds as well as vehicles owned and/or operated by the Elba City School System.

Equipment shall not be used where there is an expectation of privacy, i.e. bathrooms, gym/locker rooms, and private offices. Training shall be provided for authorized persons in the use, maintenance and storage of equipment and tapes, and on applicable laws related to the use of surveillance equipment. Equipment may be used in classrooms with the written request of the teacher or with the principal's approval.

Individual schools shall establish a system for maintenance and storage of equipment and tapes. Equipment and tapes shall be stored in secure places with access by authorized persons only.

All Elba City School System personnel, students, and parents shall be informed that they are subject to being videotaped while in school buildings, on school grounds, at school events, and on system owned/maintained vehicles. Any information obtained through the use of surveillance equipment shall be used only for school safety, disciplinary matters, law enforcement, or other lawful purposes.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, AAC §290-3-1-.02**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

USE OF METAL DETECTORS

5.31.2

In order to provide and maintain a safe and secure environment for students, school personnel and authorized visitors, the Elba City Board of Education may employ the use of metal detectors. Prior to implementing the use of metal detectors, training shall be provided for authorized persons regarding the use, maintenance and storage of said equipment and on laws and procedures for conducting searches.

In implementing the use of metal detectors, the following guidelines will be followed:

1. All metal detector searches shall be conducted by school board employees only.
2. Any information obtained through the use of metal detectors will be used only for school disciplinary or law enforcement purposes.
3. The metal detectors will be used by authorized personnel at any time there is reasonable suspicion that the student being searched has violated or is violating a particular disciplinary rule or public law relating to the possession of weapons. Any search of a student's person as a result of activation of the detector will be conducted in accordance with the Board's policy on student searches.

Prior to implementing the use of metal detectors by authorized Elba City Board of Education employees, this policy will be communicated to all affected school personnel, students, parents and the community at-large.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, AAC §290-3-1-.02**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

INTERROGATIONS AND UNANNOUNCED VISITS BY LAW ENFORCEMENT

5.31.3

To provide and maintain a safe and secure environment for students, staff, and visitors, the Elba City Board of Education supports the requirement of The Alabama Administrative Code, §290-030-010-.06, to permit law enforcement agencies to make periodic, unannounced visits to any school within the school system. Such visits shall be for the purpose of detecting the presence of illegal drugs or warrants. Such visits shall be unannounced except to the superintendent of schools and principals of the individual schools that are subject to the visitation. In accordance with The Code of Alabama, 16-1-24.1, the possession of illegal drugs, alcohol, or weapons will result in immediate suspension from school and possible criminal charges being brought against the student(s).

I. Visits and/or Interrogations by Public Officials

When the school principal, designee, or law enforcement agency has evidence or reasonable cause to believe that a crime has been committed on campus such as possession of illegal drugs or weapons--law enforcement officials, to include juvenile authorities--may be allowed or requested to come to the school to investigate the incident. Visits by law officials shall be coordinated through the principal or designee. There shall be no requirement to announce the visit of a law official to anyone except the building principal and Superintendent.

A. Interrogations

When law enforcement officers make it known that they wish to talk to a student while under supervision of the school, the following procedure will be used:

1. The student will be called to the office of the principal.
2. The principal shall attempt to notify the student's parent or guardian by telephone of the situation.
3. If the principal is able to contact the student's parent or guardian, the parent or guardian, upon consultation with the principal and student, shall determine whether or not the student is to be questioned by the law enforcement officer while under the jurisdiction of the school, and under what circumstances, i.e. in the presence, of the school principal or in the presence of the parent or guardian, etc.
4. If the principal is unable to contact the student's parent or guardian or if the parent or guardian is unable to come to the school within a reasonable amount of time, the principal shall permit the law enforcement official to talk with the student in the presence of the principal and or his/her designee.

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B. Arrest Warrants

In case an arrest warrant is presented by law enforcement officers, the school principal or designee shall make every effort to notify the parent or guardian of the student in question prior to the student's removal from the school premises.

III. Department of Human Services Officials

A. At the Request of School Officials

The school principal or designee may request personnel from the Department of Human Services to come to the school to assist in providing related services for students, provided at least one of the following criteria is met:

1. The student is an active client with the Department.
2. The student is in the legal custody of the Department.
3. The school principal or designee believes that the Department can provide services that will help the student.
4. There is evidence of child abuse/neglect or suspected child abuse/neglect.

B. At the Request of Human Services Officials

When Department of Human Services officials make it known they wish to talk with a student while under the supervision of the school, the principal or designee shall seek to determine if, 1) the visit relates to child abuse/neglect or 2) the Department has legal custody of the student. If so, the Human Services Official shall be permitted to talk with the student. If it is determined that the visit does not relate to child abuse/neglect or matters pertaining to rights granted to a custodian, the principal or designee shall advise the Human Services Official that any talks or questioning should be conducted while the student is at home and not under the supervision of the school.

REFERENCE(S):

**CODE OF ALABAMA
16-1-24.1, AAC §290-030-010-.06**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

USE OF CANINE LAW ENFORCEMENT

5.31.4

In order to maintain drug-free schools and deal with problems associated with drug use and drug trafficking, the Elba City Board of Education allows law enforcement officials to make periodic, unannounced visits to any public school in the school system to detect the presence of illegal drugs or weapons. The superintendent and the principal shall be given prior notice.

In implementing the use of drug-sniffing dogs, the following guidelines will be followed:

1. Although reasonable suspicion is not necessary under the law in using dogs to sniff unoccupied automobiles, buses, and lockers, principals will use reasonable care in the search process.
2. Only the principal or designee with approval from the superintendent or designee shall implement the use of drug-sniffing dogs in schools.
3. In the search for drugs, drug-sniffing dogs will be handled by trained dog-handlers under the supervision of the principal or designee and an appropriate law enforcement official.
4. Dogs will not be allowed to sniff students or employees.
5. Dogs will not be brought into the school while large numbers of students are occupying the halls or other gathering places such as lobbies, buses, cafeterias, restrooms, and auditoriums.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, AAC §290-3-1-.02**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

DEADLY WEAPONS

5.32

Possession of a deadly weapon on school property or on a school bus with the intention to do bodily harm is a Class C felony. All persons, other than authorized law enforcement personnel, are prohibited from bringing or possessing any deadly weapon or dangerous instrument on school property and specific penalties for students and school personnel who violate this policy, notwithstanding any criminal penalties, may also be imposed.

The Elba City Board of Education authorizes the Superintendent or designee to immediately suspend any student found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury. Deadly weapons are not to be carried by students on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.

A student determined to have brought to school or have in his/her possession a firearm defined in Section 921 Title 18 of the U.S. Code in a school building, on school grounds, or at other school-sponsored functions shall be expelled for a period of not less than one (1) year. The Board and the Superintendent may modify the expulsion requirement on a case-by-case basis.

The Elba City Board of Education directs the Superintendent to provide the State Department of Education a description of the circumstances surrounding each expulsion pursuant to this policy. This description shall include:

1. The name of the school concerned;
2. The number of students expelled;
3. The types of weapons concerned.

No person found guilty of violating a weapons policy may be readmitted to the public schools of this state without psychiatric or psychological counseling and an accompanying report in writing to the Board that the person does not represent a threat to the safety of any student or employee of the school system.

Discipline of Elba City School System students with disabilities who violate this deadly weapons policy shall be determined on a case-by-case basis in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

Any person who violates the provisions of this policy may be arrested on the appropriate warrant signed by the principal of the appropriate school.

If pursuant to an Elba City Board of Education hearing, any person is found guilty of violating this policy, such person shall not be admitted to school until any criminal charges or offenses arising from such conduct have been disposed of by proper authorities, and such violator(s) have satisfied all other requirements imposed by the Board as a condition for readmission.

CHAPTER 5.00 – STUDENTS

REFERENCE(S):

**CODE OF ALABAMA
16-11-18, 16-1-24.3, AAC §290-3-1-.02**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

EXPULSION

5.33

- I. The school principal may recommend to the Superintendent, the expulsion of any student who has committed a serious breach of conduct according to the Code of Student Conduct.
- II. Any student who is being considered for dismissal shall be accorded due process of law prior to dismissal. This shall include the following:
 - A. Written copy of the charges against the student;
 - B. The offer of a hearing at which the student may call witnesses and present evidence in the student's own behalf;
 - C. The right to cross-examine witnesses;
 - D. The right to defend the student's actions;
 - E. Legal counsel at the student's expense to assist the student in presenting a defense; and
 - F. A written copy of the Elba City Board of Education's findings or action.
- III. Provisions for the expulsion of exceptional education students shall be described and set forth in the Code of Student Conduct; however, the dismissal of an exceptional education student shall not result in a complete cessation of educational services. The Elba City School System is responsible for providing the dismissed student's education during the expulsion in accordance with a revised individual education plan (IEP).

REFERENCE(S):

**CODE OF ALABAMA
16-1-14**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

STUDENT CHECK-OUT

5.34

- I. No student shall be permitted to leave the Elba City school grounds during the school day for school business/activities without the principal's/designee's prior approval or written consent from the student's parent(s)/legal guardian provided an acceptable reason is established.
- II. The principal or the designee shall establish definitely the identity and authority of any person who requests the release of a student from school. If the person requesting the release of the student is a person other than the parent/guardian having custody of the child, the principal or designee concerned shall not release the child without the verified authorization of the parent/guardian who has custody of the child.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

STUDENT GRIEVANCES

5.35

Whenever an Elba City School System student believes that he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, students can resort to the more formal procedures as provided herein.

I. Definitions

- A. *Complaint* shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. *Complaint* shall not apply to any matter in which the method of review is prescribed by law. *Complaints* are objections to a specific act or condition.
- B. *Complainant* shall mean any student or group of students, directly affected by the alleged misinterpretation or violation, filing a complaint.
- C. *Faculty/Staff and Administration* shall mean the employees of the Elba City Board of Education or representatives under the direct supervision of an employee of the school board.
- D. *Day* shall mean a school/academic day.

II. Time Limits – The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

III. Released Time – The complaint procedure will normally be carried out during non-instructional time. If, however, the Board elects to carry out provisions during instructional time, the complainant shall not lose academic credit.

IV. Complaint Procedure

- A. Informal Discussion – If a student believes there is a basis for complaint, he/she shall discuss the complaint with his/her principal or the designee of the principal, (except in cases of discrimination or harassment involving the principal or the designee), in which case the complainant shall report to the Superintendent or other person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- B. Level One – If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her principal or designee. The principal or designee shall communicate his/her answer in writing to the complainant within ten (10) days of receiving the written complaint. Class complaints involving more than one (1) principal or designee and complaints involving an administrator above the building level may be filed by the complainant at level two.

CHAPTER 5.00 – STUDENTS

- C. Level Two – If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.
- D. Board Appeal – If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent’s decision to the Elba City Board of Education, provided request for placement on Board agenda is filed within ten (10) days.
- V. Confidentiality will be provided to the extent possible to any student or affected party who alleges discrimination or harassment.

REFERENCE(S):

**CODE OF ALABAMA
16-1-30, 16-12-3(c)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 - STUDENTS

STUDENT ATTENDANCE AND ABSENCES

5.40

Alabama law requires all children between the ages of six (6) and seventeen (17) to attend school. The law further provides that a parent, guardian, or other person having control or charge of a school-age child is responsible for that child's regular attendance and proper conduct. Parents and guardians are responsible for enrolling their children and ensuring that the children attend school and obey behavior policies adopted by the board. Parents failing to enroll students and ensuring their proper behavior and attendance are subject to imprisonment under state law.

Excused/Unexcused Absences

If any child fails to attend school without a legal excuse for more than five (5) days that child and the person having custody of that child, shall be referred to the juvenile court. Absences are excused for the following reasons:

1. Illness
2. Death in the immediate family
3. Inclement weather which would be dangerous to the life and health of the child as determined by the principal and/or Superintendent
4. Legal quarantine
5. Emergency conditions as determined by the principal and/or Superintendent
6. Prior permission of the principal with the consent of the parent or legal guardian.

Schoolwork missed due to excused absences may be made up and a grade shall be awarded. Students shall have three (3) days for each day of excused absences to complete and return make-up work. It is the responsibility of the student to request and return make-up work.

REFERENCE(S):

CODE OF ALABAMA
16-28-12 to -15

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

COMPULSORY SCHOOL ATTENDANCE AGE

5.41

Every student residing in the area served by the Elba City School System between the ages of six (6) and seventeen (17) years shall be required to attend a state-approved school for the entire length of the school term in every scholastic year. Every student must attend the entire length of each school term through the day preceding the seventeenth (17th) birthday. Students of school age not known to be enrolled in school shall be reported to proper authorities. An accurate record of attendance for each student shall be maintained by the classroom or homeroom teacher or other designated person.

REFERENCE(S):

CODE OF ALABAMA
16-28-3, LEGISLATIVE ACT 2009-564

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

REVOCATION OF DRIVER'S LICENSE OR LEARNER'S PERMIT

5.42

In compliance with Alabama Code 16-28-40, the Elba City Board of Education endorses the Alabama Department of Public Safety requirement of regular school attendance as a prerequisite for obtaining a driver's license or a learner's permit to operate a motor vehicle.

I. Requirements

School officials will verify enrollment status by completing Part I of the Student Enrollment/Exclusion Status form. Students who are age 17 - 19 who drop out of school will be reported to the Department of Public Safety, and their driver's license will be subject to revocation. The driver's license or learner's permit of any enrolled student who accumulates 10 or more consecutive absences or 15 or more cumulative unexcused absences in a given semester will be reported and will be subject to revocation.

II. Exemptions

Students who are suspended or expelled from school or imprisoned do not qualify for an exemption. However, students who are exempt from attending public school due to circumstances beyond the control of the student, as set out in Alabama Code 16-28-6, are exempt from the application of this policy. The Superintendent or his/her designee is the sole judge of whether or not the evidence presented satisfies legal requirements for exemption.

III. Appeal Process

The appeal of a decision regarding the enrollment status of a student shall be submitted to the local school. To appeal, the student shall submit to the school principal, within five (5) days of the issuance of enrollment status, written notification of intent to appeal, including a statement of reasons for the appeal. Except as otherwise provided herein, the appeal process shall follow the procedures stated in the Elba City School System Student Attendance Policy

REFERENCE(S):

**CODE OF ALABAMA
16-28-40, AAC §290-3-1-7(1)
LEGISLATIVE ACT 93-386**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 - STUDENTS

TRUANCY

5.43

The Board shall not tolerate truancy or the habitual and unlawful absence from school. The parent or legal guardian is responsible for requiring any student under his control or charge and under seventeen (17) years of age to attend school regularly except for legal absences as defined by Alabama School law and State Board of Education rules and regulations. If a student under seventeen (17) years of age becomes a truant, the parent or legal guardian of said student may be guilty of a misdemeanor before a court of competent jurisdiction and subject to punishment by law. Truancy is defined as being absent from school without the knowledge of the parent or school personnel.

If the parent or guardian files a written statement in court to the effect that he is unable to control such student, the student may then be subject to action of the juvenile court which will determine whether said student is a dependent, neglected, or delinquent child.

Reporting Truancies

School principals and other Elba City Schools designated personnel shall investigate, record, and report truancies. Procedures for handling truancies shall be administered uniformly throughout the School system according to the early warning truancy prevention program. Consequences (legal and disciplinary) of truancy shall be governed by applicable juvenile court requirements, the laws of Alabama, and the policies of the school system.

The School System shall publish information to inform students, parents, and the community of school attendance requirements, definitions of truancy, consequences of truancy, and procedures related to excused and unexcused absences.

REFERENCE(S):

CODE OF ALABAMA
16-28-12, 16-28-14, 16-28-15, 16-28-17,
16-28-3, 16-26-16, LEGISLATIVE ACT 99-705

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

STUDENT INJURY

5.60

The following procedures shall be followed when a student is injured at an Elba City school:

- I. First aid shall be administered by the nearest person with first aid training and 911 emergency will be called if the situation is threatening.
- II. The school shall attempt to notify the student's parent(s)/legal guardian immediately.
- III. A student shall be taken to the emergency room of a hospital when a threatening situation occurs. Discretion shall be used in moving a critically injured student without medical advice.
- IV. A serious injury to a student shall be reported immediately to the principal who shall make a prompt report by telephone to the Superintendent or designee.
- V. An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.

REFERENCE(S):

CODE OF ALABAMA
16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

STUDENT ILLNESS

5.61

- I. The teacher, principal or nurse shall isolate a student who becomes ill while at an Elba City school until the student can be removed to his/her home. A student with a temperature above normal, diarrhea, or emesis shall be evaluated and sent home, if necessary.
- II. No internal medicine of any kind may be given to a student without the written permission of the parent(s)/legal guardian(s) following guidelines provided in Policy 5.62 Administration of Medication.

REFERENCE(S):

CODE OF ALABAMA
16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

ADMINISTRATION OF MEDICATION

5.62

- I. Each Elba City School System principal shall designate a staff member(s) to administer medications. The staff member(s) shall be trained annually by the registered nurse.
- II. Administration of prescription medications during school hours is discouraged unless a physician determines that a student's health needs require medication during school hours. Administration of non-prescription medication during school hours is discouraged unless necessary for a student's illness.
- III. Instructions on using a prescription shall be provided by a physician or described on the medication container provided by the physician or pharmacist. Written instructions on using non-prescription medication shall be provided by the student's parent(s)/legal guardian.
- IV. All prescription medications shall be delivered to the office/clinic with the following information provided:
 - A. Diagnosis;
 - B. Name and purpose of medication;
 - C. Time the medication is to be given;
 - D. Specific instructions on the administration of the medication;
 - E. Approximate duration of medication;
 - F. Beginning date – Ending date;
 - G. Allergies;
 - H. Side effects;
 - I. A note signed by the student's parent(s)/legal guardian to grant permission for administering the prescription medication;

Medication shall be counted with two (2) persons signing.

- V. First dosage of any new medication shall not be administered during school hours because of the possibility of an allergic reaction.
- VI. Prescription medication which is kept at school shall be stored in a secure place under lock and key with the student's name attached. Only authorized Elba City School System staff who administer said medication shall have access to it.
- VII. A record shall be maintained on each student who receives a prescription medication during school hours, including the time each dose of prescription medication was administered.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

EYE PROTECTION DEVICES

5.64

Some instructional programs require the use of eye protection devices. The principal shall direct such teachers to continuously follow procedures without exceptions.

- I. The Elba City Board of Education shall provide protective devices for Board employees, students, and visitors in situations where eye protection is necessary.
- II. The student shall be required to wear the eye protection device as directed by the teacher when engaged in activities where eye protection is needed. The student's failure or refusal to wear the device shall be cause for his/her suspension or dismissal from the course.
- III. Any Elba City School System employee who fails to carry out the provisions of this policy shall be charged with willful neglect of duty and shall be reported to the Superintendent or designee for such action as deemed appropriate.

REFERENCE(S):

CODE OF ALABAMA
16-1-7, 16-11-9, AAC §290-3-1-.02(A)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

5.68

In order to maintain the health and safety of all Elba City School students and employees, the following policy is adopted by the Board with appropriate training and procedures to be delivered to school system personnel.

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

An AED will be maintained on the premises of each school in the Elba City School System. The AED shall be used in emergency situations warranting its use by individuals specifically trained in the use of the device. AED units at elementary schools shall have adult pads/electrodes and child pads/electrodes. The lead school nurse will be responsible for coordinating the AED program and communicating with the medical director for revision of this policy as needed.

- I. The medical advisor of the AED program shall be a licensed physician selected by the Superintendent. The medical advisor will be responsible for providing medical direction, writing prescriptions for AEDs, reviewing/approving guidelines for emergency procedures related to cardio-pulmonary resuscitation (CPR) and use of AEDs, and evaluation of post-event review forms.
- II. The lead nurse for the School System shall train personnel in the use of AED equipment and appropriate emergency medical procedures. The lead nurse shall maintain appropriate reporting procedures and record-keeping to monitor personnel training, use of AED equipment and response to medical emergencies.
- III. All equipment and accessories necessary for support of crisis management response shall be maintained in a state of readiness.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, LEGISLATIVE ACT 2009-754**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

STUDENT RECORDS

5.70

Elba City Board of Education rules and procedures for maintaining student records shall be consistent with Alabama statutes, State Board of Education rules, and federal laws relating to Family Educational Rights and Privacy Acts and Privacy Rights of Parents and Students. The Superintendent shall be responsible for interpreting this rule and the school principal shall be responsible for controlling and supervising student records, following all rules on student records, and interpreting rules on student records to the school staff, students, and the community. Data shall be protected from unauthorized use at all times.

REFERENCE(S):

CODE OF ALABAMA

63-1-3, 16-1-4

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

DIRECTORY INFORMATION

5.71

Students' parent(s)/legal guardian(s) shall be notified annually that the Elba City Board of Education may release "directory information" to the general public.

- I. Directory information may include the following data about a student:
 - A. Name;
 - B. Address;
 - C. Telephone number, if listed;
 - D. Participation in officially recognized activities and sports;
 - E. Weight and height, if an athletic team member;
 - F. Name of the most recent school or program attended;
 - G. Dates of attendance at schools in the system and degrees and awards received.
- II. Information described in subsections I.A., D., E., F., and G. herein may be published routinely by the Elba City Board of Education in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.
- III. Directory information shall not be published when the student's parent(s)/legal guardian submits written notification to the principal prior to September 1, or within ten (10) school days after the student enrolls. Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information.

REFERENCE(S):

**CODE OF ALABAMA
FAMILY EDUCATIONAL RIGHTS AND PRIVACY
ACT OF 1974, SECTION 99.37**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

PARENTAL NOTIFICATION

5.72

In accordance with Title 1 of the No Child Left Behind (NCLB) Act of 2001, parents may request information regarding the professional qualifications of their child's classroom teacher(s) or the qualification of paraprofessionals providing services to their child. Additionally, parents may request information about their child's level of achievement on any state academic assessment. This Right-To-Know applies to any and all schools receiving Title 1 funds. For that information, send written requests to the principal or the system Human Resources Coordinator.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-1-4-.01, §290-3-1-.02
NO CHILD LEFT BEHIND ACT OF 2001

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 STUDENTS

PARENT INVOLVEMENT

5.73

It shall be the policy of the Elba City Board of Education to promote the active involvement of parents in their child's education through two-way and meaningful communication as well as other school and system wide activities designed to:

1. Ensure that parents play an integral role in their child's learning; promote family literacy and parenting skills.
2. Ensure that parents are included, as appropriate, in decision-making and serve on advisory committees that promote parent input into the process of program review, planning, and improvement.
3. Assist parents in helping their child meet challenging state and local student content standards and achievement standards.
4. Assist schools in planning and implementing effective parent involvement activities.
5. Involve parents in the annual evaluation and possible revision of the content and effectiveness of the Parent Involvement Policy in improving the quality of the systems schools.

It is the policy of this School Board that all provisions of No Child Left Behind Act of 2001 and the regulations are adhered to in all of our schools. This includes the provisions that involve parent involvement, parent's right-to-know, and parental notification. It also includes involving parents in an organized, ongoing, and timely way, in the planning, review, and improvement of federal programs.

Affording parents substantial and meaningful opportunities to participate in the education of their children shall be assured by and through the use of advisory committees, opportunities to volunteer, parent involvement meetings, parent-teacher conference days, reasonable access to staff, written resource materials, community and system wide surveys, as well as needs assessments.

REFERENCE(S):

CODE OF ALABAMA

16-11-9, 16-12-3

NO CHILD LEFT BEHIND ACT OF 2001

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 - STUDENTS

EXTRACURRICULAR ACTIVITIES

5.80

All extracurricular activities within the Elba City School System shall be system employee and school-sponsored. All students shall have the opportunity to participate in worthwhile extracurricular activities provided they are eligible to participate.

- I. Academic eligibility requirements shall be as listed in the Alabama Administrative Code Academic First rules (§290-3-1-.02(18)).
- II. An extracurricular activity shall be defined as all activities recognized and sanctioned by the Alabama High School Athletic Association and other extracurricular activities that are sanctioned by a public school which are not related to a student's academic requirements or success in a course(s).

Activities offered by the school through math, science, band, choral music, and other courses at events such as athletic events (pre-game, game, half time, or other breaks), club conventions, parades, amusement park trips and competitions, trips by tour companies, performances at various meetings, etc., are extracurricular, and students academically ineligible under this policy shall not be allowed to participate.

- III. Extracurricular activities shall be self-supporting when possible. Students shall not be excluded from participating in activities for lack of money for dues, materials, or uniforms. However, this does not apply to charging admission for students who are participants or spectators of extracurricular activities.
- IV. Appropriate adult supervision consistent with Alabama statutes shall be provided for all students.
- V. Students may be suspended from extracurricular activities based on procedures established by the appropriate coach or sponsor and approved by the principal and the superintendent.
- VI. A report of an alleged violation of this standard of conduct shall be submitted to the principal or designee for investigation. If the principal or designee determines that a violation has occurred, the student and his parent(s)/legal guardian shall be notified in writing of the suspension from school-sponsored extracurricular activities.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-3-1-.02(18)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 – STUDENTS

ATHLETICS

5.81

- I. All Elba City School System schools, grades 7-12, shall be members of the Alabama High School Athletic Association (AHSAA) and shall be governed by the rules and regulations adopted by AHSAA. Students who participate in athletics shall meet eligibility requirements established by AHSAA, the Elba City Board of Education and the Alabama Administrative Code. Membership dues will be paid from the internal accounts of each respective school.
- II. Students practicing or participating in any type of interscholastic athletics shall provide proof of accident insurance covering medical expenses of any injury sustained in a sport. The principal shall be responsible for obtaining proof, as evidenced by a signed statement from the student's parent(s)/legal guardian, of the student's insurance prior to practice or participation in interscholastic athletics. Such insurance may be made available to the parent(s)/legal guardian through the school or the parent(s)/legal guardian may submit evidence that insurance has been provided through another source.
- III. No student shall engage in practice or participate in any interscholastic game without the written permission of the student's parent(s)/legal guardian and a current physical examination as required by the Alabama High School Athletic Association being on file.
- IV. Pursuant to Alabama statutes licensed medical personnel who act as volunteers for school events and agree to render emergency care or treatment shall be immune from civil liability for treatment of a participant in any school-sponsored athletic event, provided such treatment was rendered in accordance with acceptable standards of practice and was not objected to by the participant.
- V. All students shall be subject to all Elba City Board of Education rules and to the Code of Student Conduct while attending athletic events and practices.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-11-15

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 - STUDENTS

STUDENT DRUG TESTING PROGRAM

5.82

It is the objective of the Elba City Board of Education to assure that all students who wish to participate in competitive extracurricular activities be given the opportunity to do so in a safe, drug-free environment and that all students participating in competitive extracurricular activities, while under the supervision of the school system, be completely free from the effects of alcohol and/or the presence of illegal or controlled substances. In an effort to meet this objective, the Board reserves the right to require any student desiring to participate in competitive extracurricular activities, events, practice, competition, or at any other time while under the supervision of the school system, to conduct a random unannounced drug screening.

The Board has the right to conduct random unannounced drug screenings of students participating in competitive extracurricular activities, as well as the right to conduct specific drug screening of students whenever an administrator, a coach, assistant coach, teacher, sponsor, band director, observes circumstances which provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances that violate the school substance abuse policies.

The Superintendent shall prepare procedures for implementing this policy consistent with local, state, and federal laws.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 5.00 - STUDENTS

INTERNET ACCEPTABLE USE

5.90

The Elba City School System is pleased to make available to students access to interconnected computer systems within the district and to the internet, the world-wide network that provides various means of accessing significant educational materials and opportunities.

In order for the Elba City School System to be able to continue to make its computer network and internet access available, all students must take responsibility for appropriate and lawful use of this access. Students must understand that one student's misuse of the network and internet access may jeopardize the ability of all students to enjoy such access. While the school's teachers and other staff will make reasonable efforts to supervise student use of network and internet access, they must have student cooperation in exercising and promoting responsible use of this access.

Below is the Acceptable Use and Internet Safety Policy of the school district and the data acquisition site that provides internet access to the school district. Upon signing and returning a form indicating acceptance of this policy each student will be given the opportunity to enjoy internet access at school. If a student is under 18 years of age, he or she must have his or her parents or guardians read and sign the policy. The school district cannot provide access to any student who, if 18 or older, fails to sign and submit the policy to the school as directed or, if under 18, does not return the policy as directed with the signatures of the student and her/his parents or guardians.

Listed below are the provisions of agreement regarding computer network and internet use. If there are questions about these provisions, contact the designated Elba City School System employee. If any user violates this policy, the student's access will be denied, if not already provided, or withdrawn and he or she may be subject to additional disciplinary action.

- I. Personal Responsibility – By signing this policy, you are agreeing not only to follow the rules in this policy, but are agreeing to report any misuse of the network to the person designated by the school for such reporting. Misuse means any violations of this policy or any other use that is not included in the policy, but has the effect of harming another or his or her property.
- II. Term of the Permitted Use - A student who submits to the school, as directed, a properly signed policy and follows the policy to which he or she has agreed will have computer network and internet access during the course of the school year only. Students will be asked to sign a new policy each year during which they are students in the school district before they are given an access account.
- III. Acceptable Uses
 - A. Educational Purposes Only – The Elba City School System is providing access to its computer networks and internet for educational purposes only. If you have any doubt about whether a contemplated activity is educational, you may consult

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with the person(s) designated by the school to help you decide if a use is appropriate.

- B. Unacceptable Uses of Network – Among the uses that are considered unacceptable and which constitute a violation of this policy are the following:
1. Uses that violate the law or encourage others to violate the law. Do not transmit offensive or harassing messages; offer for sale or use any substance the possession or use of which is prohibited by the Elba City School System Code of Student Conduct; view, transmit or download pornographic materials or materials that encourage others to violate the law; or intrude into the networks or computers of others, and download or transmit confidential, trade secret information, or copyrighted materials. Even if materials on the network are not marked with the copyright symbol, you should assume that all materials are protected unless there is explicit permission on the materials to use them.
 2. Uses that cause harm to others or damage to their property. For example, do not engage in defamation (harming another's reputation by lies); employ another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating or otherwise using her/his access to the network or the internet; upload a worm, virus, "trojan horse," "time bomb" or other harmful form of programming or vandalism; or participate in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.
 3. Uses that jeopardize the security of student access and of the computer network or other networks on the internet. For example, do not disclose or share your password with others, and do not impersonate another user.
 4. Uses that are personal commercial transactions. Students and other users may not sell or buy anything personal over the internet. You should not give others private information about you or others, including credit card numbers and social security numbers.
- C. Netiquette – All users must abide by rules of network etiquette, which include the following:
1. Be polite. Use appropriate language. No swearing, vulgarities, suggestive, obscene, belligerent, or threatening language.
 2. Avoid language and uses which may be offensive to others users. Do not use access to make, distribute, or redistribute jokes, stories, or other material which is based upon slurs or stereotypes relating to race, gender, ethnicity, nationality, religion, or sexual orientation.

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3. Do not assume that a sender of e-mail is giving his or her permission for you to forward or redistribute the message to third parties or to give his/her e-mail address to third parties. This should only be done with permission or when you know that the individual would have no objection.
4. Be considerate when sending attachments with e-mail (where this is permitted). Be sure that the file is not too large to be accommodated by the recipient's system and is in a format which the recipient can open.

D. Internet Safety

1. **General Warning: Individual Responsibility of Parents and Users** – All users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged pupils. Every user must take responsibility for his or her use of the computer network and internet and stay away from these sites. Parents of minors are the best guides to materials to shun. If a student finds that other users are visiting offensive or harmful sites, he or she should report such use to the person designated by the school.
2. **Personal Safety** – Be safe. In using the computer network and internet, do not reveal personal information such as your home address or telephone number. Do not use your real last name or any other information which might allow a person to locate you without first obtaining the permission of a supervising teacher. Do not arrange a face-to-face meeting with someone you “meet” on the computer network or internet without your parent's permission (if you are under 18). Regardless of your age, you should never agree to meet a person you have only communicated with on the internet in a secluded place or in a private setting.
3. **“Hacking” and Other Illegal Activities** – It is a violation of this policy to use the school's computer network or the internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access. Any use which violates state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance is strictly prohibited.
4. **Confidentiality of Student Information** – Personally identifiable information concerning students may not be disclosed or used in any way on the internet without the permission of a parent or guardian or, if the student is 18 or over, the permission of the student himself/herself. Users should never give out private or confidential information about themselves or others on the internet, particularly credit card numbers and social security numbers. A supervising teacher or administrator may authorize the

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release of directory information, as defined by Alabama law, for internal administrative purposes or approved educational projects and activities.

5. Active Restriction Measures – The school, either by itself or in combination with the Data Acquisition Site providing internet access, will utilize filtering software or other technologies to prevent students from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors. The school will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or any other material which is inappropriate for minors.

Internet filtering software or other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by students age 17 or older.

The term “harmful to minors” is defined by the Communications Act of 1934 (47 USC Section 254 [h][7]), as meaning any picture, image, graphic image file, or other visual depiction that:

- a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or erection;
 - b. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals;
 - c. Taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.
- E. Privacy – Network and internet access is provided as a tool for your education. The Elba City School System reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network and internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and remain the property of the school district and no user shall have any expectation of privacy regarding such materials.
 - F. Failure to Follow Policy – The user’s use of the computer network and internet is a privilege, not a right. A user who violates this policy, shall at a minimum, have his or her access to the computer network and internet terminated, which the school district may refuse to reinstate for the remainder of the student’s enrollment in the school district. A user violates this policy by his or her own action or by failing to report any violations by other users that come to the attention of the user. Further, a user violates this policy if he or she permits another to use his or her account or password to access the computer network

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and internet, including any user whose access has been denied or terminated. The school district may also take other disciplinary action in such circumstances.

- G. Warranties/Indemnification – The Elba City School System makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its computer networks and the internet provided under this policy. It shall not be responsible for any claims, losses, damages or costs (including attorney’s fees) of any kind suffered, directly or indirectly, by any user or his or her parent(s) or guardian(s) arising out of the user’s use of its computer networks or the internet under this policy. By signing this policy, users are taking full responsibility for his or her use, and the user who is 18 or older or, in the case of a user under 18, the parent(s) or guardian(s) are agreeing to indemnify and hold the school, the school district, the Data Acquisition Site that provides the computer and internet access opportunity to the Elba City School System and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims or damages resulting from the user’s access to its computer network and the internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user’s parent(s) or guardian(s) agree to cooperate with the school in the event of the school’s initiating an investigation of a user’s use of his or her access to its computer network and internet, whether that use is on a school computer or on another computer outside the Elba City School System’s network.
- H. Updates – Users, and if appropriate, the user’s parents/guardians, may be asked from time to time to provide new or additional registration and account information or to sign a new policy, for example, to reflect developments in the law or technology. Such information must be provided by the user (or her/his parents or guardian) or such new policy must be signed if the user wishes to continue to receive service. If after you have provided your account information, some or all of the information changes, you must notify the person designated by the school to receive such information.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, 16-13-231**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT AND RECRUITMENT

6.10

- I. The Elba City Board of Education recognizes that an effective educational program depends on the quality of the personnel employed in the system. Therefore, every effort shall be made to employ the most qualified personnel available. Applicants for position will be selected on the basis of their qualifications, merit, and ability. No person shall be denied employment, re-employment, advancement, or evaluations, nor shall be subjected to discrimination on the basis of sex, age, marital status, race, religion, national origin, ethnic group or disability.
- II. All personnel shall be appointed or re-appointed as prescribed by federal law, Alabama law and in conformance with applicable State Board of Education and Elba City Board of Education rules.
- III. The Superintendent is directed to develop appropriate employment procedures governing the recruitment, screening, selection, appointment and employment of all Elba City School System personnel. Employment qualifications and other criteria will be listed in job descriptions for each position within the school system.
- IV. The Superintendent shall establish and maintain a plan for actively recruiting promising personnel for employment by the Elba City School System. The recruitment program may include, but shall not be limited to, the following:
 - A. Interview prospective employees prior to graduation at area colleges;
 - B. Mail applications when requested by prospective personnel;
 - C. Advertise and/or disseminate information about job vacancies; and,
 - D. Review files obtained by college placement bureaus, the AEA office, and the Alabama State Department of Education.
- V. Recruitment and employment practices of the Elba City Board of Education shall follow Alabama State Department of Education and the Code of Alabama.

REFERENCE(S):

**CODE OF ALABAMA
16-12-16, 16-12-19, 16-11-17, 16-4-9;
CIVIL RIGHTS ACT OF 1964 AND AMENDMENTS;
SECTION 504 OF THE REHABILITATION ACT OF 1973,
AMERICANS WITH DISABILITIES ACT OF 1993, AAC §209-2-1-5**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT STATUS AND TIME SCHEDULES

6.11

I. Full Time - A regular full time certified employee is a person who is employed for the school term or for the school fiscal year to render the minimum number of hours each day as established by the Elba City Board of Education for that position or job. A full time support employee includes adult bus drivers and those employees working twenty (20) or more hours per week.

II. Part-time - A part-time certified employee is a person who is employed to render less than the number of hours each day as established by the Elba City Board of Education for a regular full time employee. A part-time support employee is a person employed less than twenty (20) hours per week.

III. Temporary - A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or to perform some work of a temporary nature. Such employment will cease at the close of the school term or school fiscal year or when the temporary work has been completed. A temporary employee may work any number of hours up to 40 hours per week.

IV. Time Schedules for Certified Personnel – Time schedules for certified personnel may be designated by the Superintendent and/or the immediate supervisor of said personnel. All administrative and supervisory personnel shall normally observe an eight (8) hour work day, unless otherwise assigned by the Superintendent. Local school administrators shall be on duty no less than thirty (30) minutes prior to the time fixed for school to open and thirty (30) minutes after the close of school. Certified teaching personnel are generally required to be on duty 15 minutes before the time set for the opening of their respective school and 15 minutes after the close of the school day, Monday through Friday, and the necessary time to transact faculty meetings, school business, and safe orderly dismissal of students, etc.

V. Time Schedules for Non-Certified Personnel – Time schedules for non-certified personnel may be designated by the Superintendent or the immediate supervisor of said personnel. In all cases, the Superintendent and/or supervisor in charge shall have the right to establish time schedules to encompass said employee's workday. Said work schedules shall be in compliance with the Fair Labor Standards Act.

REFERENCE(S):

CODE OF ALABAMA

16-8-9, 36-25-1, 36-26-100, 16-13-10

FAIR LABOR STANDARDS ACT

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

POSTING VACANT POSITIONS

6.12

- I. The Elba City Board of Education shall post a notice of vacancy for each vacant personnel position. The notice shall be posted in a conspicuous place at each school campus and worksite at least fourteen (14) calendar days before the position is to be filled. The notice shall include, but not necessarily be limited to, all of the following:
 - A. Job description and title
 - B. Required qualifications
 - C. A statement of reference to the approved salary schedule.
 - D. Information on where to submit an application
 - E. Information on any deadlines for applying
 - F. Other relevant information
- II. In accordance with Attorney General Opinion 2002-069, November 21, 2001 the following are exceptions to posting vacancies:
 - A. There is no vacancy when two (2) teachers trade positions; and
 - B. Where a lateral transfer occurs and the positions are neither newly created nor supervisory or managerial in nature, and there has been no increase or decrease in salary.
- III. If a personnel vacancy occurs during the time when schools are in session, the vacancy notice shall be posted not less than seven (7) calendar days before the position is to be filled. All vacancies involving jobs which are supervisory, managerial, or otherwise newly created positions shall nevertheless require posting notices of at least fourteen (14) calendar days. If the vacancy is to be filled on a temporary emergency basis through an involuntary transfer within fifteen (15) days before or after the first day of school (AL Code § 16-24B-7), the notice must be posted at least five (5) working days.
- IV. Nothing in this policy shall prohibit the immediate employment or transfer of Elba City School System personnel needed to ensure the welfare and safety of students, personnel or others and teachers on a temporary emergency basis as provided by law.
- V. It shall be the duty of the Superintendent to ensure that all certified and non-certified employees satisfactorily meet all requirements of State Law and State Board of Education rules and regulations.

REFERENCE(S):

**CODE OF ALABAMA
16-22-15, 16-24-63, AAC §290-2-1-5**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

JOB DESCRIPTIONS

6.13

- I. The Elba City Board of Education must approve a job description prior to the establishment of any new position.
- II. Each job description shall contain the minimal qualifications, required skills, essential performance responsibilities, physical requirements of the position and other information as deemed necessary.
- III. The Superintendent shall maintain comprehensive, up-to-date job descriptions for all Elba City School System positions.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-19, 32-6-49.1, et seq.
AAC §290-2-1-5**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

CONFLICTS OF INTEREST

6.14

The Elba City Board of Education prohibits School System employees from engaging in additional employment or any other personal pursuits that would affect their efficiency or usefulness as employees in the system; that would make time and/or energy demands upon such individuals which would interfere with their effectiveness in performing their contractual obligations to the Board; that would compromise or embarrass the School System; that would adversely affect their Elba City School System employment status or professional standing; or that would in any way conflict with or violate professional ethics or the state ethics.

The Elba City Board of Education prohibits any employee of the School System from directly or indirectly reaping personal profit or reward from the sale or purchase of goods or services to students in the School System or to parents of students.

Elba City School System employees acting as individuals are further prohibited from directly or indirectly furnishing or supplying a list or roster of names and addresses of students in the School System or parents of students to persons, firms, corporations, associations or organizations or to the salespersons or agents of any such entities who are engaged directly or indirectly in the business of selling school supplies or school-related activities, equipment or items without the written approval of the Superintendent.

REFERENCE(S):

CODE OF ALABAMA

16-9-13, 36-25-1, 36-25-2, 36-25-5, 36-25-8

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

GIFTS

6.14.1

- I. Staff members may, at their discretion, present personal gifts to student(s) on special occasions. Elba City School System staff members must exercise good taste and sound professional judgment when giving gifts to students. Gifts provided by staff members to students must not be elaborate or expensive.
- II. Elba City School System staff members shall not solicit or accept a gift, including money, from any source, when such a gift could be construed to be:
 - A. associated with the performance of school-related duties or activities;
 - B. a result of or a precondition to business transactions between the parties;
- III. Gifts of a nominal value on special occasions such as Valentine's Day, birthday, etc., are excluded from this provision. The value of the gift shall in no instance exceed the maximum for such gifts established by the Alabama Ethics Commission.
- IV. Staff members may present gifts to or accept gifts from other staff members provided the gifts are not unduly elaborate or expensive and are given on a voluntary basis.
- V. Staff members may accept gifts from students on special occasions, provided the gift is not unduly elaborate or expensive. Staff members should always use good judgment and adhere to the code of professional ethics when accepting gifts from students. In no case shall a staff member accept a gift from a student group, school organization, etc. in excess of a nominal value established by the Alabama Ethics Commission. In no case shall school funds be used to purchase said gifts.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 36-25-1, et seq

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

USE OF SCHOOL SYSTEM OWNED EQUIPMENT, VEHICLES AND MATERIALS

6.14.2

- I. All equipment, vehicles and materials owned by or purchased in the name of the Elba City School System shall be used exclusively for educational purposes as defined by the Board. Employees are authorized to use such equipment and materials while performing assigned job-related duties at their respective work sites/classrooms during regular work hours.
- II. Use of School System-owned equipment away from work sites/classrooms shall be limited to items that are directly related to completing school-associated work assignments. Under no circumstances are employees authorized to take equipment away from their work sites/classrooms without the prior written approval of their immediate supervisor/principal. When an employee is approved to use School System-owned equipment away from the work site/classroom, the equipment must be checked out by serial number or other appropriate identification and returned to the work site/classroom on a daily basis.
- III. Under no circumstances shall an employee lend, rent, or lease School System-owned equipment or vehicle to a non-employee or use such equipment for personal gain.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

NEPOTISM

6.15

- I. An Elba City School System employee may not be recommended for employment or be supervised by a close relative with the exception of those exemptions allowed by the Code of Alabama.
- II. Two or more close relatives may not work in the same administrative unit except by special permission of the Superintendent.
- III. Close relatives are defined as mother, father, son, daughter, brother, sister and spouse and in-laws of the same.
- IV. All personnel employed, as of the adoption date of this policy who are in violation of this provision, are exempted from this policy.

REFERENCE(S):

**CODE OF ALABAMA
16-18-11, 16-12-15, AAC §290-2-1-.01**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT REQUIREMENTS

6.16

Any person desiring employment by the Elba City Board of Education shall file a completed application on the form provided by the Superintendent or the Alabama State Department of Education.

- I. Certificate requirements - Each applicant for an instructional or a certified administrative position shall hold an appropriate professional certificate and all career/technical personnel shall meet the Alabama State Department of Education requirements and have the proper license to perform services.
 - A. To be considered for a position, an applicant shall be properly qualified for that position in accordance with state law, regulations of the State Department of Education and the approved job description. If it appears that the applicant is eligible for proper certification, appointment may be made subject to the conditions set forth in the contract of employment.
 - B. Any person not holding a valid professional certificate at the time of employment shall be required, upon initial employment to make application to the Alabama State Department of Education for such a certificate, through the personnel office of the Elba City School System. When such certificate is received, it must be filed with the office of the Superintendent. If the Alabama State Department of Education declines to issue a certificate, the person's employment shall be terminated immediately. Failure to file for such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.
- II. Criminal background checks by means of fingerprinting for prospective and current employees who have unsupervised access to students shall be conducted consistent with requirements of law.
- III. The Elba City School System shall ensure that all aspects of the recruitment and selection process are job-related and are consistent with business necessity to ensure equal employment opportunity. Neither the system nor its agents shall engage in any discrimination with respect to employment in violation of any state or federal laws. Applicants shall be informed of the complaint procedure that may be used should they allege discrimination.

REFERENCE(S):

CODE OF ALABAMA
16-22A-1 et seq., 16-23-1 et seq.
AAC §290-2-1-5

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

MEDICAL EXAMINATIONS

6.16.1

The Superintendent may require a physical, psychological, and/or psychiatric examination by a physician or counselor licensed in the state of Alabama when in the Superintendent's judgment such an examination is relevant to the teaching performance or employment status of a Elba City Board of Education employee. The Superintendent shall select the physician(s), psychologist(s), or psychiatrist(s) and the Board shall pay all costs incurred in the examination(s). The employee shall allow the report of the physician(s), psychologist(s), or psychiatrist(s) to be submitted to the Superintendent with a copy being forwarded to the employee.

Refusal to submit to such examinations may constitute grounds for dismissal.

REFERENCE(S):

CODE OF ALABAMA
16-1-18.1, 16-11-2, 16-11-9, 16-22-3

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

SUBSTITUTE TEACHERS

6.20

- I. An approved list of Elba City School System substitute teachers shall be provided to each school in the system.
- II. Applicants who seek employment as substitute teachers shall meet the following minimum qualifications and provide the appropriate materials as required:
 - A. Be at least twenty-one (21) years of age;
 - B. Hold a valid professional certificate or valid substitute teacher's license.
- III. The compensation for substitute teachers shall be for services rendered in accordance with the salary schedule adopted by the Elba City Board of Education.

REFERENCE(S):

**CODE OF ALABAMA
16-25-26, AAC §290-3-2.01**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

NON-PROBATIONARY STATUS/TENURE

6.21

- I. Teaching Personnel – Teachers attain tenure (non-probationary status) after three (3) complete, consecutive school years of full-time employment as a teacher with the Elba City School System unless the Board of Education approves and issues written notice of termination to the teacher on or before the last day of the teacher’s third consecutive complete school year of employment.

- II. Non-certified Personnel – Classified employees attain non-probationary status after three complete, consecutive school years of full-time employment with the Elba City School System unless the Board of Education approves and issues written notice of termination to the employee on or before the 15th day of June immediately following the employee’s third consecutive complete school year of employment.

- III. Employees of the Elba City Schools do not earn tenure or non-probationary status in a particular position, rank, work site or location, job assignment, title or rate of compensation. Employees may not apply service years in a classified position to service years in a professional/certified position or vice versa for purposes of attaining tenure or non-probationary status. Tenure cannot be earned in positions where the funding and duration of employment are finite, such as summer school, part-time substitute, temporary employment, or position created to serve experimental, pilot, temporary or similar special programs or projects.

REFERENCE(S):

LEGISLATIVE ACT 2011-270

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

VIOLATION OF LAW

6.30

- I. Anyone known to be violating a local, state, and/or federal law on Elba City Board of Education property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to state statutes and Elba City Board of Education rules.
- II. Elba City School System employees in violation of this policy may be subject to termination or other disciplinary action.

REFERENCE(S):

CODE OF ALABAMA
16-1-24(e), 16-12-3(a), 16-12-16, 36-25-2(a), (b), (d),
36-25-5(a), 36-25-7, 36-25-8

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00: HUMAN RESOURCES

EMPLOYEE POSSESSION OF DEADLY WEAPONS

6.30.1

Possession of a deadly weapon on Elba City School System property or on a school bus with the intention to do bodily harm is a Class C felony.

The Elba City Board of Education authorizes the Superintendent or designee to immediately and automatically suspend, terminate, or separate from service in accordance with Board policy any employee found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury. Deadly weapons are not to be carried by any employee on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.

Any Elba City School System employee determined to have brought to school or have in his/her possession a firearm defined in Section 921, Title 18 of the U.S. Code in a school building, on school grounds, or at other school-sponsored functions shall be subject to suspension, termination and/or separation from service in accordance with Board policy and the law as it is put forth in the Code of Alabama.

REFERENCE(S):

CODE OF ALABAMA
16-1-24, 16-1-24.1, 16-12-3, 16-12-16
AAC §290-3-1-.02(1)(b)(3)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYEE SOLICITATIONS

6.31

I. Solicitation by Employees

- A. Staff members shall not solicit or sell any goods or services on school property except as may be approved by the local school principal and the Superintendent.
- B. All fund-raising campaigns conducted by school employees in the community or away from school premises to obtain funds for the school, student body, class, or club must have prior approval by the local school principal and the Superintendent. Such fund raising campaigns shall not be conducted during regular school hours.
- C. Certified staff members shall not sell school related supplies and/or equipment or reference books for personal gain in the attendance area served by his/her instructional school.
- D. Staff members shall not furnish lists of students or parents to any commercial firm except as may be approved by the local school principal and the Superintendent.

II. Solicitations of Employees

- A. The School System shall not solicit funds from or attempt to sell goods or services to employees.
- B. All charity or fund raising campaigns shall be participated in on a voluntary basis by employees of the School System.
- C. The School System shall not allow commercial advertising or selling on school property during school or office hours without prior approval by the local school principal and/or Superintendent. This does not apply to those commercial firms that supply goods and services for school use.
- D. The School System or schools within the School System shall not furnish lists of staff members or students to any commercial firm.
- E. Membership in professional organizations shall be on an individual basis; however, the Board encourages certified personnel to affiliate with professional organizations.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3(a), 36-25-1(9), 36-25-2(a),

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

POLITICAL ACTIVITIES

6.32

- I. Elba City Board of Education employees shall not solicit support for any political candidate or issue during regular work hours.
- II. An Elba City Board of Education employee who offers himself/herself as a candidate for public office shall conduct his/her campaign so as not to interfere with his/her responsibilities.
 - A. Such candidate shall adhere strictly to Alabama laws governing political activity on the part of public officials and public employees.
 - B. A successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or the Elba City Board of Education, to evaluate the compatibility of the dual responsibility and the amount of time the employee will be absent. Under no circumstances will a Elba City School System employee who has been elected to public office be allowed to perform duties related to the public office while performing his/her duties for the school system.

REFERENCE(S):

**CODE OF ALABAMA
17-1-7(c), 36-25-1 et seq.**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

PROFESSIONAL ORGANIZATIONS

6.33

Certified and non-certified personnel of the Elba City School System shall respect each other's rights to choose for themselves the professional organizations with which they affiliate. Membership in professional organizations shall be on a voluntary basis. Administrators of the school system or local schools shall not take punitive action against employees because of their membership in professional organizations, or because of their failure to affiliate with said organizations.

REFERENCE(S):

CODE OF ALABAMA
36-26-100 to -108

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYEE GRIEVANCES

6.40

The Elba City Board of Education is committed to the task of maintaining the highest possible level of professional relations among members of the staff of the school system and of maintaining good morale among employees. Grievances and problems which may arise from time to time should be resolved at the lowest possible level that provides equitable and satisfactory solutions. The goal is to encourage the best possible relations among employees and to enhance morale. Persons who may become concerned in grievance matters are urged to work together constructively in a sincere effort to resolve their disagreements.

It shall be understood that the Board is the final authority in all matters pertaining to grievances unless an employee should desire to exercise proper redress through the courts or utilize appeal procedures as established by law.

I. Definitions

- A. Grievance – A *grievance* is a complaint by an employee based upon an alleged violation, misinterpretation or inequitable application of any published policy, rule or regulation of the school system. The term *grievance* should not apply to any matter in which the method of review is prescribed by law. *Grievances* are objections to a specific act or condition. Dismissals, terminations, transfers and any other procedures already established by law, as well as performance appraisals, including assessments, observations and evaluations, are not subject to the grievance procedures herein described.
- B. Employee – The term *employee* is considered to apply to anyone employed on a full time or part-time basis by the Elba City Board of Education, with the exception of the Superintendent.
- C. Supervisor – This term refers to that individual assigned to direct the work efforts of a person or group of persons within an organizational element and who has responsibility for management in respect to the functions of a defined organizational element. In a school, the principal would be the supervisor unless the job description states otherwise.
- D. Organizational Element – The term *organizational element* is any identifiable segment of the system that is clearly under the supervision of a single individual. This would include a school, a center and any support function.
- E. Representative – The term *representative* refers to any person chosen, if desired, by the aggrieved party to serve as the liaison supervisor.

II. Procedures

A. Informal Procedure

Hopefully, most grievances can be resolved informally and at the most immediate administrative level. With this objective in mind, simple, honest and straightforward communication is encouraged between the employee, the principal and the

CHAPTER 6.00 – HUMAN RESOURCES

Superintendent. An employee who feels he/she has a grievance should present the matter orally to the immediate supervisor or whomever is in a position to deal most effectively with the problem. The immediate supervisor or other appropriate person to whom the grievance is presented shall hear and attempt to resolve the grievance within five (5) days from the time presented and advise the grievant of the decision within forty-eight (48) hours thereafter. If the grievance is resolved, or if no further action is needed, the matter is closed. If an employee feels his/her grievance has not been resolved, he/she may resort to the formal procedure.

B. Formal Procedure

In order to resolve grievances in the most appropriate fashion and in the shortest period of time possible, each grievant should start at the most immediate level of administration and progress to the next level until the matter is resolved. A grievance may be heard before the following Administrative levels: Principal, Superintendent and the Board. If a level does not apply to a particular grievant, that level should be omitted from the process.

A completed Grievance Notification and Report Form must be filed at each administrative level and the grievant shall indicate with his/her filing at each level that will accompany or represent him/her in any meetings or hearings that might be conducted.

All meetings and hearings shall be conducted at a specified time that does not interfere with the employee's workday or the normal operation of the schools. Scheduled meetings or hearings can be changed with mutual consent of the parties in interest.

All records of meetings and hearings shall be maintained in confidence; however, this shall not be interpreted to prevent such records from becoming a part of the grievant's personnel file.

Grievances, as defined, will be heard at all levels within ten (10) days of receipt of written requests. All decisions rendered at each level shall be set forth in writing and transmitted to all parties in interest within ten (10) days. Within ten (10) days after the receipt of a decision, the aggrieved party may appeal to the next level.

The decision at the Board level shall be the final step in this administrative procedure.

Although this grievance procedure shall be updated from time to time as necessary, this policy shall defer to the present Code of Alabama at all times.

REFERENCE(S):

CODE OF ALABAMA
16-12-3(c), 16-12-16, 16-12-19, 16-23-1, 16-24-12
Title VII of Civil Rights Act of 1964.

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

GRIEVANCE PROCEDURE

6.41

Whenever a Elba City School System employee believes that he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, employees can resort to the more formal procedures as provided herein.

I. Definitions

- A. *Complaint* shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. *Complaint* shall not apply to any matter in which the method of review is prescribed by law. *Complaints* are objections to a specific act or condition. Dismissals, termination, transfers and any other procedure already instituted by law, as well as performance appraisals, including assessments, observations and evaluations, are not subject to the grievance procedure herein described.
- B. *Complainant* shall mean any employee or group of employees, directly affected by the alleged misinterpretation or violation, filing a complaint.
- C. *Employer* shall mean the Elba City Board of Education or its representatives.
- D. *Day* shall mean a working day.

II. Time Limits – The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

III. Released Time – The complaint procedure will normally be carried out during non-work time. If, however, the Board elects to carry out provisions during work time, the complainant shall lose no pay.

IV. Complaint Procedure

- A. Informal Discussion – If an employee believes there is a basis for complaint, he/she shall discuss the complaint with his/her immediate supervisor (except in cases of discrimination or harassment involving the supervisor, in which case the complainant shall report to the Equity Coordinator or other person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- B. Level One – If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her immediate supervisor or alternate. The supervisor or alternate shall communicate his/her answer in writing to the complainant. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.

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- C. Level Two – If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant.
- D. Board Appeal – If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the Elba City Board of Education, provided request for placement on Board agenda is filed within ten (10) days.
- V. Confidentiality will be provided to the extent possible to any employee, student or affected party who alleges discrimination or harassment.

REFERENCE(S):

CODE OF ALABAMA
16-1-30, 16-12-3(c); 16-12-16, 16-12-19
16-23-1, 16-24-22, 16-24-12,
TITLE VII OF CIVIL RIGHTS ACT OF 1964, TITLE IX OF
EDUCATION AMENDMENTS OF 1972

HISTORY

ADOPTED: February 21, 2013

SUSPENSION, TERMINATION, SEPARATION

6.50

- I. The Elba City Board of Education may suspend or terminate employees who have earned tenure or non-probationary status or are principals serving under contract for the following reasons:
 - A. Immorality;
 - B. Incompetence;
 - C. Insubordination;
 - D. Neglect of duty;
 - E. Failure to perform duties in a satisfactory manner;
 - F. Justifiable decrease in the number of positions (for contract principals, decrease must be due to decreased enrollment or funding); and
 - G. Other good and just cause.

- II. Contract principals also may be terminated for
 - A. Conviction of a felony or a crime involving moral turpitude;
 - B. Failure to fulfill the duties and responsibilities imposed upon principals by Alabama code;
 - C. Failure to maintain his/her certificate in a current status; and,
 - D. Willful failure to comply with Elba City Board of Education policy.

- III. Notification to the Elba City School System employee of a proposed termination and his/her hearing rights will be governed by applicable state law.

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- IV. An employee may be suspended for cause with or without pay on recommendation of the Superintendent and approval of the Board. Suspensions of more than twenty (20) work days may be appealed by the employee in the same manner as an appeal of termination.

- V. The Elba City Board of Education may end its employment relationship with employees who have not earned tenure or non-probationary status by providing the appropriate notice required under state law or contract.

- VI. The Elba City Board of Education may end its employment with principals serving as non-probationary contract principals by providing a reason why their contract will not be renewed and notice as provided in state law. Probationary contract principals may not be provided a reason.

REFERENCE(S):

CODE OF ALABAMA

16-24-8, 16-24-12, 36-26-100 to -108; 16-24-14; LEGISLATIVE ACT 2011-270

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

PERFORMANCE ASSESSMENT

6.60

- I. The Elba City Board of Education shall evaluate and assess the performance of the Superintendent per his/her contract and State Department of Education guidelines.
- II. Certified Personnel -- The Board authorizes the use of a state-approved personnel evaluation program for the evaluation of all certified personnel as required by the Alabama State Department of Education.
 - A. The Superintendent will develop a plan for implementation of the evaluation program, consistent with state guidelines, that ensures all Elba City School System personnel serving as evaluators will undergo the required state training and be certified under the program.
 - B. Evaluation results shall be considered in determining a teacher's professional development plan.
- III. Other Personnel – The Superintendent shall develop or select personnel performance assessment systems for all other staff. Probationary, non-certified employees will be evaluated during their probationary period by their supervisor.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

ANNUAL LEAVE OF ABSENCE

6.70

- I. A leave of absence is permission granted by the Elba City Board of Education or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave. Any absence of a member of the staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority.
- II. Leave may be with or without pay as provided by law, regulations of the State Board of Education, and these rules. For any absence that is without pay, the deduction for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the employment period.
- III. A leave shall not be granted to any Elba City School System employee to accept other employment. Accepting employment while on a leave of absence may cancel the leave. The person on leave may be notified that he/she must return to work with the Elba City Board of Education immediately, resign, or be terminated.
- IV. All requests for a leave of absence must be submitted to the Superintendent, in writing, with the additional approval and signature of the employee's direct supervisor. Requests must be received by the Superintendent at least one (1) week prior to a monthly Board meeting. Upon the recommendation of the Superintendent, the Board may grant a leave of absence. Limitations of the leave shall be specified in the action taken by the Board.
- V. An Elba City School System employee having leave for the year or for the remaining part thereof and who plans to return to duty the next school fiscal year shall send a copy of such notice to the administrative supervisor by May 1st of that fiscal year.
- VI. A leave of absence grants the employee the right to return to the system in a similar role, but does not guarantee the reappointment to the specific job held prior to the leave. Alabama teachers' tenure laws cover the specific aspects of leaves of absences and shall be followed in the Elba City School System.

REFERENCE(S):

CODE OF ALABAMA

16-1-18.1

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

NOTIFICATION OF ABSENCE

6.70.1

- I. The principal or designee shall notify and submit the appropriate leave form to the Superintendent when he/she plans to be away from school for a half-day or longer. The principal shall designate a responsible member of the administrative or instructional staff to be in charge during his/her absence.
- II. An Elba City School System employee who is absent from duty for any reason shall notify the principal or his/her immediate supervisor as early as possible. Such notification shall be given in advance unless conditions beyond the control of the employee make such advance notification impossible.
- III. Any Elba City School System employee who is willfully absent from duty without leave may be subject to dismissal from employment and shall forfeit compensation for the time of the absence.

REFERENCE(S):

**CODE OF ALABAMA
16-1-18.1, 16-1-30**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

VACATION LEAVE

6.70.2

All personnel who are employed full-time on a twelve (12) month basis are entitled to ten (10) days vacation leave per year. Vacation days may not be carried over from one year to the next.

Vacation days shall be earned by the month, and accountable by the year, July 1 through June 30. One (1) vacation day will be earned for each month employment up to ten (10) days per year.

New employees will begin earning vacation days on the effective date of employment, provided employment is on or before the fifteenth (15) of the month. Provided employment is after the fifteenth (15) of the month said employees will not earn vacation days for that month. Provided said employees resign on, or after, the fifteenth (15) of the month, they will not earn a vacation day for that month.

No vacation days will be granted before they are earned.

All vacation days must be used prior to effective resignation date. The School System shall not make cash payments for unused vacation days.

All vacation days must be approved by the school principal and Superintendent prior to effective leave date.

REFERENCE(S):

**CODE OF ALABAMA
16-1-18.1, 16-12-21**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

FAMILY AND MEDICAL LEAVE

6.70.3

- I. In compliance with the Family and Medical Leave Act of 1993, eligible full time Elba City School System employees are entitled to take up to twelve (12) weeks unpaid leave a year for the following reasons:
 - A. The birth of the employee's child;
 - B. The placement of a child with the employee for adoption or foster care;
 - C. To care for the employee's spouse, child, or parent who has a serious health condition;
 - D. A serious health condition rendering the employee unable to perform his/her job;
or
 - E. Other request as approved by the Elba City Board of Education.
- II. Employees are to provide at least thirty (30) calendar days notice, if possible, of their intention to take leave. Medical certification that the leave is needed is required for the employee's own serious health condition or that of a family member. The Elba City Board of Education will continue the employee's health insurance under the same conditions as if the employee were working. Upon returning from leave, the employee will be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment.
- III. Procedures for the implementation of this policy shall be developed at the direction of the Superintendent and shall be published in accordance with federal, state, and local laws and regulations.

REFERENCE(S):

CODE OF ALABAMA
16-1-18.1, 16-11-9, 16-22-9, 16-24-13
THE FAMILY AND MEDICAL LEAVE ACT OF 1993,

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.0 – HUMAN RESOURCES

MILITARY FAMILY AND MEDICAL LEAVE

6.70.3.1

- I. Military Caregiver Leave
 - A. An eligible employee of the Elba City Board of Education shall be granted up to a total of 26 workweeks of unpaid military family and medical leave during any 12-month period to care for a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness.
 - B. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy and is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
 - C. An eligible employee means one employed with the school system for at least 12 months during which time the employee worked at least 1,250 hours.
 - D. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.
 - E. The “single 12-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the Elba City Board of Education for other types of FMLA leave.
 - F. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the “single 12-month period.” Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.
- II. Qualifying Exigency Leave
 - A. An eligible employee shall be granted up to a total of 12 workweeks of unpaid leave during the normal 12-month period established by the Elba City Board of Education for FMLA leave for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces.

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B. Qualifying exigencies include:

- Issues arising from a covered military member's short notice deployment (i.e. deployment on seven or less days of notice) for a period of seven days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which rises from the active duty of call to active duty status of the covered military;
- Taking up to 5 days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member;
- Any other event that the employee and employer agree is a qualifying exigency.

III. Spouses employed by the same employer are limited to a combined total of 26 workweeks in a "single 12-month period" if the leave is to care for a covered service member with a serious injury or illness, and for the birth and care of a new born child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

IV. Military FMLA leave may be taken intermittently whenever medically necessary to care for a covered service member with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the school system's operation.

CHAPTER 6.0 – HUMAN RESOURCES

- V. Appropriate and verifiable documentation of the qualifying exigency, military status, and relationships of the individual(s) seeking military FMLA leave may be requested.

REFERENCE(S):

**NATIONAL DEFENSE AUTHORIZATION ACT 2008,
PUBLIC LAW 110-181 AS AMENDED
FAMILY AND MEDICAL LEAVE ACT OF 1993**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

ON-THE-JOB INJURY

6.70.4

- I. Any full-time Elba City School System employee shall be entitled to on-the-job injury leave for a period not to exceed ninety (90) working days per fiscal year when he/she has to be absent from work because of a personal injury received in the discharge of his/her duties.
- II. To be considered for on-the-job injury leave, the following conditions shall be met:
 - A. The employee must provide written testimony or evidence that his/her injury was received in the line of duty.
 - B. The employee may be required to supply written certification from a medical doctor who treated the patient, stating that in his/her opinion, there is a strong probability that the illness was contracted at the work site. The Elba City Board of Education may at its expense require a second medical opinion.
 - C. The employee must file a written claim as required by the employer.
- III. The employee or, if incapacitated, another person knowledgeable of the situation shall notify the supervisor within twenty-four (24) hours of the occurrence of the injury.
- IV. The supervisor or his/her designee shall notify the Superintendent of the injury on the date of occurrence and follow-up with a written report including all documentation concerning the injury.

REFERENCE(S):

**CODE OF ALABAMA
16-1-18.1**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

JURY - WITNESS DUTY

6.70.5

- I. An employee of the Elba City Board of Education who is summoned as a member of a jury panel may be granted leave with pay. Any jury fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.

- II. An employee who is subpoenaed as a witness, not involving personal litigation, may be granted temporary leave. Any witness fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness. A copy of the legal proceedings should be attached to the request for leave.

When an Elba City School System employee is subpoenaed in line of duty to represent the Board as a witness or defendant, he/she may retain any fees received from the court. In the event no fees are received from the court, he/she may be paid for meals, lodging, and travel expenses.

- III. When an Elba City School System employee is released from jury service and/or court appearances, he/she is to report promptly (same day if possible) to the employment positions.

REFERENCE(S):

CODE OF ALABAMA

16-11-9;

LEGISLATIVE ACT 1977-759

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

MILITARY LEAVE

6.70.6

- I. All Elba City School System employees are entitled to military leave of absence when ordered to active duty for training as members of the Alabama National Guard or any component of the U.S. Armed Forces. Employees who volunteer, are drafted or are ordered to extended active duty with any component of the U.S. Armed Forces shall be entitled to reinstatement to their former positions or comparable positions if the right is exercised in a timely manner as noted below.
- II. Military Leave for Training or Short-term Duty – Employees who are required to attend annual training or special active duty shall not suffer any loss of salary during the first twenty-one (21) days of such absence in any calendar year. Elba City School System employees who are ordered for such duty shall provide one copy of their orders to the Superintendent. Leave will be without loss of benefits. These arrangements shall apply to any “military call-ups.”
- III. Reinstatement to Positions after Extended Duty – Elba City School System employees who volunteer, are drafted or called to active duty for extended periods will be placed on Military Leave of Absence upon written application and be entitled to reinstatement to their former or similar positions upon their return and under the following conditions:
 - A. They must not have remained on active duty beyond their first opportunity for honorable or general release;
 - B. They must report to claim reinstatement within ninety (90) days after completion of such service (31 days in case of individuals who undergo only six (6) months active training or less).

A maximum of three (3) years of experience credit for placement on the school system salary schedule may be granted for service in the U.S. military.

REFERENCE(S):

CODE OF ALABAMA
16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

PERSONAL LEAVE

6.70.7

- I. Personal Leave – All Elba City School System employees will receive two (2) personal leave days funded by the state. In addition, the Board will grant one (1) additional day for a total of three (3) days per employee. Upon use of the third personal leave day, the cost of a substitute teacher shall be deducted from the employees pay.
- II. When the personal leave days are not used, Elba City School System certified employees may receive, upon written request, compensation at the same daily rate paid for their substitute. Otherwise, unused personal leave days will be converted to sick leave days in July.
- III. Personal leave is non-cumulative and requires no justification from the employee. The Superintendent shall establish and publish procedures for documenting personal leave by employees.

REFERENCE(S):

**CODE OF ALABAMA
16-1-18.1, 16-8-26**

HISTORY

ADOPTED: February 21, 2013

PROFESSIONAL LEAVE AND LEAVE FOR TRAINING

6.70.8

- I. Professional Leave - Professional leave may be granted to personnel for participation in educational activities related to instructional improvement in the Elba City School System.

- II. Leave for Training – Leave for training shall be granted to support personnel to participate in activities that will enrich the Elba City School System’s program and improve skills or understandings of the employee.

- III. All professional leave and leave for training requests must be approved by the Superintendent of Education before utilization.

- IV. The Board authorizes the Superintendent to grant release time for duly authorized delegates/personnel to attend professional meetings (NEA, AEA, CTA, ESPO, etc.). Such leave shall be approved in advance by the Superintendent. When such leave is granted, needed substitute personnel shall be paid applicable substitute pay through regular payroll procedures, with the Association reimbursing the School System for one-half (1/2) of the costs.

REFERENCE(S):

CODE OF ALABAMA

16-1-18.1, 16-13-231, 16-24-13

HISTORY

ADOPTED: FEBRUARY 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

SICK or BEREAVEMENT LEAVE

6.70.9

- I. Sick leave is defined as the absence from regular duty by an employee because of the following:
 - A. Personal illness or doctor's quarantine;
 - B. Incapacitating personal injury;
 - C. Death in the family of the employee (parent, spouse, child, sibling, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, grandchild, grandparent, uncle or aunt);
 - D. Where unusually strong personal ties exist because of an employee's having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In such cases the employee concerned shall file with the Board a written statement of the circumstances which justify an exception to the general rule;
 - E. Attendance to an ill member of the immediate family (parent, spouse, child, sibling) of the employee, a person standing in loco parentis, or an individual with a close personal tie.
- II. Elba City School System employees shall be allowed to accumulate an unlimited number of sick leave days.
- III. A new employee may transfer unused earned sick leave from another Alabama school board, as permitted by law, upon certification by the previous employer.

REFERENCE(S):

**CODE OF ALABAMA
16-1-18.1 TO 2, 16-8-26,
16-12-21, 16-25-1, 16-3-36**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

MATERNITY LEAVE

6.70.10

An employee of the Elba City School System who does not qualify for Family and Medical Leave (Policy 6.70.3) shall be eligible for maternity leave in accordance with the following provisions:

- I. Maternity leave shall be without pay, except that accumulated sick leave days and/or personal leave days may be utilized in accordance with law when pregnancy has been confirmed.
- II. Maternity leave normally shall not extend over a period of time exceeding twelve (12) calendar months. Requests for maternity leave, for periods exceeding twelve (12) months for extraordinary circumstances (extended illness, complications, etc.), will be considered by the Board.
- III. Maternity leave shall become effective under ordinary circumstances when (1) the employee requests and has such leave approved by the Board, and/or (2) the attending physician notifies the Board that it is in the best interest of the teacher to take such a leave.
- IV. Maternity leave ends, under ordinary circumstances, when (1) the employee requests to return to work, and/or (2) the attending physician determines the employee is able to return to work.
- V. Maternity leave shall not be counted as experience in the determination of placement on the salary schedule, except that an employee who has served at least ninety (90) days during that scholastic school year shall be placed on the salary schedule on the step she would have reached had she completed the full year.
- VI. An employee, on return from maternity leave, shall be restored to her former position. She shall maintain her tenure status and all accruable benefits, except that, days are not to be accrued for sick leave, personal leave, or annual leave while on maternity leave without pay.

REFERENCE(S):

**CODE OF ALABAMA
16-8-25, 16-1-18.1**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

SICK LEAVE BANK

6.71

- I. The Elba City Board of Education, upon request of a minimum of ten percent (10%) of its full time professional personnel and full time support personnel, shall establish a sick leave bank for such personnel. The plan, if established, shall allow each employee to deposit into the bank an equal number of his/her earned sick leave, not to exceed five (5) days. These days shall be available for loan to any other participating employee whose sick leave has been exhausted.
- II. A Sick Leave Bank Committee composed of four (4) Elba City School System employees and one (1) representative appointed by the Superintendent shall be established and selected as provided by law.
- III. The Sick Leave Bank Committee shall write the guidelines and procedures for the sick leave bank, including catastrophic leave provisions of law, for Board approval. All changes must be approved by a majority of the Sick Leave Bank membership.
- IV. All guidelines and procedures must be consistent with law.

REFERENCE(S):

**CODE OF ALABAMA
16-1-18.1, 16-22-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

DRUG-FREE WORKPLACE

6.72

It is the policy of the Elba City Board of Education that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace is prohibited. Employees shall not possess, use, transfer, sell, deliver, nor be *under the influence* of narcotics, drugs, alcohol, controlled substances or use chemical substances which can affect psychological functioning of the employee. Elba City School System employees shall not possess paraphernalia specific to the use of chemical substances. This policy shall apply on all system school properties, in school buildings, in school buses or during any school-sponsored extra-curricular activities.

Employees violating this policy will be subject to disciplinary action by school officials, including termination of employment, and may be subject to legal action by local, state and federal officers.

The specifics of the policy are as follows:

- I. The Elba City School System does not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on the school system premises will be subject to disciplinary action, including termination of employment.
- II. The term *controlled substance* means any drug listed in 21 USC Section 812 and other federal regulations. Generally these are drugs that have a high potential for abuse. Such drugs include, but are not limited to heroin, marijuana, cocaine (including crack) and PCP. They also include *legal drugs* which are not prescribed by a licensed physician.
- III. Each Elba City School System employee is required by the Drug-free Workplace Act of 1988 to inform the Superintendent within five (5) days after he/she is convicted for a violation of any federal or state criminal drug statute. A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a judge or jury in any federal or state court.
- IV. If the employee is paid with funds from a grant, the Superintendent must notify the U. S. Department agency by which the grant was made within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of such conviction.
- V. If an employee is convicted of violating any criminal drug statute while in the workplace, he/she will be subject to disciplinary action, including termination of employment. Alternatively, the Elba City School System may require the employee to successfully complete a drug abuse program sponsored by an approved private or governmental institution.
- VI. As a condition of employment on any federal government grant, the Act requires all employees to abide by this policy.

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- VII. Employees who use prescription drugs authorized for their use by a licensed physician do not violate this policy.
- VIII. *Under the influence* is defined as manifesting signs of chemical use/misuse such as staggering, odor of chemicals on breath or person, unusual inappropriate behavior, or *testing positive*.

REFERENCE(S):

CODE OF ALABAMA
16-2-2, 16-3-11-12, 16-3-14, 16-26-1-3
DRUG FREE WORKPLACE ACT OF 1988, 34 CFR PART 85, SUBPART F
AAC §290-3-1-.02(1)(A)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

DRUG AND ALCOHOL TESTING OF DESIGNATED EMPLOYEES

6.80

The Elba City Board of Education recognizes that our employees are our greatest asset. Our employees are the indispensable key to our goal of providing the best possible education program for our students. To achieve our goal and to maximize the skills and talents of our employees it is important that every employee of our School System understand the dangers of drug and alcohol abuse and be aware of the new federal requirements concerning substance abuse. This policy statement should clarify our position on employee drug and alcohol use.

Designated employees are currently defined as employees who hold a CDL and school bus driver's licenses and drive a School System bus/vehicle to transport students and employees who operate School System-owned vehicles.

In compliance with the Omnibus Transportation Employee Testing Act of 1991, as a condition of employment, the Board reserves the right to require designated employees to sign an Application/Employee Consent Form and to submit, at any time they are on duty or following their involvement in a reportable vehicular accident, to drug tests to determine the presence of prohibited substances.

The objectives of this policy are:

- A. To reduce the likelihood of incidents of accidental personal injury and/or damage to pupil transportation, students, or property.
- B. To comply with Federal regulations and requirements of the Omnibus Transportation Employee Testing Act of 1991.
- C. To create and maintain a safe, drug-free working environment for all employees serving the goals of public education.
- D. To encourage any employee with a dependence on, or an addiction to, alcohol or other drugs to seek help in overcoming the problem.
- E. To reduce problems of absenteeism, tardiness, carelessness, and/or unsatisfactory matters related to job performance.
- F. To reduce the likelihood that school property will be used for illicit drug activities.
- G. To provide a positive image of the School System and its employees.

The Board requires that all employees report to work without any alcohol or illegal or mind-altering substances in their systems. The Board also prohibits employees from using, possessing, manufacturing, distributing or making arrangements to distribute illegal drugs or alcohol while at work or on School System property.

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Further, outside conduct of a substance abuse-related nature that affects an employee's work or the Board's relationship with the government is prohibited. Employees must inform their supervisor when they are legitimately taking medication that may affect their ability to work, in order to avoid creating safety problems and violating the Drug and Alcohol Policy.

As a condition of employment, the Board requires all designated employee's to submit, at any time they are on duty or following their involvement in a reportable vehicular accident, to drug tests to determine the presence of prohibited substances.

Pursuant to Board policy and procedures, designated employees will undergo testing:

- (1) At the time of initial employment;
- (2) When the Board or its designee has reasonable cause to believe an employee has violated its drug and alcohol policies;
- (3) On a random basis without advance notice;
- (4) Following any reportable accident;
- (5) Following rehabilitation, employees who return to work will be required to undergo random testing in addition to the general Board testing requirements.

The Board also reserves the right to search desks, cabinets, toolboxes, vehicles, including personal vehicles of designated employees brought on the School System's property, bags, or any other property at the school or in the designated employee's personal vehicle.

Violation of these rules, including testing positive, will subject the employee to discipline, including possible discharge. Refusal to cooperate with the School System's procedures in any test investigation will result in discipline, including possible discharge.

Substance screening is required for all designated final applicants. Applicants are required to sign a consent/release form before submitting to screening. Applicants will be disqualified for hire if they test positive, refuse to submit to a test, or refuse to execute the required consent/release form.

Substance screening of designated employees may be conducted in the following circumstances:

I. Reasonable Cause

All designated employees will be required to submit to screening whenever a supervisor observes circumstances he/she believes indicate an employee has used a controlled substance or otherwise violated the substance abuse rules. Among other things, reasonable cause testing may result from supervisor observation, co-worker complaints, performance decline, attendance or behavior changes, involvement in a workplace or vehicular accident, or other actions that indicate a possible error in judgment or negligence, or other violations of the drug or other School Board policy.

The supervisor(s) requesting testing shall prepare and sign written documents explaining the circumstances and evidence upon which they relied within 24 hours of the testing, or before the results of the tests are released, whichever is earlier. While one supervisor may request a reasonable cause test, when feasible, supervisors are encouraged to obtain a second supervisor as a witness.

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II. Random Testing

The Board will conduct random unannounced screening of all designated employees, regular and substitute. The Board will administer tests of employees in a number equal to or greater than 50 percent of the designated employees without advance notice - in the first 12 months of testing. There will be no maximum number of samples that any one individual will be required to provide. Subsequent testing will be conducted at levels equal to or greater than the initial testing level. A testing firm will provide computerized random sample lists to the Superintendent or designee. The list of employees in the random pool will be updated on a monthly basis. Employees will be required to report to the Board designated collection site for testing as soon as possible but in no case later than two (2) hours following notification. The tests will be spread reasonably over the 12 months.

III. Post Accident Testing

Employees are required to immediately notify the Superintendent or designee of any reportable accident. Any reportable accident requires employees involved in the accident to undergo substance screening within three (3) hours of the accident or as soon as possible thereafter. The Board will discipline, including possible discharge, any employee who fails to report an accident or submit to substance screening where required by law or this policy.

The Superintendent or designee shall complete an Accident Report in compliance with required Board policy.

IV. Return to Duty Testing

All employees who are suspended for abuse of substances covered under this policy will be subject to additional unannounced testing

V. Testing Procedures

A. General Guidelines

The Board and its designated laboratory (MRO) shall rely, when practical, on the guidance of the Federal Department of Transportation, Procedures for Transportation Workplace Drug Testing Programs.

B. Substances Tested for All Designated Employees

Designated employees will regularly be tested for: alcohol, amphetamines, cannabinoids, cocaine, opiates, and phencyclidine. Employees may be tested for other substances without advance notice as part of a separate test performed by the School Board for safety purposes. Such tests will be coordinated with the Superintendent or designee.

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C. Testing Procedure

The Board reserves the right to utilize blood, hair, breath, saliva, or urinalysis testing procedures. Only urinalysis will be utilized in the pre-employment and random testing. All initial positive urine specimens will be confirmed by gas chromatography/mass spectrometry (GC/MS).

Alcohol testing will be conducted by a certified Breath Alcohol Technician (BAT) using a DOT approved evidential breath testing (EBT) instrument.

D. Collection Sites

The Board or designee will designate collection sites in areas where it maintains facilities or job sites where individuals may provide specimens.

E. Collection Procedures

The Board, the program management firm, and the laboratory shall develop and maintain a documented procedure for collecting, shipping and accessing urine specimens. The program management firm and the laboratory will utilize a standard Urine Custody and Control Form for all employee testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will also be used.

Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure as reasonable. Alcohol testing will be done by having the subject exhale into a DOT approved evidential breath-testing device. If the initial test reading is .02 or greater, the subject must wait 15 minutes and repeat the test. Refusal of the subject to wait for the confirmation test will be considered a positive test.

All designated employees will also be required to complete the Board's Applicant/Employee Consent Form.

F. Occasions when the Collection Personnel Should Directly Observe the Specimen Being Provided

The Board has adopted the direct observation procedures as set out in Section 40.25 of the Department of Transportation regulations. An employer or medical representative at the collection site may directly observe the employee actually provide the specimen when there is reason to believe that an individual may alter or substitute the specimen. Section 40.25 (e) (2) sets out the only four circumstances when direct observation is appropriate:

1. The employee has presented a urine specimen that falls outside the normal temperature range, and the employee declines to provide a measurement of

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oral body temperature by sterile thermometer, or the oral temperature does not equal or exceed that of the specimen.

2. The last urine specimen provided by the employee (i.e., on a previous occasion) was determined by the laboratory to have a specific gravity of less than 1.003 and a creatinine concentration below .2 g/L.
3. The collection site person observed conduct clearly and unequivocally indicating an attempt to substitute or adulterate the sample (e.g., substitute urine in plain view, blue dye in specimen presented, etc.).
4. The employee has previously been determined to have used a controlled substance without medical authorization and the particular test is being conducted as a part of a rehabilitation program or on return to service after any required rehabilitation.

A second specimen should be obtained under direct observation wherever there is reason to believe that the individual may have altered or substituted the specimen. When necessary, medical personnel may obtain a specimen outside of a designated collection site (such as, at a public rest room at an accident investigation).

G. Evaluations and Return of Results to the Board

The laboratory will transmit (by fax, mail, or computer, but not orally over the telephone) the results of all tests to the School Board's MRO. The MRO will be responsible for reviewing the quantified test results of employees and confirm that the individuals testing positive have used drugs in violation of Board policy. Prior to making a final decision, the MRO shall give the individuals an opportunity to discuss the result either face to face or over the telephone. The MRO shall then promptly provide the Superintendent or designee with the names of employees or applicants who test positive.

H. Release of Test Results

Test results shall not be released by the Board, beyond the MRO, the Superintendent and Board without the individual's written authorization. However, all employees will be required to complete a consent/release form permitting the School Board to release test results and related information to the Unemployment Compensation Commission or other relevant government agency. The MRO shall retain the individual test results for positive specimens for five (5) years and negative for twelve (12) months.

VI. Discipline

The Board will discipline, including possible discharge, employees for any violation of the policy, including refusing to submit to screening, to execute a release, or otherwise cooperate with an investigation or search.

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All current employees who test positive will be subject to discipline up to and including discharge. Rehabilitation will be limited to the degree of treatment provided within the Board's regular employee benefit plan.

No employee may be returned to regular duty after rehabilitation or testing positive unless certified as safe and not using drugs by the Board's MRO and presentation of required certification, i.e., CDL, SDE Certificate, State Driver's licenses, etc. Any employee returned to duty after violating the policy or testing positive will be subject to aftercare and random testing as set out in a written Probation Agreement which he/she will be required to execute. Any employee dismissed as a result of violating policy or testing positive may reapply for any employment position for which he/she is qualified.

VII. Employee Assistance Program (EAP)

The Board EAP shall make available information for employees and supervisors regarding drugs and alcohol and the effects and consequences of drug and alcohol abuse.

VIII. Investigation/Searches

When a supervisor suspects that an employee has violated the substance policy, he/she may inspect vehicles (including vehicles which an employee brings on the School Board's property), lockers, work areas, desks, purses, briefcases, toolboxes, and other locations or belongings without prior notice in order to ensure a work environment free of prohibited substances. An employee must be present to remove a personal lock. Refusal to open a personal lock will result in discipline, including possible discharge. The Board may release any illegal, or controlled drugs, or paraphernalia to appropriate law enforcement authorities.

All searches should be coordinated with the Superintendent or designee.

IX. These procedures should not be construed as contractual in any nature. They represent the Board's current procedures for dealing with a developing problem under evolving laws and facts, and may be changed without advance notice.

REFERENCE(S):

**CODE OF ALABAMA
16-1-18.1, 349 CFR PART 40, DOT,
49 CFR PARTS 382 & 391, FEDERAL HIGHWAY ADMINISTRATION**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

PERSONNEL RECORDS

6.82

The Elba City Board of Education shall require complete and current personnel records for each employee. All information contained in an employee's personnel file, except sensitive personnel records, are considered public records under Alabama law.

- I. Each Elba City School System employee shall have a right to review her/his local school or central office personnel file during normal business hours. No anonymous letters or materials shall be placed in personnel files. Each employee may have included in his/her personnel file a written response to any material contained within the file.
- II. Any Elba City School System employee may request to review her/his personnel file at any time that is mutually agreeable with the Personnel Administrator and when the employee is not engaged in fulfilling employment-related duties. The Personnel Administrator or certified designee must be present during the review. A log shall be maintained documenting any such review.
- III. A copy of all materials to be placed in an employee's record which may tend to diminish the employee's professional or work status or reflect adversely on the employee's record of performance or character shall be provided to the employee.
- IV. Any anonymous complaint or material received by a school official shall be immediately transmitted to the Superintendent. If the material is deemed worthy of an investigation by the Superintendent, it may be investigated. The results of the investigation may be reduced to writing, signed by the Superintendent, principal, or other designated official in charge of the complaint, dated, attached to the material in question, and may be placed in the personnel file of the employee. Any anonymous complaint which is not investigated within thirty (30) calendar days of its receipt by the Superintendent shall not be retained, but shall be destroyed.
- V. The transfer of the personnel file or any parts, summation, or copies of the personnel file of the employee shall be effectuated upon the written request of the employee.

The Elba City School System may transfer an employee's personnel file or copies or parts thereof to another employer or prospective employer.

REFERENCE(S):

CODE OF ALABAMA

16-11-9, 16-12-3, 16-22-14, 16-22-17, 36-12-40, 41-13-1

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

SALARY SCHEDULES AND PERSONNEL AGREEMENTS

6.83

I. Salary Schedules

The Superintendent shall prepare or cause to be prepared salary schedules for all professional personnel employed by the Elba City School System. The salary schedules shall be presented to the Board for review and approval annually.

II. Salary Schedules for Temporary Personnel

Salary schedules for substitute teachers and other temporary personnel shall be prepared by the Superintendent and presented to the Board annually for review and approval.

III. Agreements

The Board and its employees shall enter into Agreements for fixed compensation. Such fixed compensation may be changed for any succeeding year in accordance with the Board's salary schedule.

IV. Ending Service

All professional personnel who do not plan to be in service the subsequent year must give written notice to the Superintendent no later than thirty calendar days before the first day of the next school term so that the best replacement can be found. Any employee who does not provide written notice, exclusive of mutual agreement, within thirty days of the beginning of the school term may not be released from his/her contract. The employee may terminate his or her employment after the beginning of the school term by giving five days written notice of such action. All professional personnel found to be in violation of these conditions may face certificate revocation.

The Elba City School System shall notify, in writing, a non-tenured professional employee on, or before, the last day of the school term if his/her contract is to be non-renewed by the Board.

REFERENCE(S):

CODE OF ALABAMA
16-11-17, 16-13-231.1, 16-22-6, 16-22-17, 16-24-11
AAC §290-2-1-5 (C)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

COMPENSATORY TIME

6.86

Compensatory (comp) time occurs when a support/classified employee works more than his/her scheduled work hours during a work week. It is the intent of the Elba City Board of Education that each employee adhere to his/her work schedule; however, there may be times when the immediate supervisor of an employee may request him/her to begin work before or work beyond the normal work day/week. If this occurs, the employee shall earn comp time for the time he/she works. Recorded comp time will be possible only in minimum time units of one-half hour.

For an employee to earn comp time, it should always be approved by the immediate supervisor prior to working beyond the regular work day. The immediate supervisor shall record earned comp time on an approved form and shall give the employee a copy within one week from the day the work was performed.

The immediate supervisor shall, if possible, provide the employee mutually agreed upon time to take earned comp time prior to June 30 each year. If the work performed occurs between May 31 and June 30, the employee will have until June 30 of the following year to use the earned time.

The approval and use of comp time will have no relationship whatever to payroll of the Elba City School System employee. Comp time may be granted only to non-certified employees whose job titles or responsibilities indicate that the position is non-supervisory; however, comp time may be granted to all Central Office non-supervisory employees by the Superintendent. Comp time will be awarded at a rate of one and one-half times the amount of time worked when time worked within the work week is over forty (40) hours. Any approved comp time under forty (40) hours will be exchanged hour for hour of comp time.

REFERENCE(S):

CODE OF ALABAMA
16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

OVERTIME – NON-SUPERVISORY PERSONNEL

6.87

It is the intent of the Elba City Board of Education for its employees to perform the necessary tasks of their jobs during the regular designated work week. However, there may be certain circumstances, in the best interest of students and the school system, when emergencies would necessitate that certain employees work beyond their designated work week. However, the option to receive compensatory time rather than pay must be approved by the immediate supervisor and the Superintendent.

Overtime should always be requested by the immediate supervisor and approved by the Superintendent or a designated representative on the approved form for overtime. Verbal approval should be given by the immediate supervisor at the time the work is done; however, an immediate follow-up written request must be forwarded to the Superintendent for approval within one working day after the work has been performed. Overtime pay may be granted only to non-certified employees whose job titles or responsibilities indicate that the position is non-supervisory.

Payment for overtime shall be made to the appropriate Elba City School System employee at the next regular pay period if submitted prior to the deadline for the pay period.

REFERENCE(S): FAIR LABOR STANDARDS ACT OF 1938, TITLE 29, PART 541,
SECTION 13(A)(1) AND SECTION 13(A) (17) AS REVISED

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

TRANSFERS

6.90

Elba City School employees may be reassigned or transferred to any position for which they are qualified by skill, training, or experience.

A teacher may be transferred within the same school or campus by the Superintendent once per year by the 20th calendar day after school begins, provided the teacher has the appropriate certification for the position to which he/she is transferred. Tenured teachers may be transferred to another school without reduction in compensation to a position for which he/she is certified with the approval of the Board of Education once per year by the 20th calendar day after school begins.

Non-probationary classified employees may be transferred once per year to any position for which they are qualified provided that the transfer is without loss of or reduction in compensation, that written notice of the proposed transfer is issued to the employee not less than 15 calendar days before a final decision is made, and that the transfer is effective not less than 15 calendar days after the date of the final decision to transfer.

Probationary employees (certified or classified) may be transferred to a position for which he/she is certified or qualified that results in a loss of or reduction in compensation. Such transfers must be effective not less than 15 calendar days after the date of the final decision to transfer. Employees must be provided notice of the proposed transfer that contains a written explanation of the effect of the transfer on the employee's compensation and notice that the employee may object in writing to the transfer before a final decision is made. Tenured teachers or non-probationary classified employees involuntarily transferred to a position with less pay shall be provided due process in the same manner as a proposed termination of employment.

REFERENCE(S):

CODE OF ALABAMA

16-9-23; 16-24-5 TO -7; LEGISLATIVE ACT 2011-270

HISTORY

ADOPTED: FEBRUARY 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

REDUCTION IN FORCE

6.91

- I. In accordance with The Code of Alabama §16-1-33 (1975) a reduction-in-force may be declared by the Elba City Board of Education and layoffs approved thereunder if the Board determines that decreased student enrollment or a shortage of revenues requires a reduction in the work force (beyond normal attrition) in order to maintain effective provision of educational services or to meet the Board's financial, legal, or operational obligations.

A "layoff" within the meaning of this policy is a separation from employment with the Elba City Board of Education. However, employees who are laid off under this policy are eligible for recall to employment as conditionally provided in this policy. Moreover, layoffs are not terminations within the meaning of the Alabama Teacher Tenure or Fair Dismissal laws and are not subject to the procedural or substantive requirements thereof.] The term "layoff" does not include or apply to the expiration of temporary, occasional, or "at-will" appointments or to decisions not to renew or extend employment beyond the expiration of annual or other specified terms of appointment.

- II. The order, priority, rank or selection of individual employees who are to be laid off under authority of this policy shall be determined on the basis of objective criteria. However, nothing herein shall be deemed or construed to limit or abridge the Board's legislative discretion to identify areas, department, programs, groupings or classifications for reductions (layoffs). (For example, the Board is not required to implement layoffs in classified or support categories of employees before laying off certified or instructional staff.)
 - A. The criterion or criteria on which the layoffs are to be based shall be announced or otherwise communicated by the Board to affected employees no later than the date of the notice of layoff is provided to employees.
 - B. "Objective criteria" within the meaning of this policy may include any lawful selection standard, or combination of standards, that is verifiable, calculable, measurable, or otherwise determinable by means or methods other than the personal or subjective judgments or opinions of the person(s) applying the criteria, and that would be expected to produce the same result if applied to the same employees or group of employees by different persons. Such objective criteria may include, but are not limited to:
 - Seniority, longevity, or time in service that will be more specifically described in the notice of layoff that is provided to affected employees
 - Years of experience
 - Degrees, certification, or licensure
 - Job classification
 - Status as probationary or non-probationary employee

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

Circumstances permitting, and to the extent practicable, the selection of employees for recall will be based on the criteria that were applied to the layoffs themselves if there are more employees eligible for recall than positions available to fill. When layoffs occur over a period of time, the Board will take relative length of separation from service into consideration in assigning recall priority, other factors being equal. In no case will any right to be recalled to employment extend beyond one (1) 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, benefit, status, or additional rights will accrue or be credited to the recalled employee for the time he or she has been laid off.

- IV. 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(S):

**CODE OF ALABAMA
16-1-33**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

RETIREMENT OF PERSONNEL

6.92

Any employee who plans to retire shall submit his/her resignation in writing to the Elba City Board of Education through the Superintendent.

REFERENCE(S):

CODE OF ALABAMA
16-22-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 6.00 – HUMAN RESOURCES

RESIGNATION

6.93

- I. Any administrative or instructional staff member who wishes to resign shall submit his or her resignation in writing addressed to the Elba City Board of Education. The letter of resignation shall state the reasons for the resignation and the desired effective date. No resignation shall become effective until accepted by the Elba City Board of Education. Any teacher resignation request submitted during the school term or within thirty (30) days prior to the beginning of said term can only be accepted if mutually agreed upon.
- II. A non-instructional employee who wishes to resign shall submit his/her resignation in writing addressed to the Elba City Board of Education. Whenever possible, two (2) weeks notice shall be given. The letter of resignation shall state the reason for the resignation and the desired effective date. A resignation of an employee shall be sent to and countersigned by his/her immediate administrative supervisor. The resignation shall be submitted to the Elba City Board of Education at its next regular or special meeting. No resignation shall become effective until accepted by the Elba City Board of Education; the Elba City Board of Education may refuse to accept any resignation for cause.
- III. An employee who violates the terms of an employment agreement or written contract by leaving his/her position without first being released from the agreement or contract by the Elba City Board of Education and fails to complete and file the required records and reports, may have final compensation withheld.

REFERENCE(S):

**CODE OF ALABAMA
16-24-11**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.0 – BUSINESS SERVICES

BUDGET DEVELOPMENT

7.10

- I. The Elba City Board of Education shall provide for the preparation and adoption of the annual budget for the school system. The Board delegates the responsibility for preparation of the budget to the Superintendent and appropriate members of his/her staff. Providers of budget information shall adhere to all state and federal guidelines, and the budget shall be prepared on forms and in accordance with such rules and regulations as may be prescribed by the Alabama State Board of Education and the federal government.
 - A. The budget shall be presented to the Elba City Board of Education at its regular August meeting or at a special meeting which may be necessitated by the date set by the State Department of Education for budget submission.
 - B. The fiscal year shall be October 1 through September 30 inclusive.
- II. Public Hearings – The Elba City Board of Education shall hold at least two open public hearings pertaining to its proposed annual budget.
 - A. Copies of the proposed budget shall be provided to the public at each hearing on local forms and those provided by the State Department of Education.
 - B. The Elba City Board of Education shall seek input from the public concerning the proposed budget and the allocation of resources.
 - C. The hearing shall be held during a scheduled Board meeting in a place and at a time convenient for the general public to attend.
 - D. The date and time of each hearing shall be publicized in the local media in advance of the hearing. In addition, notice of each hearing shall be posted in a conspicuous place at the central office and at each school.
- III. Proposed Budget – The proposed budget shall:
 - A. Reflect the total amount of resources available to the Elba City Board of Education from all funding and revenue sources.
 - B. Reflect the projected enrollment and the total proposed expenditure for each school.
 - C. Clearly delineate the number of teachers, librarians, counselors, administrators and other support personnel projected to be employed at each Elba City school.
 - D. Clearly list the operating costs by category or function at each school.

CHAPTER 7.0 – BUSINESS SERVICES

- E. Delineate by school those operating resources earned including, but not necessarily limited to, those items contained in the Instructional Support Program of the Foundation Program, designating the amount of funds earned at each school per item based on average daily membership.
- IV. Final Budget – After at least two public hearings have been held, the Elba City Board of Education and Superintendent shall develop, consistent with state laws, a final budget.
 - A. The budget adopted under these procedures shall not show expenditures in excess of income estimated to be available plus any balances on hand, except under conditions set forth by the laws of the state governing the issuance of school warrants.

REFERENCE(S):

**CODE OF ALABAMA
16-13-140 to 16-13-145, AAC §290-2-01**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 – BUSINESS SERVICES

FINANCIAL STATEMENT

7.12

- I. The Superintendent shall have the responsibility for preparing any and all reports related to accounting of school funds that may be required by law or requested by the State Board of Education or the Elba City Board of Education.
- II. The State Board of Education shall prescribe regulations for keeping accounts and records and for making reports by or under the supervision of school boards. These accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved as the laws of Alabama may prescribe.
- III. A complete statement shall be published annually in the month of October of the receipts by source and disbursements by function in an appropriate newspaper in the County, on the Elba City School System's website, and on the State Department website.
- IV. Said accounts and fiscal records shall be available during normal business hours for inspection by the public. They shall be preserved for the period of time prescribed by Policy 8.80, Records Retention and Disposal for such a period as specified by the State Department of Education or appropriate authorities.

REFERENCE(S):

CODE OF ALABAMA
16-13A-13

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 – BUSINESS SERVICES

MONTHLY FINANCIAL RECORD RECONCILIATION

7.13

All bank accounts of the Elba City Board of Education and its local schools shall be reconciled to the financial records. The Chief School Financial Officer shall be responsible for verifying that monthly LEA bank statements are reconciled to the financial records by the 25th of each month for review by the Superintendent.

The Chief School Financial Officer shall also be responsible for verifying that monthly local school account bank statements are reconciled to the financial records by the 20th of each month for review by the Superintendent.

Said reports shall ensure accurate monthly financial statements, and shall be accompanied by a copy of the corresponding bank statement, copy of the bank reconciliation report, report of outstanding encumbrances, and report of accounts payable.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-13-143**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 – BUSINESS SERVICES

LOCAL SCHOOL FUNDS

7.14

Local school principals shall establish a checking account(s) with a banking establishment located in the City and that is a qualified public depository by the Security for Alabama Funds Enhancement (SAFE) Program administered by the Alabama State Treasurer. This shall be an interest-bearing account when possible. All checks in the name of the school shall be drawn upon such account(s).

All financial transactions of a local school shall be paid for by check; no cash payments shall be made. All disbursements from the local school checking account must have dual signatures.

Principals are accountable for all school funds. All monies collected within the schools shall be prudently handled and safeguarded.

Monies collected for any purpose shall be submitted to the school principal or his/her designee who will provide for its prompt and proper deposit.

REFERENCE(S):

**CODE OF ALABAMA
16-11-24; 16-13A-6**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 – BUSINESS SERVICES

DEPOSITORY OF FUNDS

7.15

The Board requires that all funds of the School System (federal, state, and/or local) to be deposited in a bank located in the City. Said bank shall be approved as a qualified depository by the Security for Alabama Funds Enhancement (SAFE) Program administered by the Alabama State Treasurer.

All monies retained in school buildings shall be safeguarded in secure areas at all times. The Elba City Board of Education shall assume no responsibility for funds lost in a school, unless it is determined or suspected that an employee has misused funds for any purpose.

The Board requires that school funds be deposited on a daily basis regardless of amount, by a bonded individual at each school.

REFERENCE(S):

CODE OF ALABAMA
11-1-7, 16-13A-1

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

ACCOUNTING AND REPORTING

7.20

I. Financial Accounting

- A. The Elba City Board of Education shall, following recommendations by the Superintendent, prescribe regulations for the keeping of accounts and fiscal records and the making of reports by all under the Board's jurisdiction who are charged with such responsibility. Prescribed regulations shall be consonant with those of the State Board of Education, the Division of Administration and Finance of the State Department of Education, the directives of the state Department of Examiners of Public Accounts and Generally Accepted Accounting Principles.
- B. Line items in the budget may be changed, with Elba City Board of Education approval, at anytime during the fiscal year provided such change is consistent with existing laws and regulations of the state and federal government.
- C. The Superintendent shall keep the Board informed through monthly financial statements concerning the status of the budget.
- D. Said accounts and fiscal records shall be available during normal business hours for inspection by the public. They shall be preserved for a five-year period of time or for such period as specified by the State Department of Education's retention schedule.
- E. The Superintendent shall develop specific procedures to ensure that accounting practices throughout the system are consistent with Generally Accepted Accounting Principles.

II. Annual Financial Report

The Board shall publish annually in a public newspaper a complete statement of receipts and disbursements as well as a statement of outstanding funded and unfunded indebtedness of the school system for the 12-month period ending the preceding September 30. Such statements shall be drafted on the forms required by the State Superintendent of Education.

III. Accountability Reports

- A. The Board shall approve an annual accountability report for each of its schools. This report shall include but not be limited to the following:
 - 1. A Funding and Expenditures Report which shall include annual budgets and financial statements and any other documents which may be necessary to assess the financial stability of the Board;

CHAPTER 7.00 - BUSINESS SERVICES

2. A Student Achievement Report which shall include a comparison of test scores and data such as dropout rates, attendance rates, graduation rates, college attendance and any other data deemed necessary by the Board or State Board of Education to inform the public about student achievement in each school.
 3. A School Safety and Discipline Report which shall include statistical information relating to student safety and discipline in each Elba City school and any other data deemed necessary by the Elba City Board of Education or the State Board of Education to inform the public about safety and discipline in each school.
- B. These reports shall be made available to the media, made available to parent organizations, members of the Legislature who represent the area in which a particular school is located and submitted to the State Superintendent of Education.

REFERENCE(S):

CODE OF ALABAMA
16-6B-6, 16-6B-7, 16-11-22, 16-11-24,
16-12-14, 16-13-31, 16-13-106,
16-13-140, 16-13-143, 16-13-144, 41-5-14,
AAC §290-1-4-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

FEES/TUITION

7.21

- I. The Elba City Board of Education shall not collect fees of any kind from children attending public kindergarten or any of the first six (6) grades of the School System except that the Board may assess a tuition fee for students residing outside the territory over which the Board has jurisdiction.

- II. No fees shall be collected in secondary schools for courses required for graduation. The Elba City Board of Education shall set reasonable fees in non-required courses, e.g., reasonable fees for laboratory and shop materials and equipment. Such fees shall be waived for students who cannot afford to pay set fees.

REFERENCE(S):

CODE OF ALABAMA
16-10-6, 16-11-26, 16-13-39

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

SCHOOL STORES

7.22

- I. The Elba City Board of Education authorizes the Superintendent to grant permission for the operation of stores selling merchandise that is needed by pupils to facilitate classroom instruction. School stores shall operate as a convenience to the students and shall not in any way interfere with the educational process or cause any student to be in class less than the minimum number of hours in the Elba City Board of Education approved day.
- II. Separate records, subject to audit, shall be kept for school stores, and profits derived from sales shall be used for general items supporting the school as a whole.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-11-22

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

PAYROLL PROCEDURES

7.23

I. Payroll Preparation

- A. The Elba City Board of Education delegates payroll preparation for the payment of employee salaries to the Superintendent or his/her designee. The payroll shall be in accordance with the salary policy approved by the Board, any rules or regulations promulgated by the State Superintendent of Education, and state law.
- B. Payroll checks shall be released on or before the last week day of the month on a twelve (12) month basis.

II. Salary Deductions

- A. The Elba City Board of Education will make salary deductions including federal income tax, state income tax, retirement, etc., in accordance with applicable laws and regulations.
- B. New authorization for payroll deductions may be added during open enrollment or upon state required enrollments.
- C. Upon termination, amounts owed under the authorization of an employee shall be deducted from an employee's final pay.
- D. When amounts have been correctly deducted and remitted by the Elba City Board of Education, the Elba City Board of Education shall bear no further responsibility or liability for further transactions. The Board shall not be liable for any error while acting in good faith to make the subject deductions.
- E. Whenever an employee is separated from the system prior to the end of the agreement period, the terminal pay shall be computed on a per diem basis.
- H. The School System may make other deductions as a service to employees when requested, in writing, by twenty five percent (25%) of the employees and approved by the Superintendent. Such deductions may include, but are not limited to, legally-allowed political contributions and dues for membership to the national, state, and local education association representing the majority of employees. Such deductions shall be made only with written authorization of the employee and shall remain in effect until cancelled in writing by the employee.

REFERENCE(S):

CODE OF ALABAMA

16-12-17, 16-13-10, 16-13-231, 16-13-232, 16-22-5, 16-22-6

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

TRAVEL EXPENSE REIMBURSEMENT

7.24

- I. Travel expenses incurred by employees and Board members or other authorized persons involved in conducting Elba City Board of Education business may be reimbursed when authorized by the Superintendent or the Board. All out-of-state travel must be approved in advance by the Superintendent.
- II. Elba City School System employees must receive approval in advance from the Superintendent or designee for travel.
- III. Any person requesting reimbursement for travel expenses shall provide required documentation, including original itemized receipts. Individuals shall not be reimbursed for alcoholic beverages. No person shall receive reimbursement from the Elba City Board of Education and from other sources for the same travel expense, nor shall payment be made for personal items or entertainment. Travel reimbursement will be in accordance with approved rates established by the Elba City Board of Education.
- IV. The Superintendent shall establish uniform procedures to implement this policy and prescribe forms and procedures necessary for maintaining accurate, uniform records. Travel procedures shall ensure reasonable economy.
- V. Violation of this policy or falsification of required records shall be grounds for disciplinary action including dismissal.

REFERENCE(S):

CODE OF ALABAMA
16-1-16, 16-11-9, 16-12-3, 16-13-3

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

CASH IN SCHOOL BUILDINGS

7.25

It shall be the policy of the Elba City Board of Education that all school funds collected at each school or school activity of the Board shall be deposited in a bank on a daily basis, to include night depository. In the event that due to an unforeseen or emergency situation it is impossible to deposit said funds on the day of receipt, it is the responsibility of the local school principal to provide for the security of the funds until the next day the bank is open.

The Board requires that any school funds collected be deposited with an approved financial institution on the day collected. No more than one hundred dollars (\$100.00) should be maintained within any school facility overnight.

REFERENCE(S):

CODE OF ALABAMA
16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

FOOD SERVICE FUNDS

7.31

The Elba City Board of Education requires that all Child Nutrition Program funds be accounted for in accordance with policies and procedures set forth by the local, state, and federal requirements.

REFERENCE(S):

CODE OF ALABAMA
16-11-21, 16-11-22, 16-12-3(a), (f),
16-12-12, 16-13-31, 16-22-11, AAC §290-080-030-.03

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

INVESTMENT OF FUNDS

7.32

- I. Based upon a written system of internal controls and operational procedures, the Superintendent or his/her designee shall invest temporarily idle funds to earn the maximum return for the period available. Highest priority shall be placed on the safety and liquidity of funds. Funds may be placed in the following types of investments:
 - A. Bids from qualified depositories;
 - B. Certificates of deposit;
 - C. Time deposits;
 - D. Securities of the United States government including obligations of the United States Treasury; or,
 - E. Investment pools managed and directed by an approved agency of the state.
- II. The principal may invest temporarily idle internal account funds in qualified depositories at the best available return subject to the advice of Elba City School System staff trained in investment practices and procedures.
- III. Other investments may not be made unless specifically authorized.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, 41-14A-1, et seq.
AAC §290-2-1-5

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

RESERVE FUNDS

7.33

The Elba City Board of Education, in accordance with Alabama law, directs that a general fund reserve fund balance be maintained of an amount not less than one month's operating expenditures. Operating expenditures shall include all funds necessary to support normal operations of the school district for one month.

The Superintendent or Chief School Financial Officer will inform the Board, before the Board votes on a budget or budget amendment, if the approval of the budget or budget amendment will prevent the establishment or maintenance of a one-month's operating balance.

A one-month's operating balance shall be determined by dividing the general fund expenditures and fund transfers out by twelve. In determining the general fund expenditures and fund transfers out, the proposed budget or budget amendment, shall be used.

REFERENCE(S):

CODE OF ALABAMA
16-11-21, 16-11-22, 16-12-3(a), (f),
16-12-12, 16-13-31, 16-22-11

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.0 – FINANCE AND BUSINESS SERVICES

FINANCIAL ACCOUNTING FOR SCHOOL CLUBS AND ORGANIZATIONS

7.35

The Board endorses and supports rules and regulations by the Alabama State Department of Education and by the Southern Association of Colleges and Schools pertaining to fund-raising activities by school-related clubs and/or organizations.

Permanent, accurate records must be kept of all fees collected by or through the school, and of all funds received and expended by the school or its agencies, such as athletic associations, club and class organizations, band-parent organizations, and others.

IN-SCHOOL CLUBS AND ORGANIZATIONS

All in-school student clubs, organizations, etc. must follow the regulations as stated. In-school organizations maintaining financial accounting through the school may take advantage of the school's tax-exempt status by purchasing school supplies, materials, and equipment through the school.

All drafts for the expenditure of funds from the club and/or organization account shall be authorized by said club and/or organization and the club sponsor, and a check shall be signed by the principal. The principal shall maintain a separate subsidiary account for each club and/or organization.

SCHOOL-RELATED CLUBS AND/OR ORGANIZATIONS

The Board recognizes the value of certain clubs and/or organizations that support the school's purposes and desires to work with such groups as the PTA, PTO, band and athletic boosters, foundations, etc. for continued school improvement.

DONATIONS BY CLUBS AND/OR ORGANIZATIONS TO THE SCHOOL

In the event a club and/or organization wants to purchase goods or services from the school or to make a donation to the school, the organization's treasurer should make a check payable to the school for the donation or for the cost of the item(s) to be purchased. The principal should, in turn, give the treasurer of the organization a receipt for the amount of money received from the organization. The principal shall deposit and send all monies through the school's uniform local accounting system. A

CHAPTER 7.0 – FINANCE AND BUSINESS SERVICES

Separate subsidiary account shall be maintained for each such club and/or organization.

CONCESSION SALES AT SCHOOL ACTIVITIES

Concession sales at school activities and concession sales operated by school or student groups shall be deposited in the appropriate school account and shall be disbursed in accordance with Board policy, Standards of the Southern Association of Colleges and Schools, and State Department of Education regulations. All such funds shall be subject to audit by the Board. Income from such activities and sales by parent groups shall be handled in accordance with the guidelines outlined in the above section related to clubs and/or organizations.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

BONDED PERSONNEL

7.40

- I. The Superintendent and the designated Chief School Financial Officer (CSFO) shall be bonded at an amount fixed by the State of Alabama in a reputable surety company authorized to do business in Alabama. A certified copy of such bond shall be placed on file with the State Department of Education.
- II. The Superintendent or his/her designee shall secure surety bonds, in an amount agreed upon by the Board, for all employees of the Elba City School System who may be charged with the responsibility for handling public school funds.
- III. The Board shall be authorized to make payment from public funds for surety bonds.

REFERENCE(S):

**CODE OF ALABAMA
16-11-7, 16-13-8 TO -9, 16-22-4
AAC §290-2-5-.02**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

INDEBTEDNESS

7.41

Any Elba City school employee or other person shall be personally liable for creating any bill of indebtedness against a school or against the Elba City Board of Education unless authorized in writing by the Superintendent. Any employee violating the provisions of this rule may be subject to cancellation of his or her employment agreement or dismissal from employment.

Bonded Indebtedness

The Elba City Board of Education shall not incur any bonded indebtedness that shall require annual payments on the principal and interest in excess of eighty percent (80%) of the anticipated revenue of the ad valorem tax pledged to retire such bonds.

Current Indebtedness

Tax proceeds, which are not pledged to retire bonded indebtedness, shall be used for current expenses. All funds borrowed for current expenses shall be repaid before the end of the fiscal year in which such funds are borrowed.

The Board shall not spend or obligate to spend more money in any fiscal year than the income received during that year plus the balance on hand at the beginning of said fiscal year.

REFERENCE(S):

CODE OF ALABAMA
16-13-70, 16-13-144 THROUGH -146, 16-13-140

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 -- BUSINESS SERVICES

INSUFFICIENT FUNDS AND WORTHLESS CHECKS

7.42

Any individual submitting a worthless check shall be charged a non-sufficient funds check fee of the maximum amount allowed by law for all returned checks, whether collected or not. A letter requesting payment plus the service charge, a copy of the returned check, and a copy of the Elba City School System policy regarding worthless checks shall be sent to the person(s) listed on the check. Only cash, money order, or cashier's check shall be accepted as payment for a worthless check. If no response is received within ten (10) days of the date of the notification letter, a certified letter shall be sent. If no payment is received within ten (10) days of the certified letter, a copy of the letter, the worthless check, and the certified letter receipt shall be hand delivered to the District Attorney's Office where charges shall be filed for prosecution.

Should a second worthless check be received from the same individual, no further checks will be accepted by the school or School System from that individual.

Non-public funds must be used to cover any insufficient funds or worthless checks in state, federal, child nutrition, or public fund accounts.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-3-1-.02(7)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

AUDITS

7.50

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

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

Such adverse findings shall, upon request, be provided to any member of the public.

The findings of audits conducted pursuant to this section shall be presented to the Elba City Board of Education in a Board meeting. The State Superintendent of Education shall be sent a copy of the audit to review and shall be notified of the time, place, and location of the meeting at which the findings will be presented to the local Board of Education.

REFERENCE(S):

CODE OF ALABAMA

16-4-7, 16-13-9, 16-13A-47, 41-5-14, AAC §290-2-1-4

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

PURCHASING AND BIDDING

7.60

- I. Bidding – The Elba City Board of Education directs that expenditures of public school monies in excess of \$15,000 made by the Board for labor, services, work, the purchase or lease of materials, equipment, supplies or any other personal property, with limited exceptions established by state law, shall be contracted by free and open competitive bidding with sealed bids and shall be awarded to the lowest responsible bidder meeting specifications.

Bids for building/capital improvement projects exceeding \$50,000 must comply with the state Public Works Act.

II. Local Purchasing

- A. The Elba City Board of Education should purchase locally provided products of equal quality that are readily available from local suppliers at prices equal to other non-local vendors. Pursuant to state law the Board, when purchasing personal property or contractual services, shall give preference to commodities produced in Alabama or sold by Alabama persons, firms or corporations.

- B. The Elba City Board of Education shall not be limited to making purchases within the local community or the state of Alabama when such local purchases within the local community or the state of Alabama do not meet the quality or competitive price of goods or services available from vendors outside the local community or state of Alabama.

- C. Preference may be given to a local vendor having a place of business in the county or municipality for the purchase of personal property, when a bid submitted by such a resident bidder is no more than three (3) percent greater than the bid of the lowest responsible bidder.

- D. Elba City Board of Education shall require that a requisition/purchase order system be established and followed (See Policy 7.63)

- III. Joint Purchasing -- The Board shall allow joint purchases and joint purchase agreements with other school systems, government agencies, and other entities as provided for by law when some purchasing or agreements is advantageous to the Board.

REFERENCE(S):

**CODE OF ALABAMA
41-16-50, 41-16-51, 41-16-57, 39-2-1, et seq.
LEGISLATIVE ACT 2006-621**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

ACQUISITION, USE AND EXCHANGE OF SCHOOL PROPERTY	7.61
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- I. Acquisition
 - A. All property purchased through system funds, internal funds, or donations from outside sources shall be acquired using system purchasing procedures.
 - B. All property, including vehicular equipment, shall be under the full control and name of the Elba City Board of Education.
 - C. All property with a value of five thousand dollars (\$5,000.00) acquired through internal accounts or donations shall be reported immediately by the principal or worksite supervisor to the designated property records office on the prescribed forms.
 - D. Principals and supervisors of facilities shall be responsible for determining that all property is identified and accounted.
- II. Exchange - Each principal and supervisors of facilities shall determine the property needs for his/her school or department. The Elba City principal or system department head shall declare any property which is not needed, upon approval of the designated property control office, and may requisition additional property through proper procedures.
 - A. Surplus property shall be reported on proper forms to the designated property records office which shall be responsible for acquiring and storing the surplus property.
 - B. Property items with a value as established in paragraph I part C above may be exchanged between system departments and schools when approval is granted by the designated property records office and subsequently by the appropriate Elba City administrator. Notification of each approval shall be filed in writing with the designated property records office to adjust property records of schools and system departments.
 - C. Elba City Board of Education equipment shall not be used for gainful outside employment or private use of employees or by any for-profit group or organization.

REFERENCE(S):

**CODE OF ALABAMA
16-8-40, 16-20-8, 16-20-9**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

PROPERTY SALE, TRANSFER, DISPOSAL

7.62

The Elba City Board of Education shall be advised by the Superintendent in the event that certain real or personal property is no longer needed for public school purposes. Prior to presentation to the Board, the Superintendent shall determine that the property is not needed by any Elba City school facility. The Superintendent is authorized to store property for later use if that property is determined to have value and the Superintendent believes the property will be used in the future by an Elba City School System facility.

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

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

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

REFERENCE(S):

CODE OF ALABAMA
16-4-7, 16-4-8, 16-11-22, 41-5-14, 41-5-23
AAC §290-2-1-4

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

LOST OR STOLEN PROPERTY

7.63

- I. The principal or designee shall notify the following individuals when any Elba City School System property has been vandalized, stolen, or lost:
 - A. The proper law enforcement agency immediately to provide such information as may be available if the property is believed to have been stolen;
 - B. The system office by telephone; and,
 - C. In writing with a copy of such notice being sent to the Superintendent or the clerk of fiscal assets.
- II. The custodian of the property records, or their designee, shall prepare a written report and recommendation to the Superintendent if the property is not recovered within thirty (30) days of notification.
- III. The Superintendent shall report to the Elba City Board of Education any property that has been lost or stolen if not recovered within thirty (30) days after the discovery of the loss or theft except major losses shall be reported to the Board immediately. Such a report shall include a recommendation that the property record be made inactive and any information applicable to personal liability shall also be reported.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

INVENTORIES AND PROPERTY MANAGEMENT

7.64

The Superintendent or designee shall maintain an adequate and accurate record of all tangible personal property of the Elba City School System. The record shall indicate the date of acquisition, the fund from which purchased, identification number, and property record number, and shall be consistent with all controlling requirements of Alabama statutes and rules. School inventories shall be verified by administration at the Superintendent's direction.

- I. All equipment that has a value or cost specified by the Elba City Board of Education shall be listed.
- II. Property inventories shall be performed annually. It shall be each principal's duty to designate a person to make an annual inventory of all school property within his/her building(s). This report shall include recommendations for the disposition of obsolete and surplus equipment and equipment beyond economical repair. Such inventory shall be verified by the central office and filed with the central office either at the time designated in writing by the property control officer or at the time of any principal's resignation.
- III. Any incoming principal and the facilities supervisor shall make an inventory of all school equipment when a new principal assumes the duties of the position. This inventory shall be checked against the last inventory made at the school, and a report shall be filed with the central office to identify any shortages or discrepancies.
- IV. The principal shall also be responsible for inventories of properties not listed in section I above such as library books, films and tapes, and other materials as deemed appropriate. These inventory records shall remain on file in the individual school.
- V. The Superintendent shall prescribe the procedures for the accountability of property.
- VI. All equipment purchased by the various school organizations or by outside organizations for school or system use shall become Elba City Board of Education property and shall be recorded and inventoried in the same manner as all other equipment of a similar nature.
- VII. The Superintendent or designee shall maintain a current and perpetual inventory of all stock in Elba City Board of Education warehouses and shall file an annual end-of-the-year report of the count and value of such items with the CSFO.
- VIII. The Superintendent shall report to the Elba City Board of Education any property that has been lost or stolen if recovery is not made by the next regular Board meeting after the discovery of the loss or theft. Such report shall include a recommendation for inactivation of the property record and information concerning possible personal liability which may be appropriate as the circumstance may indicate.

REFERENCE(S):

CODE OF ALABAMA
16-11-21 TO -22, 16-13-31 TO -32,
16-13-38(D), 41-5-14, 41-5-43, AAC §290-2-1-4(3)(C)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 – FINANCE AND BUSINESS SERVICES

PURCHASE ORDERS

7.65

Purchase orders are required by the Elba City Board of Education for all materials, equipment and supplies paid for out of the general fund of the Elba City Board of Education. The following procedures must be followed:

1. A purchase order is obtained from the Central Office by submitting a requisition following approved procedures.
2. Special instructions should be noted on the requisition in such a way as to be easily detected by the Purchase Order Clerk or school secretary.
3. Invoices received which do not have a purchase order number will not be the responsibility of the Elba City Board of Education; the person placing the order has sole responsibility for payment in such cases.
4. Local school purchases exceeding five thousand dollars (\$5,000.00) must be approved by the Superintendent.

“Blanket” purchase orders may be issued by the Purchase Order clerk to vendors from whom materials are purchased on a regular basis. This blanket purchase order will be valid only during the month in which it is issued unless otherwise approved by the Superintendent. Total purchases for a blanket purchase order shall not exceed \$1,000.00.

REFERENCE(S):

CODE OF ALABAMA
16-13A-5, 16-13A-6

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

RISK MANAGEMENT INSURANCE

7.70

- I. No new policy or procedure will be adopted or approved by the Elba City Board of Education without first giving careful consideration to the School System's risk exposure.
- II. When the purchase of insurance coverage is deemed necessary, such purchase will be made on the basis of service offered by the insurer or self-funded programs, the reliability and financial stability of the insurer or self-funded program, and the price of the coverage as competitively determined.
- III. Insurance Coverage – The Elba City Board of Education shall insure for:
 - A. Full value of all property for which it has title, including but not necessarily limited to buildings and contents.
 - B. Errors and omissions liability coverage to protect Board members, Board employees and the School System.

REFERENCE(S):

CODE OF ALABAMA
16-11-12, 16-11-27, 16-12-5, 16-22-5

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

FUND-RAISING FOR SCHOOL PROJECTS AND ACTIVITIES

7.90

All fund-raising projects and activities by schools or groups within the Elba City School System shall contribute to the educational and extracurricular experiences of students and shall not be in conflict with the overall instructional program as administered by the Superintendent.

The determination of the fund-raising projects and activities for a school shall be the responsibility of the principal and the staff and shall conform to the following conditions and any directives by the Superintendent.

- I. Fund-raising activities and projects within all Elba City schools shall be kept within a reasonable limit. Before approving any project or activity, the principal shall require full justification of the need and explanation of the manner in which the funds will be expended.
- II. Fund-raising activities that are designated as "game of chance" in any format are prohibited by any student organization.
- III. Merchandising projects shall be kept to a minimum.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-080-030-.03**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

SHORT-TERM NOTES

7.91

In accordance with state law, the Elba City Board of Education has the authority during any fiscal year, and upon recommendation of the Superintendent, to borrow money in anticipation of current revenues for that fiscal year and to pledge the current revenues for said fiscal year for the payment of such loan or loans if funds on hand are not sufficient to meet current expenses. All such loans shall be recommended by the Superintendent and approved by the Board. Rates of interest on any loans shall not exceed the maximum allowed by law.

All notes or other evidence of indebtedness of the Elba City Board of Education, unless specified otherwise by law, shall be signed by the President of the Board and Superintendent and shall be limited as prescribed by law.

REFERENCE(S):

**CODE OF ALABAMA
16-13-145 to -146**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 7.00 - BUSINESS SERVICES

EXPENDITURE OF FUNDS

7.92

Any and all funds of the school system, whether received from federal, state, local or other resources shall be disbursed only on the written order of the Superintendent or his/her designee. The actual signature and a facsimile of the following employees shall be required on all drafts and checks drawn against any bank account of the Elba City Board of Education.

- I. Chief School Financial Officer
- II. Superintendent

In order to promote academic excellence and recognize significant contributions to education, the Elba City Board of Education may expend public funds for the purchase of trophies, plaques, academic banquets, and other appropriate honors to recognize special contributions by students, faculty, staff, and the public that strengthen public education in the school system and the state of Alabama.

REFERENCE(S):

CODE OF ALABAMA
16-13-32, LEGISLATIVE ACTS 95-313 and 95-314
AAC §290-1-4(5)(b)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

SAFETY PROGRAM

8.10

The Superintendent shall develop a safety program for Elba City Board of Education approval which meets the standards set forth by the Alabama State Department of Education. The program shall ensure that:

- I. Employees shall cooperate with the law enforcement officials in providing safe conditions for students.
- II. All Elba City School System employees strive to protect the physical welfare of each student.
- III. Employees remove hazards or report their existence to an immediate supervisor.
- IV. School alarm systems are monitored. Any malfunction shall be reported for immediate repair.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, AAC 290-3-1-.02(1)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

INSPECTIONS

8.14

As part of a comprehensive safety and loss control program, the Elba City Board of Education requires that all Elba City School System-owned property be inspected regularly for potential safety hazards. These inspections should be conducted by the person responsible for managing the site. Hazardous conditions identified within the inspection report should be reported to the maintenance department or other appropriate staff for correction. A written report of all safety inspections shall be submitted to the superintendent and principal and placed on file.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-1-4-.01, §290-3-1-.02(a)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

EMERGENCY DRILLS

8.15

- I. Fire Drills – The Elba City Board of Education requires that at least one (1) fire drill be held in each school during each month school is in session. A fire drill shall require complete evacuation of the building.
- II. Weather Drills – At least one (1) tornado/severe weather drill shall be held each month. Each Elba City school shall keep a record on file of all emergency drills and shall forward a copy of the report to the Superintendent.
- III. Procedures shall be developed as part of the Elba City School System’s Safety Plan to deal with other disasters and emergencies. Drills on such procedures, including lock down drills, will be conducted periodically.

REFERENCE(S):

**CODE OF ALABAMA
36-19-10, AAC §290-1-4-.01**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

SANITATION

8.20

Each Elba City School System principal or work site supervisor or designee, shall be responsible for maintaining satisfactory standards of sanitation and housekeeping.

REFERENCE(S):

**CODE OF ALABAMA
16-22-3, AAC §290-080-030-.03**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

VEHICLE INSPECTIONS

8.30

- I. All Elba City Board of Education buses used for the transportation of children shall be inspected both monthly and annually in accordance with standards established by the State Department of Education.
- II. Any vehicle found to be deficient shall be removed from service and shall not be used to transport students until the appropriate repairs have been made and further inspection reveals that the deficiency has been removed.

REFERENCE(S):

CODE OF ALABAMA
16-27-1, 16-27-3, 16-27-5, 16-27-6,
16-27-8, 32-6-49.1 to 32-6-49.20,
AAC §290-1-4-.01(2)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

SPECIAL USE OF SCHOOL BUSES

8.31

- I. Buses may be used for field, educational, and extracurricular trips.
- II. Any school which uses a bus for a trip shall reimburse the Elba City Board of Education at the mileage rate established by the Board from the location of the bus to the destination and return.
- III. The Elba City Board of Education shall be responsible for paying the driver for the extracurricular trip. The school shall be responsible for reimbursing the Board for salaries and applicable benefits as determined by the Board.
- IV. A school bus may not be used for an extracurricular trip where the round trip exceeds 425 miles, the trip requires an overnight stay, or the trip takes the group out of state without special approval of the Superintendent.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-27-2, AAC §290-1-4-.01(2)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 – AUXILIARY SERVICES

CHILD NUTRITION PROGRAM

8.40

- I. The Elba City Board of Education shall provide nutritious and adequate meals to all students at a minimal cost. The school principal, in conjunction with the Child Nutrition Program Director, is responsible for ensuring the Child Nutrition Program is operated in compliance with federal, state and local laws and regulations as well as policies of the Board.
- II. It is an objective of the Elba City School System that all students have the opportunity to participate in the school lunch program. The Child Nutrition Program Director shall determine, in accordance with federal regulations, those students eligible for free or reduced price lunches.
- III. The Elba City Board of Education Child Nutrition Program (CNP) lunchrooms shall incorporate food safety practices as outlined under Hazard and Critical Control Point (HACCP) guidelines, Standard Operating Procedures (SOPs) shall be developed for handling, storage, preparation, and serving of all foods.
- IV. The Superintendent shall develop and implement all policies and procedures in compliance with state regulations.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-080-030-.03

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

MEAL PATTERNS

8.41

- I. All Elba City schools with grades K-12 shall participate in the Child Nutrition Program and shall serve student meals according to meal patterns established by the United States Department of Agriculture.
- II. The principal is responsible for scheduling adequate lunch time for students between the hours of 10:00 a.m. and 2:00 p.m. Variations from this schedule must have the approval of the Superintendent or designee.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-080-030-.03

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 – AUXILIARY SERVICES

FACILITIES

8.50

- I. It shall be the responsibility of the Elba City Board of Education and Superintendent to develop and/or implement plans that will meet the present and future educational requirements of the community consistent with state laws. To discharge this responsibility effectively, the Board shall develop a long-range capital plan to meet the school facility-related requirements of the system.
- II. The Board may involve administrators, teachers, students, parents, local citizen groups, specially designated committees, and technical personnel, *e.g.*, architects, planners and approved outside consultants in the design, development and/or revision of the long- range capital program.
- III. Subject to Board approval, the Superintendent is authorized to secure the services of experts, including planning and architectural consultant(s), in the area of school plant planning, to work with staff in developing project specifications.
- IV. New construction or renovation at school facilities shall have the approval of the State Superintendent of Education.

REFERENCE(S):

CODE OF ALABAMA
16-3-17, 16-4-21, 16-12-6, 16-12-7, 16-13-90, 16-9-22
AAC §290-2-2-03-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 – AUXILIARY SERVICES

SUPERVISION OF CONSTRUCTION

8.51

- I. The Superintendent or designee shall provide to the Elba City Board of Education a review of the architect's activities in his/her supervision of any building construction. This review shall include adequacy of field inspection of the contractor's operations, administrative activities of the architect relating to construction, and any other matters relating to the interest of the school system. The Superintendent or designee shall make periodic reports certifying that the work of the construction contractor and the architect are being performed in accordance with plans, specifications and contracts.
- II. Upon completion of the building construction and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for its acceptance will be made to the Elba City Board of Education by the Superintendent.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, 16-3-12, 16-3-14, 16-4-10, 16-13-90
AAC §290-2-2-.01

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

IMPROVEMENTS TO SCHOOL PLANTS AND GROUNDS

8.53

Any individual or group, including the parent-teacher organization, which desires to improve the school site, to add facilities, or to install equipment, shall submit a written proposal to the principal and Superintendent for Elba City Board of Education approval. Any such improvement or addition shall become the property of the Board. Permanent structures shall have utilitarian value in the operation of the school or may be erected in memory of an individual who has been associated with the school either as a student or Elba City School System employee or in honor of an organization which has made some outstanding contribution to the school or system.

All improvements or additions must meet current building codes, including the Americans with Disabilities Act and State Department of Education Bulletin 1983-26 as amended.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-2-2-.02 et seq.

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

TECHNOLOGY AND TELECOMMUNICATION PLAN AND ELECTRONIC COMMUNICATION USE

8.60

- I. The Elba City School System shall develop a comprehensive technology and telecommunications plan for administrative and instructional purposes. The plan shall advance and promote public education consistent with technology advances and availability of resources. To the extent feasible, it shall promote access, collaboration, and information sharing between and among schools, system offices, and the global community and include provisions for protecting students from access to inappropriate and prohibited information and materials.
- II. The Superintendent or designee shall be responsible for establishing and authorizing use of technology, telecommunications services and networks consistent with the telecommunication plan which shall be presented to the Elba City Board of Education for approval. Such plan shall be updated periodically and submitted for Board review and approval.
- III. Such guidelines shall be broadly distributed and/or posted in appropriate locations. Such guidelines shall address computer room access; sale of computer services; acceptable use; proper etiquette; security; vandalism; harassment; and supervision of student use by staff. Any user violating such guidelines shall be subject to denial of school-based access and such other legal or disciplinary actions as are appropriate to the violation.
- IV. Elba City School System computers, network access, and other information resources such as electronic mail (e-mail) are provided for staff use to support the system's mission and goals. Access by staff and students to inappropriate and prohibited information and materials shall be limited by the use of appropriate software. All such resources are Elba City Board of Education property and subject to the same rules for use as other physical property. In addition, the following rules shall apply:
 - A. Use of information resources should be limited to legitimate educational purposes. Programs for personal use should be avoided. Use for illegal or commercial purposes is not authorized.
 - B. E-mail, World Wide Web pages, and other forms of electronic documentation:
 1. Will not be obscene, abusive, or contain other inappropriate material.
 2. Will require the same handling as other public records.
 - C. User accounts and passwords must not be shared except where authorized. The person in whose name an account is issued is responsible for its proper use at all times.
 - D. Copyright and license agreements will be respected; no unauthorized copies of programs or files will be made.

CHAPTER 8.00 - AUXILIARY SERVICES

- E. Users shall not take unauthorized actions which gain access or attempt to gain access to, deny access or attempt to deny access to, disrupt, change, or destroy the data or service of the computer or network systems.
- F. Use of electronic mail and other network communications facilities to harass, offend, or annoy other users of the network, including chain letters and jokes, is not authorized.
- G. Users must avoid spreading computer viruses. Users may not download files from unknown sources. Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity under applicable state and federal law.
- V. The network management accepts no responsibility for harm caused directly or indirectly by network use. There is no expectation of privacy when using Elba City Board of Education provided equipment and network resources.
- VI. Users must acknowledge their understanding of all policies and guidelines on a yearly basis by reading and signing the applicable Elba City School System Acceptable Use Policy. The Elba City School System will periodically update the Acceptable Use Policy for Students and the Acceptable Use Policy for Employees.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-21-1 TO -3, AAC §290-1-4-.01(4)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

WELLNESS

8.62

The Elba City Board of Education believes a good education prepares students for all facets of life, including healthy living. In accord with the Alabama State Board of Education's Implementation Guidelines for Exercise and Nutrition, the Elba City School Board supports activities to encourage student wellness, including:

1. Integrating nutrition information across the curriculum, aside from the health curriculum, when appropriate;
2. Providing students opportunities for physical activity such as physical education courses and intramural athletics;
3. Adopting regulations regarding reimbursable meals consistent with federal guidelines;
4. Encouraging students to participate in the school meal program for which they are eligible; and
5. Supporting professional development for staff and informational programs for students on nutrition and physical education.

The Superintendent will designate an administrator to oversee the Board's efforts to promote student wellness and collaborate with parents, students, administrators and food representatives when developing student wellness policies and programs.

REFERENCE(S):

CODE OF ALABAMA
16-11-9

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

CELL PHONE USE

8.63

The Elba City School System prohibits the student use of all electronic communication devices, including cellular phones and pagers and beepers, at all schools after the official beginning of classes for students in grades 9-12. The possession of such devices is prohibited for students below grade 9. This includes using cellular phones to make voice calls, to take photos, and/or to send or receive text messages. Students are allowed to possess an electronic device, but it must be turned off before the beginning of class and must remain turned off until the end of the school day. Devices must be stored or kept in the student's automobile or locker. Exceptions may be granted by the school principal or designee.

Students involved in before or after school academic programs shall observe school hour rules during these programs. Student use of cellular phones/electronic communication devices is prohibited on school buses on regular routes before and after school. Student use of cellular phones or other electronic communication devices for field trips, sporting events, extracurricular activities, etc. during school hours or before or after school hours will be at the discretion of the principal and sponsor or coach.

Neither the school nor the school system will be responsible for the loss, damage, or theft of any electronic device brought to school or to a school event.

Violations of this policy will result in disciplinary action. Specific disciplinary consequences shall be addressed in student handbooks provided to students at each school at the beginning of the school year.

REFERENCE(S):

**CODE OF ALABAMA
16-1-27; LEGISLATIVE ACT #89-953;
P.1880, §1, LEGISLATIVE ACT 2006-530, §1**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

INFORMATION MANAGEMENT SYSTEM

8.70

The Elba City School System shall develop and maintain an integrated information system for educational management. The Superintendent or designee shall ensure compatibility exists with the state information systems. Procedures and guidelines shall be developed to ensure that adequate management information support needs are met.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, 16-13-231
AAC §290-4-1-.01(2-5)**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 8.00 - AUXILIARY SERVICES

RECORDS RETENTION AND DISPOSAL

8.80

- I. The Elba City Board of Education shall establish and maintain a system for the retention and destruction of school records consistent with legal requirements to minimize record storage requirements and permit the Superintendent to administer the affairs of the Elba City School System more efficiently.

- II. After complying with the provisions of laws and rules, the Superintendent is authorized at his/her discretion to destroy general correspondence and other records, papers, and documents, provided such records do not serve as an agreement or understanding or have value as permanent records. However, commodity records are to be maintained according to Child Nutrition Program guidelines, and records of milk, bread and juice are to be maintained permanently.

- III. Document Preservation Plan and Litigation Hold for Electronic Records

The Board shall adopt a document preservation plan to ensure that when a lawsuit is filed or reasonably anticipated, it takes special precautions to prevent the loss of potentially-relevant electronic data. Electronic data includes all forms of electronic communications and records such as email, word processing, calendars, voice messages, videos, photographs and other digital information.

When a lawsuit is filed or reasonably anticipated, a litigation hold shall be issued to appropriate individuals, which shall define and identify records to be preserved and direct that the records be preserved and how to do so. A person receiving a litigation hold has a duty to preserve all records, whether existing or later created, in the person's possession or scope of responsibility that are identified in the litigation hold, effective immediately. The Board's duty to preserve records shall continue until the litigation, or the threat of litigation that prompted the litigation hold has ended.

After a lawsuit is filed and when the Board receives a request from an opposing party for production of electronic records, the Board's counsel and the Board will determine the best approach to take in order to efficiently produce a complete and accurate response.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-13A-6, 36-12-2, 13-12-40, 41-13-1
ALABAMA STATE RECORDS RETENTION SCHEDULE #917**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS	9.10
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- I. Each Elba City School System principal is encouraged to cooperate with parent and school support groups. The school principal shall be responsible for forming and assisting organizations which are desired and necessary for the school program; such organizations shall be kept active by the school principal for the duration of their need and encouraged to maintain accurate financial and activity records.
- II. Parent-Teacher Groups – The Elba City Board of Education considers parent-teacher groups as auxiliaries to the public schools and not as “outside” groups. Whenever a local parent-teacher group is formed, it shall be permitted to hold its regular meetings in the school building, and it shall be the duty of the principal and the teachers of the school to further the work of the group in every way practicable. Meetings of these groups may be held in the school building with the permission of the school principal without the necessity of the lease required of “outside” groups.
- III. Booster Clubs – It shall be the policy of the Elba City Board of Education to work with and encourage the support of band, academic, and athletic booster clubs.
 - A. All booster club activities shall be authorized by and coordinated with the school principal.
 - B. If Booster Club funds are a part of the local school’s finances, then all funds shall be accounted for by the school principal; all purchases shall be approved by the school principal.
 - C. Booster clubs shall not directly or indirectly supplement the pay of band directors, coaches, advisors, or any other school employees.
 - D. All decisions concerning personnel employed by the Elba City Board of Education shall be strictly reserved as a Elba City Board of Education matter and shall not be the prerogative of booster clubs.
 - E. Any person paid solely by a citizen group must be approved by the Elba City Board of Education prior to being permitted to work with students in the local schools.
- IV. The Elba City School System administration shall appoint a federal program advisory council, a career-technical council, and other appropriate parent advisory committees/councils as needed.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, 36-25-1 et seq.**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 – SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

FAMILY AND SCHOOL PARTNERSHIPS FOR STUDENT ACHIEVEMENT

9.15

- I. The Elba City School System and each school principal are encouraged to strengthen family involvement and family empowerment in the school. The Elba City School System will coordinate and integrate parental involvement strategies with school improvement, Title I, Title II, Title III, Title IV, Title VI, community involvement programs, business partnerships, and other community involvement activities. Parents will be afforded substantial and meaningful opportunities to participate in the education of their children.
- II. The Elba City School System will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs which include the following:
 - A. Communication between home and school is regular, two-way and meaningful.
 - B. Communication between home and school includes conferences, telephone conversations, parent involvement meetings, written resource materials, community and system-wide surveys and needs assessments.
 - C. Responsible parenting is promoted and supported.
 - D. Family literacy and parenting skills are emphasized.
 - E. Parents play an integral role in assisting student learning.
 - F. Parents help their children meet challenging state and local content and achievement standards.
 - G. Parents are welcome in school and their support and assistance are sought.
 - H. Opportunities to volunteer are frequently communicated.
 - I. Parent participation on advisory committees strengthens program review, planning and improvement.
 - J. Parents are full partners in the decisions that affect children and families.
 - K. Community resources are utilized to strengthen school programs, family practices and student learning.
- III. The Elba City School System will communicate parental choices and responsibilities to parents.

CHAPTER 9.00 – SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

- IV. The Elba City School System will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the professional development plan.
- V. The Elba City School System will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy
 - A. To determine the effectiveness of increasing parent participation;
 - B. To identify barriers to greater parent participation; and
 - C. To report the findings to the State Department of Education.
- VI. The Elba City School System will use the findings of the evaluations in designing strategies for school improvement and revising, if necessary, the parent involvement policies.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-3-1-.02(2)(a)
NO CHILD LEFT BEHIND ACT OF 2001**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

PUBLIC INFORMATION/RELATIONS

9.20

Because the schools belong to the people who created them by consent and who support them by taxation, it is the declared intent of the Elba City Board of Education:

- I. To keep the citizens adequately informed through appropriate channels of communication on policies, programs, problems, needs, and the planning of the school system and to carry out this policy through its own efforts and the office of the Superintendent.
- II. To seek advice and opinion of the people of the community.
- III. To require Elba City School System staff members to cooperate in keeping the public informed of all newsworthy events which would be of interest or concern to the citizens and which would promote the welfare of the school system, provided that any news release by a particular school be approved by the principal or designee and that any release relating to the Elba City School System as a whole shall be approved by the Superintendent or designee.
- IV. Media requests for interviews with minor students will be denied unless parental permission is given.

REFERENCE(S):

**CODE OF ALABAMA
16-3-11, 16-11-9, 16-12-2**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

USE OF FACILITIES

9.30

- I. General Policy
 - A. The Elba City Board of Education believes the functions of school buildings and grounds should be to accommodate approved school programs for students and to assist in meeting the educational, cultural, civic, social and recreational needs of communities.
 - B. Use of school buildings by the community shall be considered a secondary function and shall be scheduled at times which do not interfere with regular school activities.
- II. Use Agreement – The Elba City Board of Education shall direct the Superintendent to develop administrative rules and regulations governing the use of school facilities. The use of school facilities by individuals or groups shall be governed by a signed use agreement between the individual or group and the Board. The use agreement shall contain, but is not limited to, the following:
 - A. A “hold harmless” statement having the effect of holding the Board free from any liability arising from the negligence of the party using the facilities.
 - B. A statement requiring, with limited exception, any person or group leasing the school facilities to purchase liability insurance indemnifying the Board and its members as additional insured. A certificate verifying the purchase of such insurance should be presented to the Board at least twenty-four (24) hours prior to use of the facilities.
 - C. A statement that the individual or group lessee shall assume all responsibility for damage and/or maintenance expenses invested in the building, directly or indirectly resulting from lessee’s use.
 - D. Persons responsible for payment in advance of Board-approved rental rates and fees for required employees, School System equipment, utilities, or other charges according to School System published rates for the current school year.
- III. The Elba City Board of Education owned or controlled facility will not be used in any manner not covered under liability insurance purchased by the Board.
- IV. Limited Open Forum - Equal Access
 - A. Non-curriculum related student organizations shall have the same opportunity to use school facilities as any other student organization, regardless of religious, political, philosophical, or other content of the speech at such meetings, subject to the right and obligation of the Board to maintain order and discipline on school premises and to protect the well-being of students and faculty.

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

- B. The principal of the school may approve use of the school facility by a non-curriculum related student organization provided that:
1. The meeting occurs during non-instructional time and is attended by a school employee/designee who shall provide general supervision.
 2. The meeting is voluntary and student-initiated. Only students enrolled in the school may request the meeting.
 3. The meeting is not sponsored by the school, the Board, or employees thereof.
 4. The presence of Elba City School System authorities or Board employees at any religious meeting is non-participatory in nature. The presence of school employees is for observation only.
 5. The meeting does not interfere with regular instructional activities of the school.
 6. The meeting shall not be directed, conducted, controlled or regularly attended by non-school persons.
 7. The non-curriculum related student group shall not use the school name, school mascot name, or any name that might imply school sponsorship.
- C. No school employee shall be compelled to attend a meeting of any student organization if the content of the speech at such meeting is contrary to the beliefs of the employee.
- D. Any student organization seeking to meet on school property during non-instructional time shall submit a written application to the school principal. Application shall include the following information:
1. The name of the organization.
 2. A general statement of the purpose of the organization.
 3. A description of the qualifications for membership, if any.
 4. A statement that the students understand and agree to comply with this equal access policy.
 5. A proposed schedule of meetings and activities.
- E. The principal shall deny approval to any organization whose purposes, qualifications for membership, or proposed activities are unlawful.
- F. Failure to comply with this policy shall be grounds for revocation of the right to continue to conduct meetings under this policy.

REFERENCE(S):

CODE OF ALABAMA
16-1-25, 16-10-11, 16-11-9, 16-11-11, 16-11-12, 16-12-3(a)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

ADVERTISING IN SCHOOLS

9.40

No commercial advertising shall be permitted by the Board in the buildings of the Elba City School System or on school grounds or properties unless approved by the school principal. Commercial advertising on school websites shall be subject to principal approval. Commercial advertising on School System websites shall be subject to Superintendent approval.

School officials, with the Superintendent's approval, may cooperate with any governmental agency in promoting activities in the general public's interest or may cooperate in furthering the work of any non-profit community-wide social service agency, provided that such cooperation does not restrict or interfere with the educational program of the school and is non-partisan and non-controversial.

A school may use film or other educational materials which contain advertising. The film or material shall be carefully evaluated by the school principal for classroom use to determine whether the film or material contains undesirable propaganda.

Demonstrations of educational materials and equipment shall be permitted with the principal's approval.

Schools may utilize athletic facilities for commercial advertising to support school programs. The principal shall maintain approval rights on the content and form of such advertising. Money collected from these commercial advertisements shall be deposited into the proper internal account.

Nothing herein shall be construed to prevent advertising in student publications which are published by student organizations and/or advertising in programs or publications sponsored by parent-teacher organizations, booster clubs, or other parent groups.

REFERENCE(S):

CODE OF ALABAMA

16-10-6, 16-11-9, 16-12-3, 36-25-1(9), 16-46-6

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

DISTRIBUTION OF LITERATURE AND MATERIALS TO STUDENTS

9.50

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

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3**

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

VISITORS

9.60

Any person entering the premises of an Elba City School System school shall report to the principal or designee and make known the purpose of the visit.

- I. This policy does not apply to routine deliveries or scheduled maintenance visits.
- II. The Superintendent or designee shall develop a plan for visible identification of visitors or other persons who are not students or employees of the school.
- III. A student not enrolled in the school or a student not accompanied by a parent/guardian is prohibited from visiting a school unless otherwise approved by the principal.
- IV. Parents/guardians are invited to visit the schools. To avoid interrupting the daily program, the parent should request a conference for after school hours or during a teacher's planning period. Parents/guardians are encouraged to plan such conferences with teachers and shall sign in at the principal's office and be issued a visitor's badge at the time they arrive on the campus.
- V. Any person who enters or remains upon Elba City School System property without legitimate purpose may be found to be trespassing, subject to arrest and penalties as defined by statutes.

REFERENCE(S):

CODE OF ALABAMA
16-8-8, 16-11-9, 16-11-18, AAC §290-3-1-.02(a)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

RELATIONS WITH GOVERNMENTAL AUTHORITIES

9.70

- I. The Elba City Board of Education will cooperate with local, state, and federal organizations and agencies when it is in the best interest of the system.
- II. The Superintendent may initiate or accept proposals and requests for cooperative endeavors; final action shall be subject to Board review and approval.
- III. Community relations of a continuing nature may be temporarily approved by the Superintendent if they involve no cost to the system and will neither disrupt the school system nor involve substantial use of facilities or personnel.
- IV. Formal agreements shall require Board approval. The Elba City Board of Education shall also review and approve major cooperative agreements or arrangements between other school systems, colleges, universities, correctional schools, or other educational organizations.
- V. Guidelines related to joint activities and requests for cooperation shall address costs which may be incurred, the extent of school personnel involvement, and prior agreements or arrangements with the same or similar organizations.

REFERENCE(S):

CODE OF ALABAMA
16-11-9, 16-12-3, AAC §290-4-1-.01(2)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

PUBLIC GIFTS TO SCHOOLS

9.80

The Elba City Board of Education may receive gifts which may serve to enhance and extend the work of the schools.

- I. Equipment contributed to the schools becomes the property of the Elba City Board of Education and is subject to the same controls and regulations that govern the use of other Board property.
- II. Contributions of equipment or services that may involve major costs for installation or maintenance, or continuing financial commitments from school funds shall be presented by the Superintendent to the Elba City Board of Education for consideration and approval.
- III. Individuals or organizations desiring to contribute supplies or equipment shall consult with school officials regarding the acceptability of such contributions in advance of the contribution.
- IV. All employees in a position to receive gifts in the name of a school or the school system shall apply a test of "reasonableness" to the gift. Reasonableness may be defined as anything that might not be construed to influence the decision makers in the purchase of school-related goods and services.

REFERENCE(S):

CODE OF ALABAMA
16-3-29, 16-3-30, 16-3-31, 16-11-9, 16-11-11, 16-12-3
AAC §290-4-1-.01(3)

HISTORY

ADOPTED: February 21, 2013

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS

PUBLIC COMMENTS AND COMPLAINTS

9.90

- I. Comments – Constructive comments regarding the schools are welcomed by the Elba City Board of Education when motivated by a sincere desire to improve the quality of the educational program or to equip the schools to do their tasks more effectively. The Board has, however, confidence in its professional staff and desires to support their actions so that they may be free from unnecessary, spiteful, or negative criticism or complaint. Therefore, when a complaint is made to the Board or an individual, it will be referred to the school administration for possible resolution.
- II. Complaints
 - A. The Elba City Board of Education advises the public that the proper channeling of complaints involving instruction, discipline, learning materials, or other school matters is as follows:
 1. Teacher
 2. Principal
 3. Superintendent
 4. Board of Education
 - B. The Elba City Board of Education will consider hearing citizen complaints when they cannot be resolved by the administration. Matters referred to the Board must be in writing and should be specific in terms of the action desired. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level. Complaints which involve the “good name” or “character” of an individual shall be heard in executive session as allowed by Alabama law.

REFERENCE(S):

**CODE OF ALABAMA
16-11-9, 16-12-3**

HISTORY

ADOPTED: February 21, 2013

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