

## **Baldwin County Public Schools**

**Mission Statement:** In partnership with the community, the mission of the Baldwin County Board of Education ("Board") is to provide a quality education that fosters learning.

**Vision Statement:** Our vision is to create a world class learning environment.

### **Pupil Responsibilities and Conduct Standards:** **A Statement of Policy for 2017-2018**

Each school maintains a copy of the Board Policy Manual, which is available for public review. The Board Policy Manual is also available online at [www.bcbe.org](http://www.bcbe.org). Copies of particular policies will also be made available upon request.

#### **GUARANTEE OF FREE APPROPRIATE EDUCATION**

The Board guarantees the right to a free appropriate education for all school age persons regardless of disability. The school system will arrange and provide for free evaluation services for any student who is suspected of having a disability and of needing personalized educational accommodations and/or related services. Parents may contact the office of Special Services, 251-972-6862 or Section 504 Supervisor, 251-239-4327, Baldwin County Board of Education, for further information and/or refer their child for an evaluation.

#### **EQUAL OPPORTUNITY POLICY**

It shall be the policy of the Board that no student be denied the benefit of any education program or educational activity on the basis of race, color, national origin, age, sex, disability, limited English proficiency, immigrant status, homeless status or foster care status. A free and appropriate education is available to all students with disabilities. It shall be the policy of the Board that barriers to enrolling and retaining students with limited English proficiency, homeless status, migrant status, immigrant status, or students in foster care shall be removed, including but not limited to, the denial or delay of enrollment of such students due to lack of birth certificate, lack of school records or transcripts, lack of immunization or health records, lack of proof of residency, lack of transportation or guardianship or custody requirements. Notwithstanding the foregoing, the Board recognizes and confirms the importance and necessity of requiring certain enrollment related documentation. In the event students are enrolled without all required documentation, the Superintendent shall develop and implement administrative procedures to ensure and facilitate the supplemental provision of such documentation. All programs offered by schools within the school district shall be open to all students in compliance with statutory and judicial requirements.

#### **RIGHT-TO-KNOW NOTICE**

In accordance with Title I of the No Child Left Behind (NCLB) Act of 2001, parents, through the Right-To-Know provision, may request information regarding the professional qualifications of their child's teacher(s) or the qualifications of paraprofessionals providing services to their child. In addition, parents will be provided information about their child's level of achievement on any state academic assessments. When requesting this information, send your written request to *local school principal* or the Federal Programs Coordinator, 1091 "B" Avenue, Loxley, AL 36551.

#### **Title IX**

The Board does not discriminate on the basis of sex in the admission to or employment in its education programs or activities it operates. All inquiries, questions, or comments should be sent to: Mr. Marty McRae -Title IX Coordinator, 2600 Hand Avenue Bay Minette, AL 36507 or 251-580-1600.

## **FEDERAL PROGRAM SERVICES FOR HOMELESS STUDENTS**

For information on services for Homeless students, please call the Federal Programs Coordinator at 251-972-6863. The Baldwin County Board of Education shall be committed to providing students an environment for learning. This includes the establishment of an atmosphere conducive to purposeful instruction. Regulations and due process procedures shall be designed to protect all members of the educational community in the exercise of their rights and responsibilities and to provide uniformity to assist in understanding the practices and procedures used in the schools. Principals shall be authorized to make supplemental rules and regulations as deemed necessary to provide for the effective operation of the local school program. Parents or guardians shall be encouraged to seek conferences with the principal or other members of the professional staff whenever the general welfare of the student is concerned.

## **BALDWIN COUNTY BOARD OF EDUCATION CODE OF STUDENT CONDUCT**

The policies and procedures of the Baldwin County Board of Education form the Code of Student Conduct and are based on the following responsibilities, rights, violations and sanctions.

### **Attendance**

Student and parent/guardian responsibilities include, but are not limited to the following:

- a. To abide by laws and local board of education and individual school rules and policies regarding attendance. [Compulsory Attendance](#) (BOE Policy 901); [Entrance Age](#) (BOE Policy 902) and [Attendance Policy](#) (BOE Policy 985).
- b. To be punctual and in regular attendance. [Truancy](#) (BOE Policy 908) and [Attendance Policy](#) (BOE Policy 985).
- c. To promptly request and complete make-up assignments for excused absences and tardies.

Student and parent/guardian rights are:

- a. To be informed of local board of education and individual school rules and policies regarding eligibility for enrollment, school attendance, including policies and rules regarding absences, tardies, truanies, and related programs, checkouts, make-up work, and school sponsored activities. [School Guardianship](#) (BOE Policy 910); [Attendance Zones](#) (BOE Policy 911); and [School Redistricting Policy](#) (BOE Policy 911a); [Absences and Excuses](#) (BOE Policy 905); [Tardiness](#) (BOE Policy 906); [Early Dismissal](#) (BOE Policy 907); and [Dispute Resolution Policy Regarding the Enrollment of Homeless Children and Youth](#) (BOE Policy 903).
- b. To be provided with make-up assignments for excused absences or tardies.

### **Respect for Person, Privacy, and Property**

Student responsibilities include, but are not limited to the following:

- a. To abide by laws and local board of education and individual school rules and policies regarding respect for person, privacy, and property.
- b. To respect the recognized privacy rights of others.
- c. To attend school and related activities without bringing items prohibited by law or local board of education policy or which detract from the educational process.
- d. To respect the property rights of those at school and the general public.

Student rights are:

- a. To be informed of local board of education and individual school rules and policies regarding respect of person, privacy and property.
- b. To retain privacy of personal possession on his/her person, in lockers, or vehicles, unless school personnel have reasonable suspicion to believe the student possesses an item which is prohibited by law or local board of education policy.

**Knowledge and Observation of Rules of Conduct**

Student and parent/guardian responsibilities include, but are not limited to the following:

- a. To abide by laws and local board of education and individual school rules and policies regarding rules of conduct. [Pupil Conduct](#) (BOE Policy 915); [Prohibition of Alcohol/Drug Use](#) (BOE Policy 920); [Drug/Alcohol Free School Policy](#) (BOE Policy 980); [Personal Handheld Electronic Devices](#) (BOE Policy 970)(see also, [Use of Digital Devices During the Administration of a Secure Test](#)); [Search of Property and Individual](#) (BOE Policy 925); [Student Interviews](#) (BOE Policy 926); [Inspection of School Property](#) (BOE Policy 937); [Hazardous and Disruptive Items](#) (BOE Policy 940); [Care of Property](#) (BOE Policy 938) and [School Attendance: Early Warning Truancy prevention Program and Driver’s License and Learner’s Permit Notice](#).
- b. To document receipt of the code of conduct with his/her signature.
- c. To abide by the [Mandatory Uniform Dress Code](#) (BOE Policy 914).

<b>Elementary Grades K - 6</b>		<b>Secondary Grades 7 - 12</b>	
1 <sup>st</sup> infraction	Warning and parent notified	1 <sup>st</sup> infraction	Warning and parent notified
2 <sup>nd</sup> infraction	Referral to the office and parent notified	2 <sup>nd</sup> infraction	Half day of Saturday School or full day of OCS
3 <sup>rd</sup> infraction	Detention	3 <sup>rd</sup> infraction	Full day of Saturday School or full day of OCS
4 <sup>th</sup> infraction & subsequent	One day suspension and parent notified	4 <sup>th</sup> infraction	One day suspension
		5 <sup>th</sup> infraction	Two days of suspension
		6 <sup>th</sup> infraction & subsequent	Three days of suspension and subject to expulsion
<b>TOP</b>		<b>BOTTOM</b>	
<b>White or Navy</b> Collared shirt with sleeves or turtleneck. School color polo as approved by the principal. Small unobtrusive logo is permitted		<b>BOYS</b> <b><u>Khaki or Navy Blue</u></b> Pants or Shorts (corduroy fabric permitted) <b>High School Students May Wear Pants Made of Denim Material That Is Blue In Color</b>	<b>GIRLS</b> <b><u>Khaki or Navy Blue</u></b> Pants, Skirts, Capri’s, Shorts, Skorts, Jumpers or Dresses(corduroy fabric permitted)
<b>Undergarments</b>		<b>Footwear</b>	
Undergarments, excluding the neckline of an undershirt, must not be visible at any time. Pajamas are prohibited		Footwear must be worn at all times and be closed toe in nature. As necessary, footwear conform to special class requirements (Physical education, tech center, agricultural classes, ROTC, science, etc.) <b>High School Students May Wear Open Toe Footwear</b>	
		<b>SWEATSHIRTS AND SWEATERS</b>	
		Must be solid: <b><u>Black, Brown, Navy, Tan, Gray, White</u></b> or school colors as published by the principal	
		<b>COATS and JACKETS</b>	
		Outerwear items must not have lettering, or logo of alcohol, tobacco, and/or controlled substance, nor pictures, symbols, art work that might be offensive in nature and cause a disruption to the educational process.	
<b>ITEMS NOT ALLOWED</b>			
Wind pants/sweatpants, velour pants, <b>tights, yoga pants, jeggings</b> , over-sized clothing, overalls, bellbottoms, un-hemmed clothing, clothing with cuts, slits, holes or slashes in inappropriate places, denim or jean fabric ( <b>blue denim is acceptable at the high school level</b> ), sleeveless shirts, overcoats, or trench coats.			

**KHAKI is defined by Baldwin County Public Schools to be light tan in color.**

***Pupils are expected to be clean and appropriately dressed for school. Dress and appearance must not present health or safety problems or cause disruption and should encourage a serious approach to school. The local school principal will be the final authority for determining appropriate dress within the framework of the policy.***

- Clothing and general appearance may not cause a disturbance or interfere with the instructional program and must not constitute a health hazard.
- Clothing must be of appropriate length and fit. To be acceptable, short pants and skirts must extend beyond either the finger tips when the student extends arms downward along the sides or reach the mid-thigh which-ever is longer. Pants must completely cover underwear. Low cut pants, sagging pants, etc. are prohibited.
- Excessively baggy or excessively tight fitting clothing is prohibited.
- Shirts must completely cover the midriff area when sitting and standing and expose no cleavage.
- Adornments that could reasonably be perceived as weapons or used to inflict harm (i.e. chains, spikes, etc.) are prohibited.
- Gang related apparel is prohibited at all times at any school function or school sponsored activity. Items deemed inappropriate under this category are at the discretion of the principal.
- Heads must remain un-covered in the building.
- Students who transfer from other school districts will be given five (5)days to come into compliance with the dress code.
- Schools may use t-shirts on field trips or spirit day as approved by the principal.

(Revised: August 06, 2014)

Student Rights Are:

- a. To be informed of laws and local board of education and individual school rules and policies regarding rules of conduct.
- b. To be informed as to the specific grounds of the violation(s) of the local board of education's code of student conduct.

**Student Discipline will be implemented in accordance with the following:**

Consequences for violation of the Board policy prohibiting alcohol/drug use shall be in accordance with BOE Policy 920 - [Prohibition of Alcohol/Drug Use](#).

Consequences for violation of the Board policy concerning the use and possession of personal handheld electronic devices shall be in accordance with BOE Policy 970 - [Personal Handheld Electronic Devices](#)

Consequences for violation of the Board uniform policy shall be in accordance with BOE Policy 914 - [Mandatory Uniform Dress Code](#).

Corporal punishment is prohibited in accordance with BOE Policy #916 – [Corporal Punishment](#).

Suspensions and Expulsions will be implemented in accordance with the following:

SUSPENSION AND EXPULSION (BOE Policy 917)

I. SUSPENSION

It is the policy of the Baldwin County Board of Education that a student may be Suspended from school under the following circumstances:

- A. After committing a Category II offense as identified in Policy #917(a).
- B. After committing a Category III offense as identified in Policy #917(a).
- C. After committing any serious offense or exhibiting any serious misconduct.

All suspensions should be for a specified number of days, not to exceed nine (9) school days. Any deviation from said pattern shall require authorization from the Superintendent.

### Procedures

In the event that a student's misbehavior is, in the opinion of the principal, severe enough to warrant suspension, the procedures shall be as follows:

A. The student shall be informed, orally or in writing, by the principal or by his or her designee of the charges against him or her. In the event the student denies the charge(s), the student will be provided an opportunity to present his or her side of the story. In all circumstances, students will be provided an opportunity to state matters in mitigation of the charge(s).

B. If, in the judgment of the principal or his or her designee, the student committed the offense(s) in question, the student shall be suspended from school.

C. The principal shall immediately notify the student's parent or legal guardian of the action taken, the reason or basis for the action, and what further action will be taken, if any.

### II. EXPULSION

It is the policy of the Baldwin County Board of Education that a student may be expelled from school under the following circumstances:

A. After committing a Category II offense as identified in Policy #917(a).

B. After committing a Category III offense as identified in Policy #917(a).

C. After committing any serious offense or exhibiting any serious misconduct.

Expulsions may be for a period of: (a) more than ten days, less than one semester; (b) one semester or more; or (c) permanently.

### Procedures

In the event that a student's misbehavior is, in the opinion of the principal, severe enough to warrant expulsion, the procedures shall be as follows:

A. The student shall be clearly informed by the principal or by his or her designee of the offense with which he or she is being charged. The student will be given an adequate opportunity to state his or her position regarding the alleged offense and to provide any matters in mitigation. Provided however, in the event the principal determines that the student poses an immediate threat to persons or property or threatens immediately to disrupt the educative process, the student may be suspended immediately. In such cases, notice of misconduct with which the student is charged should be given as soon as practicable and no later than three (3) days following suspension. Under such circumstances, a time shall be scheduled as soon as practicable and not later than five (5) days after suspension to provide the student an adequate opportunity to state his or her position regarding the alleged offense and to provide any matters in mitigation.

B. If, in the judgment of the principal or his or her designee, the student committed the offense (or offenses) in question, the student shall be immediately suspended from school pending a determination by the principal as to whether expulsion is necessary.

C. In the event the principal determines that the totality of the circumstances require expulsion, the principal must notify the student's parent or legal guardian of his or her recommendation for expulsion and of the misconduct with which the student is charged. The notice must further notify the parent or legal guardian that they have the right to request a hearing before the principal at which time they shall have the right to be represented by legal counsel, to ask questions of the principal and of any witnesses, and to present witnesses. Except as otherwise agreed upon by the principal, the request for a hearing must be submitted to the principal in writing within three (3) days of the date of the notification of the intent to expel. Notice of the results of the hearing shall be given in writing to the student's parent or guardian within three (3) days after the hearing.

D. The student's parent or guardian shall thereafter have the right to appeal from the results of said hearing to the local superintendent provided notice of intent to appeal is given within five (5) days of receipt of the notice of the results of the hearing. The appeal shall be heard by the superintendent or an expulsion review committee as designated by the superintendent. The appeal hearing shall be held within five days of the receipt of the notice of appeal except as otherwise agreed upon by the local superintendent and the parent or guardian of the student. The student shall have the right to be represented by legal counsel, to ask questions of the principal and of any witnesses, and to present witnesses during the appeal hearing. The student and his parent or guardian shall be notified in writing of the results of the appeal within five (5) days following the hearing.

When a student is suspended or expelled, he is denied admittance to any other school in the system until he has cleared his record with the school originating the suspension or expulsion even though he might have moved into a new attendance zone.

### **CLASSIFICATION OF VIOLATIONS AND SANCTIONS** (BOE Policy 917a)

It is fundamental that an orderly school have clearly defined rules for behavior to which students must conform. Non-conformity to these rules is a violation of the Code of Student Conduct. Violations are grouped into three classes (Class I, Class II, and Class III) which range from the least to the most serious. Appropriate school personnel shall investigate, verify, and take the necessary actions to resolve student misconduct. After determining a violation and the classification of the violation, the principal or designee should implement the appropriate sanction. Violations apply to student conduct on a school campus, at school-related events, while being transported to or from school or school-related events, or off-campus misconduct that has a direct effect on good order and general welfare of the school. Below is a listing of each class of violations and possible sanctions. As the violations increase in seriousness, the severity of the possible sanctions increases.

#### **Class I Violations**

- 1.01 Distraction of other students
- 1.02 Bullying, intimidation, harassment of student, minor and isolated
- 1.03 Tardiness
- 1.04 Non-direct use of profane language or obscene gesture (See 2.10)
- 1.05 Non-conformity to dress code
- 1.06 Disruption on a school bus, minor
- 1.07 Inappropriate public display of affection, minor
- 1.08 Unauthorized absence from class or school for part of a day
- 1.09 Refusal to complete class assignments
- 1.10 Failure to follow directives from a school system staff member, minor
- 1.11 Unauthorized use of school or personal property
- 1.12 Littering of school property
- 1.13 Horseplay
- 1.14 Any other violation, which the principal may deem reasonable to fall within this category after investigation and consideration of extenuating circumstances

#### **Class I Sanctions**

1. Conference with the student
2. Conference with parent
3. Verbal warning, reprimand and/or demerits
4. Loss of privilege(s)
5. Bus suspension
6. Removal from class (temporary or permanent)
7. Detention (before school, after school or Saturday)
8. In-school suspension
9. Referred to counselor
10. Referred to peer mediation
11. Restitution
12. Student contract
13. Other sanction(s) as approved by the Board of Education

#### **Class II Violations**

- 2.01 Failure to follow directives from a school system staff member, moderate or second incident
- 2.02 Disruption on a school bus, moderate or second incident
- 2.03 Vandalism/property damage
- 2.04 Theft of property

- 2.05 Gambling
- 2.06 Possession of stolen property with the knowledge that it is stolen
- 2.07 Sexual harassment
- 2.08 Threats/extortion
- 2.09 Trespassing
- 2.10 Direct use of profane language or obscene gesture directed toward another person
- 2.11 Repeated direct or non-direct use of profane language or obscene gestures
- 2.12 Unauthorized absence from school for a day or more
- 2.13 Inappropriate public display of affection, repeated or significant
- 2.14 Inappropriate touching of another person
- 2.15 Possession of and/or use of matches or lighters
- 2.16 Possession, sale, and/or use of a tobacco product
- 2.17 Dishonesty and cheating
- 2.18 Providing false information to a local board of education employee
- 2.19 Bullying, intimidation, harassment of student, moderate or second incident
- 2.20 Repeated violations of Class I offense
- 2.21 Any other violation, which the principal may deem reasonable to fall within this category after investigation and consideration of extenuating circumstances

#### Class II Sanctions

- 1. Assignment to the Alternative School
- 2. Out-of-school suspension
- 3. Referral to outside agency
- 4. Expulsion
- 5. Any sanction(s) included in Class I and other sanction(s) as approved by the Board of Education

#### Class III Violations

- 3.01 Arson
- 3.02 Robbery
- 3.03 Theft of property
- 3.04 Burglary of school property
- 3.05 Criminal mischief
- 3.06 Bomb threat
- 3.07 Sexual offense
- 3.08 Fighting
- 3.09 Inciting or participating in major student disorder
- 3.10 Unjustified activation of fire alarm system or fire extinguisher
- 3.11 Assault on another person (Student, teacher, staff member, visitor, etc.)
- 3.12 Possession of a weapon
- 3.13 Preparing, possessing, and/or igniting explosive device
- 3.14 Unlawful sale, purchase, furnishing or giving, or possession of illegal drug or drug paraphernalia or alcohol beverage
- 3.15 Accessing or changing information in school computers without authorization or for inappropriate purposes
- 3.16 Crimes as defined under the laws of the city, state of Alabama, or United States
- 3.17 Bullying, intimidation, harassment of student, severe or repeated
- 3.18 Any other offense, which the principal may deem reasonable to fall within this category after investigation and consideration of extenuating circumstances

Class III Sanctions Class III violations typically result in suspension or expulsion. Provided however, discipline may include any sanction(s) included in Classes I and II and other sanction(s) as approved by the local Board of Education.

Additional Requirements for Expulsions and Alternative School Assignments Under circumstances where a student is expelled or is assigned to the Alternative School, the principal shall document all factors taken into consideration in expelling a student or referring them to the Alternative School.

Suspension and Expulsion of Disabled Students (BOE Policy 918)(See also BOE Policy 1033)

On-Campus Suspension Program (BOE Policy 919)

## **Right to Learn**

Student Responsibilities Are:

- a. To abide by laws and local board of education and individual school rules and policies regarding the right to learn.
- b. To take advantage of appropriate opportunities provided for learning.
- c. To avoid hindering the teaching process.
- d. To seek assistance, if needed, to aid learning.
- e. To obey rules regarding attendance, conduct, free speech, student publications, assembly, privacy, and participation in school programs and activities.

Student Rights Are:

- a. To be informed of laws and local board of education and individual school rules and policies regarding the right to learn.
- b. To be provided a safe school environment free of illegal drugs, alcohol, or weapons.
- c. To be provided appropriate instructors, instructions, materials, and equipment to take advantage of the opportunity to learn.
- d. To be provided with the opportunity to express concerns regarding the operation of the school.

## **Free Speech**

Student Responsibilities Are:

- a. To abide by laws and local board of education and individual school rules and policies regarding free speech.
- b. To be courteous of the views of others.

Student Rights Are:

- a. To be informed of laws and local board of education and individual school rules and policies regarding free speech.
- b. To express disagreement in a constructive manner taking into account the rights of others, consistent with the established education process.

## **Student Publications**

Student Responsibilities Are:

- a. To abide by laws and local board of education and individual school rules and policies regarding student publications.
- b. To communicate in a respectable manner consistent with good education practices.
- c. To seek accurate and complete information on the topics approved for publication.
- d. To observe the accepted rules for responsible journalism under the guidance of faculty members.

Student Rights Are:

- a. To be informed of laws and local board of education and individual school rules and policies regarding student publications.
- b. To participate, as part of the educational process, in the development and/or distribution of student or school publications consistent with the educational process.



## **Assembly**

Student Responsibilities Are:

- a. To abide by laws and local board of education and individual school rules and policies in regard to assembly.
- b. To seek approval, plan, and conduct meetings consistent with local board of education rules.

Student Rights Are:

- a. To be informed of laws and local board of education and individual school rules and policies regarding assembly.
- b. To assemble in a lawful manner for lawful purpose with prior approval by local school officials.

## **Participation in School Programs and Activities**

Student Responsibilities Are:

- a. To abide by laws and local board of education and individual school rules and policies in regarding school programs and activities.
- b. To be courteous and responsible at all school programs and activities.
- c. To complete assignments related to his/her participation in school programs and activities.

Student Rights Are:

- a. To be informed of laws and local board of education and individual school rules and policies regarding school programs and activities.
- b. To develop or participate in student programs and activities consistent with local board of education and individual school policies.
- c. To seek office in any student organization.

## **ANTI-HARASSMENT POLICIES**

**Sexual Harassment** (BOE Policy 933) The Baldwin County Board of Education recognizes that harassment on the basis of gender is a violation of both federal and state discrimination laws. The board is committed to providing learning and co-curricular environments that are free from sexual harassment where all students and employees can work together comfortably and productively.

Sexual harassment will not be tolerated from students, employees or non-employees, including volunteers and suppliers, who have contact with employees and students in the workplace, school or school sponsored events or any event sanctioned by the Baldwin County Board of Education.

All students are assured that they may file a complaint or assist in an investigation without fear or retaliation by any board employee, peer, or alleged harasser. Complaints of retaliation will be promptly investigated and perpetrators will be subject to disciplinary action.

Complaints and cases of sexual harassment will be investigated and handled promptly. Any student found guilty of sexual harassment, or to be in violation of this policy, shall be subject to disciplinary action according to the findings of the investigation. Disciplinary action may include: a written warning, suspension or expulsion.

### **Definition:**

Sexual harassment consist of unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when such conduct has the purpose or effect of unreasonable interfering with an individual's school performance or creating an intimidating, hostile or offensive learning environment at school or school sponsored events or any event sanctioned by the Baldwin County Board of Education.

Forms of sexual harassment include:

1. verbal harassment, such as derogatory comments, jokes or slurs;
2. physical harassment, such as unnecessary or offensive touching or impeding or blocking movement;

3. derogatory or offensive posters, cards, cartoons, graffiti, drawing or gestures.

### **Anti-Harassment Policy** (BOE Policy 934)

#### **Section 1. Harassment, Violence, and Threats of Violence Prohibited**

The Baldwin County Public School System is committed to providing a safe and supportive learning environment in which all members of the school community are treated with respect. Harassment, violence, and threats of violence are prohibited and constitute unacceptable behavior that will not be tolerated.

It is hereby the policy of the Baldwin County Public School System to oppose and prohibit, without qualification, unlawful harassment based on real or perceived race, color, religion, national origin, marital status, sex, sexual orientation, gender identity, or disability.

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

#### **Section 2. Definitions**

- a. The term *harassment* as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth in Section 3(b) below. To constitute harassment, a pattern of behavior may do any of the following:
  - 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.
- e. The term *hostile environment* as used in this policy means the perception by an affected student or victim that the conduct of another student constitutes a threat of violence or harassment, and that the conduct is objectively severe or pervasive enough that a reasonable person would agree that the conduct constitutes harassment, threat of assault, or assault.
- f. The term *student* as used in this policy means a student who is enrolled in the Baldwin County Public School System.

#### **Section 3. Description of Behavior Expected of Students**

- a. Students are expected to treat other students with courtesy, respect, and dignity and to comply with the Student Code of Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting harassment, violence, or intimidation; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student; and (3) to refrain from placing another student in fear of being subjected to violence, injury, or damage

when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.

- b. Violence, threats of violence, harassment, and intimidation 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;
  - The student's disability;
  - The student's marital status;
  - The student's sexual orientation; or
  - The student's gender identity.

#### Section 4. Consequences for Violations

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

Punishment shall conform with applicable federal and state disability, anti-discrimination, and education laws and school discipline policies.

#### Section 5. Reporting, Investigation, and Complaint Resolution Procedures

- a. Complaints alleging violations of this policy must be made on Board approved complaint forms available at the principal and/or counselor's office and also located on our school system's website. The complaint must be signed by the student alleging the violation or by the student's parent or legal guardian delivered to the principal or the principal's designee either by mail or personal delivery. (The complaint can not be written by an education employee on behalf of an affected student or his or her parent or guardian.) At the request of the complaining student or the student's parent or legal guardian, incidental or minor violations of this policy may be presented and resolved informally.
- b. Upon receipt of the complaint, the principal or the principal's designee will, in their sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake a thorough and complete investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.
- c. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Student Code of Conduct. A student who personally or through his/her parents deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the Student Code of Conduct.
- d. Referrals can also be made by parents or guardians to law enforcement and other agencies, even if insufficient to warrant a charge.
- e. 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.

## Section 6. Promulgation of Policy and Related Procedures, Rules, and Forms

This policy and any procedures, rules, and forms developed and approved to implement this 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 Baldwin County Public School System's website. This policy also applies to students' participation in school-sponsored functions.

(Exhibits omitted but available by link or upon request)

Exhibit "A" - Harassment Complaint Form

Exhibit "B" – Harassment Witness Statement Form

Exhibit "C" – Student Harassment Referral Form

### **DIRECTORY INFORMATION NOTIFICATION**

[Directory Information Notification](#) pursuant to the Family and Educational and Privacy Rights Act, 20 U.S.C.A. section 1232g.

### **GIFTED REFERRAL PROCEDURES**

Gifted students are those who perform at or who have demonstrated the potential to perform at high levels in academic or creative fields when compared to others of their age, experience, or environment. These students require services not ordinarily provided by the regular school program. Students possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor.

Teachers, counselors, administrators, parents or guardians, peers, self, or any other individuals with knowledge of the student's abilities may refer a student. Additionally, all second grade students will be observed as potential gifted referrals using a gifted behavior checklist.

For each student referred, information is gathered in the areas of Aptitude, Characteristics, and Performance. The information is entered on a matrix where points are assigned according to established criteria. The total number of points earned determines if the student qualifies for gifted services.

To make a referral:

Tell your child's teacher or the school's Gifted Education Program teacher you would like to refer your child for the Gifted Education Program.

The Gifted Education Program Teacher will then begin the referral process by sending a Notification and Consent for Gifted Screening home for you to sign. This gives permission for the school system to look at previous test results and achievement information. It also allows the system to administer achievement tests, vision and hearing screening, and ask the classroom teacher/s to complete an evaluation of gifted characteristics observed in the regular classroom.

Next, a committee at the local school will review all data and determine if there is enough information to continue with the referral. The referral is then sent to Loxley Satellite Office for processing.

If screening scores are at the appropriate level, the referral will continue. If screening scores are not at the appropriate level, a letter will be sent to parents.

After testing is completed, parents will receive information on the results and eligibility requirements for the program. For more information on gifted referral procedures and eligibility requirements, please contact the Gifted Education Program Teacher at your child's school or Dr. Kathy Nichol, Instructional Support Supervisor at 972-6858.

## **HEALTH SERVICES, COMMUNICABLE DISEASES AND AIDS/HIV POLICIES**

[School Health Services](#)

[Communicable Diseases](#) (BOE Policy 912)

[Student AIDS/HIV Policy](#) (BOE Policy 913)

## **INSTRUCTIONAL SERVICES AND USE OF SECLUSION AND RESTRAINT**

[Instructional Services](#)

[Seclusion and Restraint for All Students](#)

## **ADDITIONAL BOE STUDENT PERSONNEL POLICIES AND RELATED MATTERS**

[Married Students](#) (BOE Policy 930)

[Health Related Conditions; including Pregnancy](#) (BOE Policy 931)

[Use of Audio Tape Recorders](#) (BOE Policy 932)

[School Visitors](#) (BOE Policy 935)

[Textbook Accountability](#) (BOE Policy 939)

[Medication](#) (BOE Policy 942)

[Accidents](#) (BOE Policy 943)

[First Aid](#) (BOE Policy 944)

[Incidents](#) (BOE Policy 945)

[Voluntary Prayer at School Related Events](#) (BOE Policy 947)

[Distribution of Materials](#) (Includes Surveys) (BOE Policy 950)

[Soliciting Funds](#) (BOE Policy 954)

[Student Records](#) (BOE Policy 955)

[Types, Location and Custodians of Student Records](#) (BOE Policy 956A)

[Disclosure of Education Records](#) (BOE Policy 957)

[Record of Requests for Disclosure](#) (BOE Policy 957A)

[Correction of Education Records](#) (BOE Policy 958)

[Refusal to Provide Copies](#) (BOE Policy 959)

[Fees for Copies of Records](#) (BOE Policy 959A)

[School Food Service Management](#) (BOE Policy 960)

[Purchasing for School Food Service](#) (BOE Policy 961)

[Free and Reduced Lunch Policies](#) (BOE Policy 962)

[Price and Payment of School Food Services](#) (BOE Policy 963)

[Sanitation Inspections](#) (BOE Policy 964)

[Care of School Food Service Equipment and Facilities](#) (BOE Policy 965)

[Wellness Policy on Nutrition and Physical Activity](#) (BOE Policy 966)

[Child Nutrition Program Charge Policy](#) (BOE Policy 967)

[Child Nutrition Program Offer vs. Serve](#) (BOE Policy 968)

[Child Nutrition Program Diet Prescription Policy for Students with Special Dietary Needs](#) (BOE Policy 969)

## **ATTENDANCE STANDARDS**

**COMPULSORY ATTENDANCE** (BOE POLICY 901) Subject to exemptions provided by state law, every child between the ages of six (6) and seventeen (17) years shall be required to attend public school, private school, church school or be instructed by a competent private tutor for the entire length of the school term in every scholastic year. Admission to a Baldwin County public school shall be on an individual basis on the application of the parents, legal custodian or guardian of the child to the Board of education at the beginning of each school year, under such procedures as the Superintendent may prescribe.

**ENTRANCE AGE** (BOE Policy 902) Children who are five (5) years old on or before September 2 and youth who have not attained the age of nineteen (19) years by September 2 may apply to enroll in the Baldwin County Public Schools. Applications for enrollment shall be subject to review and approval by the Superintendent, or his/her designee(s), in accordance with such procedures as the Superintendent may prescribe. Provided, however, students qualifying, as "exceptional children" under applicable state and federal law may be eligible for educational services until the age of twenty-one (21) years.

Children eligible for admission to kindergarten by virtue of the fact that they are five (5) years old on or before September 2, and who are still not of compulsory school age (age six) shall enter kindergarten during the first two weeks of school. Students seeking enrollment after the second week of school must provide the principal with satisfactory reasons as to why enrollment was impossible or impractical during the first two weeks. An underage child who transfers from a mandated public kindergarten in another state shall be permitted to enroll in a public kindergarten in Baldwin County. Upon successful completion of a mandated kindergarten program the student is eligible for admission to the first grade regardless of age. Children eligible for admission to first grade by virtue of the fact they are six (6) years old on or before September 2, and who are still not of compulsory age (age six) shall enter first grade during the first two weeks of school. Otherwise, satisfactory, reasons as to why enrollment during this period is either impossible or impractical shall be provided to the principal. Students moving into this state having completed a mandated kindergarten program in another state shall be eligible for admission to the first grade regardless of age.

**ATTENDANCE POLICY** (BOE Policy 985) The Baldwin County Board of Education believes that attendance is a key factor in student achievement. Thus, any absence from school represents an educational loss to the student. However, the Board recognizes that absence from school is sometimes necessary. Therefore, the Baldwin County Board of Education has developed an attendance policy that is designed to minimize student absenteeism while providing students the opportunity to make-up schoolwork missed due to absences that can reasonably be considered unavoidable.

All persons between the ages of six (6) and seventeen (17) years of age are required by state law to attend school for the minimum number of scholastic days prescribed by the State Board of Education. All laws regarding school attendance shall be strictly enforced by the Baldwin County Board of Education. All students must attend school or must be instructed privately unless the student holds a Certificate of Exemption. In accordance with state law, a student in the following categories may obtain a Certificate of Exemption by the Superintendent of the Baldwin County Board of Education.

- (1) A person whose physical or mental condition prevents attendance or makes attendance inadvisable. The county health officer or a licensed physician must certify such physical or mental incapacities, practicing physician.
- (2) A person seventeen (17) years of age or older.

- (3) A person who has completed the course of study of the public schools of the State of Alabama.
- (4) A student who lives more than two miles from a public school where lack of transportation would require that the student walk to school.
- (5) A person who is legally and regularly employed under the provisions of child labor laws and who holds a permit to work under the terms of child labor laws.

Any student not holding a Certificate of Exemption shall be required to attend public school.

Permissible Reasons for Absences (Grades K-12)

The following are permissible reasons for excused absences:

- (a) Student illness
- (b) Inclement weather, which makes it dangerous for students to attend school (as announced by the Superintendent)
- (c) Legal quarantine
- (d) Death in the immediate family
- (e) Emergency condition as determined by the principal or superintendent.
- (f) Absence to observe traditional religious holidays of a local, national, or international origin when verified by the student's minister or religious leader.

Absences in Elementary School and Middle School (Grades K-8)

Students in grades K-8 schools may not exceed nine (9) unexcused absences per year. If a student misses more than half of the school day, a full absence will be accumulated. A student and a student's parent or guardian shall be given written notice when a student's unexcused absences exceed four (4) days. The student could be retained if unexcused absences exceed nine (9) unexcused days per year. If the maximum number of unexcused absences is exceeded, the student and parent/guardian may petition the Attendance Committee for review of the reasons for the absences. Petition for review by the Attendance Committee may be filled-out at any time after notification, but in any event, no later than 30 calendar days after the final day of the semester. The Attendance Committee shall review the student's entire attendance record and documented excuses to determine whether to allow the student to pass.

**NOTE- The Early Warning Program will remain in effect.**

High School (Grades 9-12)

All Alabama public schools are governed by the Alabama State Department of Education Administrative Code 290-3-1-.02(9)(a), which states the following:

(9) Time Allotment and Credit Requirements for Secondary Schools

(a) One credit may be granted in Grades 9-12 for required elective courses consisting of a minimum of 140 instructional hours or in which students demonstrate mastery of Alabama course of study content standards in one credit courses without specified instructional times. All subjects taught are considered major subjects. The Alabama State Department of Education does not recognize major and minor subjects in Grades K-12.

In the block schedule program (grades 9-12), a student may not exceed five (5) unexcused absences per class per term. If a student misses more than half of a class period, a full absence will be accumulated. A student and a student's parent or guardian shall be given written notice when a student's unexcused absences exceed two (2) days in any class. The student could lose credit for any class in which the unexcused absences exceed five (5) per class. If the student exceeds five (5) unexcused absences per class, the student and parent/guardian may petition the Attendance Committee for review of the reasons for the absences, and/or make-up two (2) of the absences by attending Academic Saturday School. Petition for review by the Attendance Committee may be filled-out at any

time after notification, but in any event, no later than 30 calendar days after the final day of the term. The Attendance Committee shall review the student's entire attendance record and documented excuses to determine whether to award credit.

NOTE- The Early Warning Program will remain in effect.

#### Policy to Reclaim High School Credit

Students who fail a course are strongly encouraged to make-up the course in night school, summer school, or through a correspondence course.

#### Policy for Make-Up Work

Upon return to school from excused absence(s), students have up to three days to complete and turn-in make-up work to teachers.

#### Academic Saturday School (Grades 9-12)

There will be two Academic Saturday School dates set aside per term per school year. Students whose unexcused absences exceed four days per term may be allowed to make-up two (2) unexcused absences per term by attending Academic Saturday School. Students who make-up absences due to suspension will be allowed to make-up absences from excused suspensions only. Students who choose to make-up absences in Academic Saturday School must sign-up for Academic Saturday School via the school Principal or his/her designee.

#### Written Explanation for All Absences (Grades K-12)

Every parent, guardian, or other person having control or charge of any child required to attend public school, private school, or church school, shall as soon as practical explain the cause of any absence of the child under his control or charge which was without permission of the teacher. (Alabama Code (1975) § 16-28-15)

Failure to furnish such explanation shall be admissible as evidence of such child being a truant with the consent and connivance of the person in control or charge of the child, unless such person can show to the reasonable satisfaction of the court that he had no knowledge of such absence and that he had been diligent in his efforts to secure the attendance of such child. (Alabama Code (1975) § 16-28-15) A written note from parents or guardians will excuse absences for up to but not exceeding nine (9) absences in grades K-8 and four (4) absences in grades 9-12. Future absences for illness will require a doctor's note in order to be excused.

#### Transfer Students and Attendance Requirements

Students who transfer into Baldwin County Public Schools must have documented proof of enrollment, attendance, and coursework in another school system before enrollment in local schools. High school student(s) (grades 9-12) who do not submit proof of enrollment in another school system and who enroll after the first five (5) days of a term may not be awarded Carnegie units for coursework. Elementary and middle school students (grades K-8) who do not submit proof of enrollment in another school system and enroll after the first ten (10) days of the school year may be retained. Absences incurred in the student's previous school will not apply to the student's attendance record in Baldwin County.

#### ROLE OF ATTENDANCE COMMITTEE

The Attendance Committee will have the opportunity to review petitions by students and parents/guardians to determine whether excessive absences are justified.

Any absence not falling into the categories listed under Permissible Reasons for Absence may be subject to review by the Attendance Committee. Students and parents/guardians may petition the Attendance Committee to review the reasons for absences. The Principal or his or designee shall inform the student and parents/guardians by written notice of the decision of the Attendance Committee. Decisions made by the Attendance Committee at the local school may be appealed to the Superintendent's Attendance Committee. The Superintendent's Attendance Committee meets once per term.

At the local school level, the Attendance Committee will be composed of the Principal (his/her designee) and a counselor. The Superintendent's Attendance Committee will be composed of the Assistant Superintendent



assigned to the local school and a representative from the Baldwin County Board of Education Attendance Office. All decisions made by the Superintendent's Attendance Committee are final.

#### APPEAL PROCESS

**CAMPUS LEVEL:** Students and parents/guardians may appeal to the Attendance Committee to review both written excuses and oral explanations for excessive absences. Students or parents/guardians will use the appeal form available in the counselor's office. The Attendance Committee will review all written/oral appeals within three weeks before the end of the term. If needed, the Attendance Committee may interview the student prior to making a decision regarding awarding of Carnegie units or promotion/retention.

**DISTRICT LEVEL:** Student and parents/guardians may appeal the decision made by the local school Attendance Committee. A written appeal must be submitted to the Superintendent's Attendance Committee within three days of receipt of the local school's Attendance Committee decision. The Superintendent's Attendance Committee will review all written excuses and oral explanations for excessive absences. If needed, the Superintendent's Attendance Committee may interview the student prior to making a decision regarding awarding of Carnegie units or promotion/retention. All decisions made by the Superintendent's Attendance Committee are final.

**Dispute Resolution Policy Regarding the Enrollment of Homeless Children and Youth** (BOE Policy 903) The Baldwin County Public School System will make school placement decisions in the "best interest" of the homeless child or youth who are otherwise eligible for enrollment in Baldwin County Public Schools. Students will continue in the school of origin for the duration of homelessness (as defined in the McKinney-Vento Act, 42 U.S.C.A. 11431 et seq.) when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year. Homeless students may enroll in any public school that non-homeless students who live in the attendance area are eligible to attend. If the school enrollment decision is contrary to the wishes of the child or youth's parent/guardian, the school will provide the parent/guardian, or unaccompanied youth a written explanation of the decision, a statement of the right to appeal, and procedure for appealing the placement decision. The dispute resolution process can be initiated at the school the complainant chooses, with the school district or with the office of the Baldwin County Public Schools Homeless Liaison. If a dispute arises, the child, youth, parent/guardian shall be referred to the Baldwin County Public Schools Homeless Liaison who shall carry out the dispute resolution process.

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

**ABSENCES AND EXCUSES** (BOE Policy 905) The fundamental right to attend public school places upon students the accompanying responsibility to be faithful in attendance. Regular attendance can be assumed to be essential for a student's successful progress in the instructional program. The following absences shall be considered excused absences, provided that in each instance parental confirmation of the reason for the absence has been received. Parents are required to explain in writing all absences. An excused absence permits work to be made up.

- (a) Illness or death in the immediate family.
- (b) Inclement weather which would be dangerous to the life or health of the pupil if he/she attended school.
- (c) Legal quarantine or emergency condition as determined by the superintendent or principal (con't)

- (d) Permission of principal and consent of parent (i.e., absence to observe traditional religious holiday). Except in emergency situations, out of town trips must have the principal's approval prior to taking the trip if the absence is to be coded excused.

A student, upon returning to school, shall bring a written statement from his parent, guardian or other person having control of the student, with an explanation or the reason for the absence and the date of the absence. Students having tardies or absences shall be disciplined accordingly.

Students having unexcused absences or tardies shall be disciplined accordingly to procedures outlined in the Early Warning Program. Individual schools may devise additional rules to ensure compliance with this regulation.

**TARDINESS** (BOE POLICY #906) Pupils shall report to their individual schools no later than the beginning of the school day and be on time in all classes during the day. Individual schools shall devise rules to ensure compliance with this regulation.

**EARLY DISMISSAL** (BOE POLICY #907) Pupils who leave school for any reason must check out through the principal's office.

Parents must send a written note of permission for any pupil to leave school for any reason except when sudden illness, accident or similar incident occurs.

The nature of the checkout will determine whether the absence from any part of the school day will be excused.

Only an excused checkout permits work to be made up.

**TRUANCY** (BOE POLICY #908) The policy of the Baldwin County Board of Education shall be to comply with the mandates of Alabama Compulsory Attendance Laws and procedures set forth in the Early Warning Program governing truancy.

**SCHOOL GUARDIANSHIP** (BOE POLICY #910) Unless enrollment is otherwise required by law, rule or regulation, a guardian/custodian desiring to enroll a student in the Baldwin County School System shall provide the local school with an original or certified copy of the court order or decree transferring guardianship or custody to the enrolling guardian/custodian. Delegations of parental authority or powers of attorney will not be accepted. The enrolling guardian/custodian shall reside in the attendance zone in which enrollment is sought. The student being enrolled must actually reside with his/her guardian/custodian.

In addition to the matters noted in the preceding paragraph, it shall be the sole duty and responsibility of the enrolling guardian/custodian to provide all documentation otherwise required by the Baldwin County Board of Education as a prerequisite to enrollment.

Failure to comply with any of the above-noted requirements will result in the denial of the request for admission. Upon enrollment, if circumstances change such that any of the foregoing requirements are no longer satisfied, the student might be withdrawn from school. The guardian/custodian agrees to provide immediate written notification to the local school principal of any change in circumstances related to the student's continuing eligibility for enrollment.

Under extreme emergency situations as documented in writing by the guardian/custodian, the Assistant Superintendent with responsibility for the local school in which enrollment is sought, may in his or her sole discretion waive the foregoing requirements and allow a student to temporarily enroll pursuant to a properly executed delegation of parental authority in form as approved by the Baldwin County Board of Education. In the event the waiver is denied, the guardian/custodian may submit an appeal in writing to the Superintendent of the Baldwin County Board of Education. If the Superintendent makes a finding that an extreme emergency situation exists, enrollment shall be allowed pursuant to this paragraph. If the Superintendent concurs with the decision of the Assistant Superintendent, then the decision to deny enrollment shall be final.

Eligibility for participation in athletic activities shall be determined in accordance with the Alabama High School Athletic Association transfer rules. It shall be the sole duty and responsibility of the guardian/custodian to determine compliance with all applicable rules regarding eligibility for participation in athletic activities.

Any student enrolled in accordance herewith shall comply with all applicable laws, rules and regulations including, but not limited to, attendance requirements and the student code of conduct.

## **ATTENDANCE ZONES AND REDISTRICTING**

**ATTENDANCE ZONES** (*BOE POLICY #911*) The Baldwin County Board of Education affirms those present school attendance zones outlined by Federal Courts. The board, however, gives the superintendent discretionary authority to grant variances to pupils who present evidence of extreme hardship. Extreme hardship may not be construed to include dissatisfaction with personnel in the school in the zone in which the pupil resides, or dissatisfaction with curriculum offerings, which are non-academic (such as band) or extracurricular activity offerings in the school zone in which the pupil resides.

It is the intent of the board to disrupt as few students as possible for the sake of compliance with enforcing guidelines previously stated, to maintain a smooth and well understood transition from one school to the other and keep the concern of students uppermost in the minds of administrators, supervisors and teachers.

A student eligible to be classified, as a senior in high school shall be permitted to graduate in the school in which he/she was enrolled even though his/her parents or guardians move to a different school zone.

**SCHOOL REDISTRICTING POLICY** (*BOE POLICY #911a*) In accordance with Alabama Code Section 16-8-34, the Baldwin County Board of Education ("Board") has established attendance zones for all Baldwin County public schools. In accordance with Policy #911, students attending public school in Baldwin County shall attend school in the zone in which they reside, unless they have been granted a zone variance by the Executive Principal.

The Board recognizes that from time to time the educational interests of Baldwin County may necessitate the modification of existing attendance zones or the creation of new attendance zones. By and through this Policy, the Board desires to accomplish the redistricting process in the most equitable manner possible under the relevant circumstances. Provided, however, nothing in this Policy shall be interpreted to limit the authority of the Board to set or modify attendance zones, or to act in a timely manner to remedy an unforeseen problem created by existing attendance zones.

The Superintendent shall develop procedures for establishing and revising attendance zones. Such procedures shall utilize staff expertise, available technology, and parental input. This policy and related administrative procedure shall be applied to schools opening in 2007 and thereafter.

The size of schools, grade configuration and curriculum shall be established by the Board in accordance with Laws of the State of Alabama, State Board of Education Rules, and Standards of the AdvancED.

A. **CONSIDERATIONS:**

1. The School System is committed to assuring the greatest possible stability of attendance patterns for the students of the system and to maximizing the effective and efficient use of facilities.
2. The School System will work closely with the county and municipal planning authorities in an effort to make early determinations regarding attendance zone assignments for new housing.

B. **PRIMARY CRITERIA AND SECONDARY CRITERIA:**

**Primary Criteria:**

Geographic Proximity – Attendance zones shall be based upon geographic proximity as measured by distance traveled using available routes of transportation.

Instructional Capacity – Instructional capacity is the number of students who can be accommodated at the school, taking into account the number of classrooms and resource rooms that will be needed for art, music, labs, foreign language, ESL, and special education.

Projected Enrollment – The number of students assigned to a school will take into account the future projected enrollment.

Secondary Criteria:

When geographic proximity provides more than one option, the options should be evaluated on the basis of these secondary criteria:

Traffic Patterns – Consideration should be given to accessibility of the school from all portions of the attendance zone, including factors such as travel time, traffic flow in the area, safe operation of school buses, and other safety considerations.

Frequency of Neighborhood Rezoning - Where other options exist, an effort should be made to avoid rezoning neighborhoods more frequently than one time during a three – year period. Nonetheless this may be necessary to fully utilize facilities or respond to unanticipated changes in the geographic distribution of the student population.

Special Programs – Special Programs are those serving children with special needs that require use of additional space over and above a regular classroom. Attendance zones that would place a disproportionate number of special programs at a school should be avoided. School Feeder Pattern Alignment – Where possible, consideration should be given to the alignment of elementary, middle, and high school attendance boundaries.

C. PROCEDURES:

Upon recognizing the need to consider modifying attendance zones, the superintendent will seek a directive from the Board to develop model modifications to the existing zone(s) that need consideration. The superintendent will then share the draft models with the communities that would be affected through a community meeting open to the public. A facilitator will be used to moderate the discussions and record input from the community. Although members of the Board are welcome to attend these meetings, these meetings will not constitute formal meetings of the Board.

Community meetings will provide a forum for the discussion and consideration of relevant criteria including, but not limited to, the following:

- *Providing information to the community on the rezoning process, criteria and timeline.*
- *Receiving input from community members on geographic areas that should be considered “neighborhoods” and be treated as a unit within a zone.*
- *Receiving information on pending residential development.*
- *Receiving information on other changes in residential characteristics.*
- *Receiving information on historical issues regarding previous changes in school attendance zones.*
- *Receiving information on traffic patterns, safety hazards, and the like.*

Following the community meeting, the administration will use the rezoning criteria and the community input to develop the attendance zone proposal to be submitted to the Board for consideration. This will be done by a group that consists of staff members including, but not limited to, Asst. Superintendent(s), Planning and Construction, Transportation, Curriculum and Instruction, and Business and Finance, will collaborate in developing a preliminary school attendance zone plan.

1. Prior to drafting the final proposed school attendance zone plans, the planning group will research and consider all relevant criteria including, but not limited to, the following:
  - a. Residential development
  - b. Population growth trends
  - c. School construction
  - d. Transportation
  - e. Educational programs
  - f. Budget implications
2. The group will strive to:
  - a. Maintain efficient/effective school sizes
  - b. Use existing school facilities efficiently
  - c. Equalize student enrollment/capacity ratios
  - d. Consider safety of students traveling to/from school
  - e. Minimize time/distance between home/school
  - f. Support efficient/direct feeder patterns, when possible
3. The preliminary plan will then be presented to the Board of Education at a regularly scheduled work

session.

4. The district will distribute the proposed attendance zone plan to the school community through the PTA, School Council and other entities as appropriate. Methods to communicate the plan to the community will include, but are not limited to, posting the attendance zone plan:
  - a. On District Web Site
  - b. In Schools.
  
5. The Board will receive public input at the first regular meeting following the work session when the plan is presented and the subsequent meeting, during which they will consider the proposed adoption of the plan.

D. AFFECTED STUDENTS

**HIGH SCHOOL:** When an attendance zone is changed as a result of a new high school. Rising 10th, 11th, or 12th grade students may choose to remain in the school in which they are currently enrolled. All rising freshmen will attend the new school.

**MIDDLE AND ELEMENTARY SCHOOL:** When attendance zone changes are made as a result of new middle or elementary schools, all students affected by the change will attend the new school upon its opening. The process provided for herein shall begin as soon as practicable and absent extenuating circumstances, proposed modifications to attendance zones will be announced in the spring and fall before schools officially open.

**DIRECTORY INFORMATION NOTIFICATION**

Directory Information Notification Pursuant to the Family and Educational and Privacy Rights Act, 20 U.S.C.A. section 1232g. The Baldwin County Board of Education (“Board”) believes that it is vitally important to communicate and in so doing, may deem it necessary to make its schools, students and certain student information available to the public, including, but not limited to the news media and other informational and promotional outlets. Pursuant to the Family and Educational and Privacy Rights Act, 20 U.S.C.A. section 1232g and the implementing regulations, the Board hereby provides notice of the categories of information that it has designated as “Directory Information”, which means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory Information may be released without prior parental consent.

The Board designates the following categories of information as Directory Information: the student’s name, photograph, video image (other than security video), date and place of birth, dates of attendance, grade level, enrollment status, degrees, honors and awards, student work intended for display or dissemination and participation in officially recognized activities, including but not limited to sports, along with general information associated with said activities, such as the weight and height of members of athletic teams. Directory Information shall also include the name(s) and mailing address of the student’s parent(s) or guardian(s). Student video images contained on security video recordings shall be subject to disclosure as Directory Information to law enforcement personnel and the parent(s) or guardian(s) of a student appearing on security video recordings.

Furthermore, the Board uses all available media to communicate. Directory Information may be in, but not be limited to print, video and/or web-based media. In the event a parent or guardian objects to the disclosure of any or all of the information designated herein as Directory Information, written notice must be provided to the local school principal within 14 days of receipt of this notice. Should you have questions regarding this information, please contact your local school principal or Mr. Terry Wilhite, Director of Communications, Baldwin County Public Schools at 251-937-0324.

## **GIFTED REFERRAL PROCEDURES**

Gifted students are those who perform at or who have demonstrated the potential to perform at high levels in academic or creative fields when compared to others of their age, experience, or environment. These students require services not ordinarily provided by the regular school program. Students possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor.

Teachers, counselors, administrators, parents or guardians, peers, self, or any other individuals with knowledge of the student's abilities may refer a student. Additionally, all second grade students will be observed as potential gifted referrals using a gifted behavior checklist.

For each student referred, information is gathered in the areas of Aptitude, Characteristics, and Performance. The information is entered on a matrix where points are assigned according to established criteria. The total number of points earned determines if the student qualifies for gifted services.

To make a referral:

Tell your child's teacher or the school's Gifted Education Program teacher you would like to refer your child for the Gifted Education Program.

The Gifted Education Program Teacher will then begin the referral process by sending a Notification and Consent for Gifted Screening home for you to sign. This gives permission for the school system to look at previous test results and achievement information. It also allows the system to administer achievement tests, vision and hearing screening, and ask the classroom teacher/s to complete an evaluation of gifted characteristics observed in the regular classroom.

Next, a committee at the local school will review all data and determine if there is enough information to continue with the referral. The referral is then sent to Loxley Satellite Office for processing.

If screening scores are at the appropriate level, the referral will continue. If screening scores are not at the appropriate level, a letter will be sent to parents.

After testing is completed, parents will receive information on the results and eligibility requirements for the program. For more information on gifted referral procedures and eligibility requirements, please contact the Gifted Education Program Teacher at your child's school or Dr. Kathy Nichol, Instructional Support Supervisor at 251-972-6858.

## **HEALTH SERVICES, COMMUNICABLE DISEASES AND AIDS/HIV POLICIES**

**SCHOOL HEALTH SERVICES** A program of student health services is provided in the areas of Health Assessment and Care, Emergency Care, Communicable Disease Prevention and Control, and Health Education and Screenings for students of Baldwin County. Screening programs include vision and hearing screening in grades kindergarten and second and scoliosis screening is provided in grades 5-9 (ages 11-14) as mandated by state law. Periodically, dental screening programs are provided for elementary school students. Various health education programs are provided annually. A maturation program is offered for all fifth grade students with parental consent. Special emphasis is given to "hand washing" and "cough and sneeze etiquette" programs. Individualized Health Care Plans and/or Emergency Action Health Care Plans are developed for all students with chronic health care conditions. Immunization Audits are conducted during the year by local health department staff on randomly selected student's records, with parental consent. The parent/guardian and physician must sign the Alabama State Department of Education School Medication Parent/Prescriber Authorization form granting permission for a child to receive prescription medication at school. The delegating registered school nurse must evaluate and approve all over-the-counter medicines and parent instructions. The parent/guardian or the parent designated responsible adult shall deliver all medication to the school nurse or other school personnel designated by the principal in the original container with clear, current instructions. Should you have questions or concerns regarding this information, please contact Supervisor School Health Services Program, at 251-239-4327.

**COMMUNICABLE DISEASES** (*BOE POLICY #912*) The policy of the Baldwin County Board of Education is to observe the regulations for the control of communicable diseases/parasites in public schools as recommended by the State Board of Health. The board shall exercise its authority to condition the recommendation with regard to the prescribed school program and the dates of admittance.

**STUDENT AIDS/HIV POLICY** (*BOE POLICY #913*) The Baldwin County Board of Education ("Board") does not discriminate on the basis of a student's human immunodeficiency virus ("HIV") or acquired immunodeficiency syndrome ("AIDS") status or the association with another person with HIV/AIDS. A student with HIV/AIDS infection has the same right to attend school and receive services as any other student, and will be subject to the same rules and policies.

HIV/AIDS infection shall not factor into any decisions concerning class assignments, privileges or participation in any school-sponsored activity. Based on a student's need for accommodations or services, school authorities will determine the educational placement of a student known to be infected with HIV/AIDS on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV/AIDS status of a student. Violation of medical privacy may be cause for disciplinary action. No information regarding a person's HIV/AIDS status will be divulged without a court order or the informed, written, signed and dated consent of the parent or guardian of a minor with HIV/AIDS.

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

Employees are required to follow infection control guidelines in all settings and at all times. Schools will operate according to the standards set forth by the National Associations of State Boards of Education guidelines in the document "Someone at School has AIDS" (and all supplements thereto) and the regulations of the Alabama State Department of Education concerning blood borne pathogens.

### **INSTRUCTIONAL SERVICES AND USE OF SECLUSION AND RESTRAINT**

**Instructional Services** 290-3-1-.02 Regulations Governing Public Schools.

(1) Safe School Equipment and Facilities, Laboratories, and Policies.

(a) Safety precautions must be implemented and adequate facilities must be provided for implementation of programs prescribed by SDE Bulletin(s).

(b) Effective with the 1995-96 school year and thereafter, local boards of education must:

1. Adopt a uniform policy allowing law enforcement agencies to make periodic visits to local public schools to detect the presence of illegal drugs, unannounced to anyone except the local superintendent and building principal.

2. Adopt a uniform policy prohibiting the use of tobacco products on school property and prescribing specific penalties for violating this policy.

3. Adopt and enforce a uniform policy prohibiting all persons, other than authorized law enforcement personnel, from bringing or possessing any deadly weapon or dangerous instrument on school property and prescribing specific penalties for students and school personnel who violate this policy, notwithstanding any criminal penalties which may also be imposed.

(c) Local school systems which operate alternative educational programs shall provide a curriculum that stresses skills in recognizing and managing anger, alternatives to aggression (verbal and physical assault), strategies for developing self-control and personal responsibility, skills for getting along with others, success through academic achievement, and skills for success in the workplace.

(d) All policies and actions implemented under these mandatory regulations affecting students with disabilities must comply with federal and state special education laws, regulations, and court rulings.

(e) Unsafe School Choice Option

1. Definitions: A transfer option school (TOS) in the state of Alabama is one in which for three (3) consecutive school years the school has expelled one percent (1%) of the student population or five (5) students (whichever is greater) for violent criminal offenses committed on school property during school hours or committed at school-sponsored activities. The words "transfer option school," "TOS," or "TOS school" shall mean a "persistently dangerous school" as those words are used in the No Child Left Behind Act of 2001, Public Law 107-110, Title IX, §9532(a) and (b). For the purpose of this definition, a "violent criminal offense" shall mean homicide; robbery; assault in the first and/or second degree; sexual battery (including rape) as these offenses are defined in the Criminal Code of Alabama (see § 13A-6-1, et. seq., Ala. Code 1975); and use of a handgun, firearm component, explosive, knife, and other "unknown weapons" as defined by the Student Incident Report (SIR).

2. A student who becomes a victim of a violent criminal offense committed on school property during school hours or at school-sponsored activities shall be given an opportunity to transfer to a safe public school within the LEA. The LEA shall notify the student's parent/guardian of the right to transfer as soon as practicable, not to exceed ten (10) calendar days from the date of a final determination by the school board or its designee that a violent criminal offense has occurred. All LEA transfer procedures will be observed. It shall be the policy of the Alabama State Department of Education (SDE) to notify the LEA annually when one or more of its schools have been identified as a transfer option school. Each Superintendent or his or her designee shall orally notify the Prevention and Support Services Section of the State Department of Education within twenty-four (24) hours of the decision that a violent criminal offense has occurred, followed by written confirmation. The State Department of Education will assist the LEA in resolving all safety issues. At a minimum, an LEA that has one or more schools identified as persistently dangerous must:

(i) Step 1. Notify parents/guardians of each student attending the school within ten (10) working days that it has been identified as a transfer option school and offer students the opportunity to transfer to a safe public school within the LEA if another school is available. (ii) Step 2. Complete the transfer for those students who opt to do so within 20 working days. (iii) Step 3. Develop a corrective action plan to be submitted to the SDE for approval within 20 working days of the LEA's receipt of status. (iv) Step 4. Implement the corrective action plan. Once a school has been identified as a transfer option school, it can return to safe status by (1) completing Steps One through Four above and (2) completing two consecutive years with less than one percent (1%) of the student population or five (5) students (whichever is greater) expelled for violent criminal offenses as defined in its policy.

**Seclusion and Restraint for All Students 290-3-1-.02(1)(f)** 1. Definitions. (i) Chemical Restraint – Any medication that is used to control violent physical behavior or restrict the student's freedom of movement that is not a prescribed treatment for the student's medical or psychiatric condition. Use of chemical restraint is prohibited in Alabama public schools and educational programs. (ii) Mechanical Restraint - 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. Use of mechanical restraint is prohibited in Alabama public schools and educational programs. (iii) Physical Restraint - 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 promote student safety or prevent self-injurious behavior, providing physical guidance or prompting 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. (iv) Physical Restraint that restricts the flow of air to the student's lungs- Any method (face-down, face-up, or on your side) 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. Use of this type of restraint is prohibited in Alabama public schools and educational programs. (v) Seclusion -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. The 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 in paragraph (1.)(vi) of this rule, in-school suspension, detention, or a student-requested break in a different location in the room or in a separate room. Use of seclusion is prohibited in Alabama public schools and educational programs.

(vi) Time-out – A behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used when: (I) The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled. (II) 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. (III) 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. (IV) The time-out space is free of objects that unreasonably expose the student or others to harm.

2. Requirements. (i) The use of seclusion is prohibited in Alabama public schools and educational programs. (ii) The use of any method of physical restraint that restricts the flow of air to a student's lungs is prohibited in Alabama public schools and educational programs. (iii) The use of mechanical restraint is prohibited in Alabama public schools and educational programs. (iv) The use of chemical restraint is prohibited in Alabama public schools and educational programs. (v) The use of physical restraint is prohibited in Alabama public schools and 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. Notwithstanding the foregoing, physical restraint is prohibited in Alabama public schools and educational programs when used as a form of discipline or punishment. (vi) 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. (vii) Schools and programs that use physical restraint in accordance with paragraph (2.)(v-xiv) of this rule must develop and implement written policies to govern the use of physical restraint. Parents must be provided information regarding the school or program's policies governing the use of physical restraint. The written policies must include the following provisions: (I) Staff and faculty training on the use of physical restraint and the school or programs policy and procedures, (II) Written parental notification when physical restraint is used to restrain their student within a reasonable time not to exceed one school day from the use of restraint, (III) The use of physical restraint to be documented and a debriefing session held by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained, (IV) Procedures for the periodic review of the use of restraint and the documentation described in paragraph (2.)(vii)(III), (V) Procedures for reporting the use of restraint and the documentation described in paragraph (2.)(vii)(III) and any prohibited use of seclusion and chemical, mechanical, or physical restraint to the local board of education annually, (VI) The documentation described in paragraph (2.)(vii)(III) (monthly summary reports) and any prohibited use of seclusion and chemical, mechanical, or physical restraint is to be submitted to the Alabama Department of Education annually, and (VII) The written policies described in paragraph (2.)(vii)(I and II) are to be included in each local education agencies' code of conduct and/or the student handbook. (viii) Schools and programs that use physical restraints in accordance with paragraph (2.)(v-xiv) of this rule, must ensure that staff and faculty are trained in the use of physical restraint. This training shall be provided as a part of a program, which addresses prevention and de-escalation techniques as well as positive behavioral intervention strategies. Schools and programs must maintain written or electronic documentation on training provided and the list of participants in each training. Records of such training must be made available to the Alabama Department of Education or any member of the public upon request. (ix) Nothing in this rule shall be construed to interfere with a school system, school or program, or school or program employee's authority to utilize time-out as defined in paragraph (1.)(vi) of this rule or any other classroom management technique or approach, including a student's removal from the classroom, that is not specifically addressed in this rule. (x) Nothing in this rule 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. (xi) Nothing in this rule shall be construed to prohibit a school system, school, or program employee from taking reasonable action to diffuse or break up a student fight or altercation. (xii) Nothing in this rule shall be construed to prohibit a school system, school, or program employee from taking reasonable action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student. (xiii) Nothing in this rule shall be construed to eliminate or restrict the ability of an employee of a school system, school or program to use his or her discretion in the use of physical restraint to protect students or others from imminent harm or bodily injury.

Nothing in this rule 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. (xiv) In some instances in which a student is an immediate danger to himself or herself or others, the school or program must determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in these rules shall be construed to interfere with the duties of law enforcement or emergency medical personnel. Parents must be promptly informed when students are removed from the school or program setting by emergency medical or law enforcement personnel.

**MANDATORY UNIFORM DRESS CODE POLICY (BOE POLICY #914)**

<b>Elementary Grades K - 6</b>		<b>Secondary Grades 7 - 12</b>	
1 <sup>st</sup> infraction	Warning and parent notified	1 <sup>st</sup> infraction	Warning and parent notified
2 <sup>nd</sup> infraction	Referral to the office and parent notified	2 <sup>nd</sup> infraction	Half day of Saturday School or full day of OCS
3 <sup>rd</sup> infraction	Detention	3 <sup>rd</sup> infraction	Full day of Saturday School or full day of OCS
4 <sup>th</sup> infraction & subsequent	One day suspension and parent notified	4 <sup>th</sup> infraction	One day suspension
		5 <sup>th</sup> infraction	Two days of suspension
		6 <sup>th</sup> infraction & subsequent	Three days of suspension and subject to expulsion
<b>TOP</b>		<b>BOTTOM</b>	
<b>White or Navy</b> Collared shirt with sleeves or turtleneck. School color polo as approved by the principal. Small unobtrusive logo is permitted		<b>BOYS</b> <b><u>Khaki or Navy Blue</u></b> Pants or Shorts (corduroy fabric permitted) <b>High School Students May Wear Pants Made of Denim Material That Is Blue In Color</b>	<b>GIRLS</b> <b><u>Khaki or Navy Blue</u></b> Pants, Skirts, Capri's, Shorts, Skorts, Jumpers or Dresses(corduroy fabric permitted)
<b>Undergarments</b>		<b>Footwear</b>	
Undergarments, excluding the neckline of an undershirt, must not be visible at any time. Pajamas are prohibited		Footwear must be worn at all times and be closed toe in nature. As necessary, footwear conform to special class requirements (Physical education, tech center, agricultural classes, ROTC, science, etc.) <b>High School Students May Wear Open Toe Footwear</b>	
		<b>SWEATSHIRTS AND SWEATERS</b>	
		Must be solid: <b><u>Black, Brown, Navy, Tan, Gray, White</u></b> or school colors as published by the principal	
		<b>COATS and JACKETS</b>	
		Outerwear items must not have lettering, or logo of alcohol, tobacco, and/or controlled substance, nor pictures, symbols, art work that might be offensive in nature and cause a disruption to the educational process.	
<b>ITEMS NOT ALLOWED</b>			
Wind pants/sweatpants, velour pants, <b>tights, yoga pants, jeggings</b> , over-sized clothing, overalls, bellbottoms, un-hemmed clothing, clothing with cuts, slits, holes or slashes in inappropriate places, denim or jean fabric ( <b>blue denim is acceptable at the high school level</b> ), sleeveless shirts, overcoats, or trench coats.			
<b>KHAKI is defined by Baldwin County Public Schools to be light tan in color.</b>			

***Pupils are expected to be clean and appropriately dressed for school. Dress and appearance must not present health or safety problems or cause disruption and should encourage a serious approach to school. The local school principal will be the final authority for determining appropriate dress within the framework of the policy.***

- Clothing and general appearance may not cause a disturbance or interfere with the instructional program and must not constitute a health hazard.
- Clothing must be of appropriate length and fit. To be acceptable, short pants and skirts must extend beyond either the finger tips when the student extends arms downward along the sides or reach the mid-thigh which-ever is longer. Pants must completely cover underwear. Low cut pants, sagging pants, etc. are prohibited.
- Excessively baggy or excessively tight fitting clothing is prohibited.
- Shirts must completely cover the midriff area when sitting and standing and expose no cleavage.
- Adornments that could reasonably be perceived as weapons or used to inflict harm (i.e. chains, spikes, etc.) are prohibited.
- Gang related apparel is prohibited at all times at any school function or school sponsored activity. Items deemed inappropriate under this category are at the discretion of the principal.
- Heads must remain un-covered in the building.
- Students who transfer from other school districts will be given five (5) days to come into compliance with the dress code.
- Schools may use t-shirts on field trips or spirit day as approved by the principal.

(Revised: August 06, 2014)

I. BACKGROUND

In previous years, parents and community members urged the Board to adopt a uniform dress code policy as a means of countering the influence of gangs, minimizing disruption and improving the learning environment. In evaluating the uniform dress code policy, the Board has observed that uniforms seem to enhance school safety, improve the learning environment, reduce ethnic and racial tensions, bridge socio-economic differences between children, promote good behavior, improve children's self-respect and self-esteem and produce cost savings for participating families.

II. STATEMENT OF POLICY

All elementary, middle and high schools in the Baldwin County Public Schools System shall implement, within the parameters set forth below, the mandatory uniform dress code policy. The term "school" as used throughout this policy shall mean all elementary, middle and high schools in the Baldwin County Public Schools System.

III. INFORMATION DISSEMINATION

A. It is the responsibility of district and school support staffs to adequately communicate to parents information common to all school sites, including general guidelines for enforcement of the uniform policy.

B. Each school shall communicate to parents information including:

1. types and colors of uniforms (see Addendum A)
2. requirements for jackets/outer garments;
3. optional articles of attire, if any;
4. compliance measures to be employed;
5. the availability of any financial support;
6. methods to facilitate recycling of uniforms within the school community;

C. The means by which this information is communicated shall include one or more of the following:

1. system-wide newsletters;
2. school newsletters;

3. parent meetings;
4. telephonic notification
5. PTA meetings and newsletters;
6. parent advisory meetings;
7. television, radio and/or newspaper announcements;
8. posters displayed at school and in the community;
9. registration materials.

IV. COMPLIANCE GUIDELINES

Elementary Schools (Grade Kindergarten – 6)

1. Upon the first infraction of the Uniform Dress Code, the student will be warned and the parent notified.
2. Upon the second infraction of the Uniform Dress Code, the student will be referred to the office and the parent notified.
3. Upon the third infraction of the Uniform Dress Code, the student will receive detention.
4. Upon the fourth and subsequent infraction(s) of the Uniform Dress Code, the student will receive a one-day suspension and the parent will be notified.

Secondary Schools (Grades 7 – 12)

1. Upon the first infraction of the Uniform Dress Code, the student will be warned and the parent notified.
2. Upon the second infraction of the Uniform Dress Code, the student will receive one-half day Saturday School or one full day of On Campus Suspension (OCS).
3. Upon the third infraction of the Uniform Dress Code, the student will receive a full-day of Saturday School or one full day of On Campus Suspension (OCS).
4. Upon the fourth infraction of the Uniform Dress Code, the student will receive a one-day suspension.
5. Upon the fifth infraction of the Uniform Dress code, the student will receive a two-day suspension.
6. Upon the sixth and subsequent infraction(s) of the Uniform Dress Code, the student will receive a three-day suspension, subject to expulsion.

Legal Reference: Laws of Alabama Relating to Education: Title 16-28-12, 16-28-14, 16-28-15, 16-28-17  
 Legal Reference: Bivens by Green, 899 F. Supp, at 561; Corley, 312F, Supp. at 817; and Fowler, 39N.C. App at 720,251 S.S. 2d at 893

V. DRESS AND APPEARANCE

Students are expected to be clean and appropriately dressed for school. Dress and appearance must not present health or safety problems or cause disruption and should encourage a serious approach to school. The local school principal will be the final authority for determining appropriate dress within the framework of the policy.

A. Uniform Code

1. School attire should cover those portions of the body that American standards of modesty decree are covered; fashions which simulate or suggest nudity are to be avoided. Clothing so skintight or revealing as to provoke or to distract others is disruptive and therefore, unacceptable.
2. Footwear must be worn at all times and be closed toe in nature. As necessary, footwear shall conform to special class requirements (physical education, vocational technology, agricultural, ROTC, science, etc.).

3. Clothing must be of appropriate length and fit. Excessively baggy or excessively tight fitting clothing is prohibited. To be acceptable, short pants and skirts must extend beyond either the finger tips when the student extends arms downward along the sides or reach the mid thigh, whichever is longer. Pants must be completely covered underwear. Low cut pants, sagging pants, etc. are prohibited. Pants must be free of rips, holes or attached symbols. Pants made of "blue denim" are acceptable for high school students.
4. Shirts must completely cover the midriff area when sitting and standing and expose no cleavage.
5. Jackets, coats, sweaters, and sweatshirts are considered outerwear and must be worn with a uniform shirt. School organizations' sweatshirts and jackets, approved by the principal, are acceptable. Coats and jackets may be any color. They may not have lettering; logo(s) of alcohol, tobacco, and/or controlled substance; nor pictures, symbols, or artwork that might be offensive in nature and cause a disruption to the educational process. Sweatshirts and sweaters must be solid black, brown, navy, gray, tan, white or school colors as published and approved by the principal.
6. Adornments that could reasonably be perceived as weapons or used to inflict harm (i.e. chains, spikes, etc.) are prohibited.
7. Gang related apparel is prohibited at all times at any school function or school sponsored activity. Items deemed inappropriate under this category are at the discretion of the principal.
8. Heads must remain un-covered in the building.
9. Students who transfer from other school districts will be given five (5) days to come into compliance with the uniform dress code.
10. Schools may use t-shirts on field trips as approved by the principal.
11. All students enrolled in the Baldwin County Public Schools shall be required to dress in accordance with the adopted uniform of their school. The school principal must approve any deviation from the school uniform. Those deviations may include, but are not limited to:
  - (1) School dress-up days.
  - (2) Students wearing nationally recognized youth organization uniforms on organization meeting days.
  - (3) Any modifications to or exemption from this requirement originating from the student's Individualized Education Program (IEP)
  - (4) Religious exceptions which must adhere to "reasonable accommodations" – United States v. Board of Education for the School District of Philadelphia, 911 F 2d 882, 888, 990 (3rd cir 1990); Cooper v. Eugene School District No. 45, 301, OR, 258, 723, p. 20d, 298, 308; Ansonia Board of Education v. Philbrook, 479 U.S. 60, 107 s. ct. 367, 93 L. Ed. 2d 305 (1986); Menora v. Illinois High School Association, 683F. 2d 1030 (7th cir 1982).

### **STUDENT CODE OF CONDUCT AND STUDENT DISCIPLINE**

**PUPIL CONDUCT** (BOE POLICY #915) In order for the board to fulfill its commitment to provide the best possible educational opportunities and experiences, each pupil shall conduct himself in a responsible manner at all times.

- A. Conduct and Language Conduct and/or language which materially and substantially interferes with the educational process is prohibited on school property.
- B. Display of Affection Public display of affection is inappropriate and unacceptable on the school campus.

- C. Off-Campus Events Pupils at school-sponsored events shall be governed by school rules and regulations and are subject to the authority of school officials.
- D. Criminal Acts The commission of or participation in unlawful activities on school property or a school-sponsored event is prohibited. Disciplinary action shall be taken by the school regardless of whether or not criminal charges result.

Pursuant to section 16-1-24.1 of the Code of Alabama as amended May 1992... "The principal shall notify appropriate law enforcement officials when any person violates local board of education policies concerning drugs, alcohol, weapons, physical harm, or threatened physical harm to a person. If a criminal charge is warranted arising from the conduct, the principal is authorized to sign such warrant."

The following activities shall be among those defined as criminal under the laws of the State of Alabama and/or Baldwin County:

- (1) Arson – The intentional setting of fire on property.
- (2) Assault – Physical threats or violence to persons – Class C felony if on a teacher or any employee of public education.
- (3) Bomb Threats – Verbal or written communication about the presence or threat of a bomb or other explosive devices on school property. (Source and Penalty- Organized Crime Control acts of 1970-Public Law 91-457)
- (4) Burglary – Breaking into or entering a building or structure with intent to steal or to commit a crime.
- (5) Larceny – Theft of property of another.
- (6) Robbery – Obtaining money or property by violence or threat of violence or forcing or threatening to force someone to depart with something of value.
- (7) Trespass – Being present in an unauthorized place in the school or on school property or refusing to leave the premises when ordered to do so by school officials.
- (8) Unlawful Interference With School Authorities – Disruptive conduct resulting in interference with administrators and/or teachers in the discharge of their official duties.
- (9) Sale, Use or Possession of Alcoholic Beverages or of Illegal Drugs
- (10) Malicious Damage or Destruction of the Property of Another
- (11) Possession of Firearms and Weapons on School Premises or at School Sponsored Functions – 94-817 – Class C Felony – 94-820 – Loss of Driver’s License; Federal Guns Free School Act and Alabama Act 95-756 – Minimum of one year expulsion from school. Discipline of students with disabilities who violate the firearm possession policies shall be determined on a case by case basis.
- (12) Possession of or Responsible for Explosives on School Campus
- E. Student Identification Pupils should maintain in their possession at all times some form of identification. All persons shall (upon request) identify themselves to school authorities in school buildings, on school grounds, or at school-sponsored events. Persons refusing to identify themselves upon request of school officials shall be considered trespassing.
- F. Gambling Gambling in any form is prohibited on school property.
- G. Smoking/Use or Possession of Tobacco Students shall not be permitted to have tobacco in their possession to use tobacco in any form on the school property or a school-sponsored trip

(ALA.ADM. Code 290-30-010-06). Parental permission to possess tobacco to smoke, or otherwise to use tobacco does not exempt a student from this policy. Professional school personnel shall organize and maintain programs of education designed to make pupils fully aware of the hazards of smoking and use of tobacco. Students caught using or having in their possession tobacco in any form on the school grounds are subject to suspension or other disciplinary action.

- H. Unlawful Assembly The blocking of halls, passageways, stairs, doorways, or other school property constitutes a hazard to the welfare and safety of other students and school personnel and is disruptive to the educational process. Conduct of students or assembly of students which disrupts the educational process is prohibited.

**CORPORAL PUNISHMENT** (BOE POLICY #916) Corporal punishment (spanking) shall not be administered by school personnel.

**PERSONAL HANDHELD ELECTRONIC DEVICES** (BOE POLICY #970) This policy shall apply to handheld electronic devices with communication and storage capabilities and shall include, without limitation, cellular telephones, MP3 and similar music players, tape recorders and players, scanners, portable digital assistants, wireless email devices and cameras. The scope of this policy does not include electronic devices approved for use by the building principal or required by a student's Individualized Education Program.

Students in grades 6 through 12 shall be allowed to possess electronic devices in the off position during the instructional school day. Use of electronic devices during the instructional day, except in accordance with this policy, is otherwise prohibited.

Students in grades 6 through 12 may, in accordance with the instructions of the school official in charge, possess and use electronic devices during periods of transportation on school buses. Provided however, no student shall use any electronic device capability which allows them to record images (i.e., camera or video recorder).

Students in grades K through 5 are not allowed to possess or store electronic devices on Baldwin County campuses.

Students shall have no expectation of privacy in any electronic device possessed by a student in violation of this policy. Students bringing electronic devices to school, do so at their own risk. The Baldwin County Board of Education assumes no responsibility for lost, damaged or stolen electronic devices brought to school by students.

Violations of this policy shall result in the immediate confiscation of the electronic device. Refusal to turn over an electronic device to an administrator will result in immediate suspension, pending further potential discipline, and a parent conference. Confiscated electronic devices shall be securely stored in the school's administrative offices until retrieved in accordance herewith. Any electronic device not retrieved within 30 days shall be subject to disposal. In addition, the following consequences shall, at a minimum, be imposed:

- First Offense: The student's Parent/Guardian will be allowed to pick up the confiscated electronic device at the end of the school day.
- Second Offense: The student will receive up to one day of in-school suspension. The student's Parent/Guardian will be allowed to pick up the device
- Third Offense: The student will receive one day of suspension. The student's Parent/Guardian will be allowed to pick up the device.
- Fourth Offense: The student shall receive up to three days of suspension. The student's Parent/Guardian will be allowed to pick the device up.
- Subsequent offenses: The student shall be subject to further suspensions/expulsion.

Cumulative violations shall be based upon the school year.

In the event students are suspended or expelled for violating this policy, due process shall be provided in accordance with Board Policy 917.

In certain instances there is educational value in utilizing personal electronic devices in classrooms when such devices aid in extending, enhancing, and/or reinforcing the students' learning process related to the instructional objectives of the class they are attending. Approval for students' use of such devices will be at the discretion of the building principal in coordination with the Board's Information Technology department and shall be preapproved in writing by the principal.

Electronic devices shall be subject to search in accordance with applicable state and federal law. Electronic devices will be receipted and surrendered to law enforcement personnel upon request of law enforcement.

**Use of Digital Device During the Administration of a Secure Test** The possession of a digital device (including but not limited to cell phones, MP3 players, cameras, or other telecommunication devices capable of capturing or relaying information) is strictly prohibited during the administration of a secure test. If a student is observed in possession of a digital device during the administration of a secure test, the device will be confiscated. If a student is observed using a digital device during the administration of a secure test, testing for the student will cease, the device will be confiscated and is subject to search. The student will be dismissed from testing, and the student's test will be invalidated. Local education agency (LEA) personnel will make all students, parents, and/or guardians aware of this prohibition through inclusion of this policy in the Student Code of Conduct Handbook and other regularly used modes of communication.

**SUSPENSION AND EXPULSION OF DISABLED STUDENTS** (BOE POLICY #918)(See also BOE POLICY #1033)

Suspension and expulsion may be appropriate disciplinary action for students with disabilities. If suspension is considered, the principal and the special education teacher must decide whether the offense is related to the disability.

A disabled student may be suspended if it is determined that the offense is not related to the disability. A written statement regarding this decision shall be maintained in the school office with copies sent to the Superintendent, Division Superintendent of Special Services (E.C.I. Department), and the Attendance Office.

A short term suspension, up to nine (9) consecutive scholastic days, may be used for any one disciplinary incident for a student with disabilities.

Suspensions which result in more than nine consecutive scholastic days, or a series of suspensions that create a pattern of exclusion, are considered significant changes in placement and will require due process through IEP Committee action.

A student with disabilities may not be expelled (total removal from a student's current education service) from school for any behavior that has a direct and significant relationship to that student's area of disability. If the IEP Committee determines that the behavior in question does not have a direct and significant relationship to the student's area of disability, the school system may expel the student; however, a complete cessation of education services is not permissible. Expulsion constitutes a change in placement which requires due process through IEP Committee action.

**ON-CAMPUS SUSPENSION PROGRAM** (BOE POLICY #919) The Baldwin County Board of Education shall maintain an on-campus suspension program as necessary to provide a structured discipline atmosphere in which a student is isolated or removed from regular classroom activities but is not dismissed from the school setting.

**ALCOHOL/DRUG USE** (BOE POLICY #920) Students shall not possess, sell, furnish, give away, distribute, transfer, obtain, use, or consume any form of alcoholic beverage, illegal drug (including without limitation those listed in the State and/or Federal Controlled Substances Laws), prescription drug (except in accordance with Board policies and procedures), and drug or alcohol paraphernalia on school property, including buses and/or at any school



sponsored event regardless of location, during or after regular school hours. Violation of this policy shall be considered a serious act of misconduct.

This policy also applies to any legal substance (i.e., counterfeit, imitation, look-a-like substances, over-the-counter medications, vitamins, and food supplements) represented to be substances prohibited hereunder.

Self-administration of medications by students shall be permitted for chronic conditions subject to compliance with the State Department of Education and Alabama Board of Nursing Medication Curriculum. Upon obtaining permission to self-administer approved medications in accordance with the preceding sentence, a student shall be permitted to possess and self-administer approved medications, according to the orders of the prescriber, at any time while on school property or while attending a school-sponsored event. With regard to all other uses of prescription and/or over-the-counter medication by students, parents/guardians shall be required: (1) to personally deliver the medication to the school office; and (2) to complete all necessary forms for the dispensing of medication during the school day. Violations of Board policy and/or procedures concerning over-the-counter medication are excluded from the list of mandatory consequences set forth below. Notwithstanding the foregoing, students shall be subject to discipline, as deemed appropriate by the school principal, in the event they fail to comply with Board policy and procedures concerning over-the-counter medication.

Alcohol, drugs, and alcohol/drug paraphernalia, or other related substances or items confiscated shall be released to appropriate law enforcement officials.

A student with disabilities who violates this policy shall have the policy applied within the guidelines defined for the discipline of special education students in BCBE Policy # 918.

- I. Students who are found to possess, obtain, use, consume, or be under the influence of alcoholic beverages, illegal drugs, prescription drugs (unless in accordance with Board policies and procedures), and/or drug/alcohol paraphernalia as described above shall be in violation of this policy.
  - a. For the first violation of this policy, the school principal or designee shall:
    1. Immediately suspend the student from attending regular classes and school activities. The student shall be provided due process in accordance with BCBE Policy #917. Unless otherwise provided herein, the suspension may range from a minimum of five days and shall not exceed nine (9) days.
    2. Notify the parent/guardian as soon as possible.
    3. Notify appropriate law enforcement officials.
    4. Inform the parent/guardian of the requirement to successfully complete the Baldwin County Public Schools Chemical Abuse Prevention Program (CAPP) for first offenses to this policy. Administrators must inform the parent/guardian and student of CAPP details including time, location, requirements, and consequences of not attending. Students who commit second and subsequent offenses are not eligible to attend CAPP.  
Failure to successfully complete all sessions of CAPP will result in an additional three-day suspension. CAPP attendance is in addition to the suspension for the first offense.
  - b. For second and subsequent violations of this policy, the school principal or designee shall:
    1. In grades seven through twelve, immediately suspend the student from attending regular classes and school activities, pending a recommendation for expulsion. Due process shall be provided in accordance with BCBE Policy # 917.
    2. In grades kindergarten through six, immediately suspend the student from attending regular classes and school activities. Consequences for violations of this policy may range from a minimum of five days of suspension up to a recommendation for expulsion. Due process shall be provided in accordance with BCBE Policy # 917.
    3. Notify the parent/guardian as soon as possible.
    4. Notify appropriate law enforcement officials.
- II. Students who sell, furnish, give away, distribute, or transfer alcoholic beverages, illegal drugs, prescription drugs or counterfeit substances as described above shall be in violation of this policy.  
The school principal or designee shall:
  - a. In grades seven through twelve, immediately suspend the student from attending regular classes and school activities, pending a recommendation for expulsion. Due process shall be provided in accordance with BCBE Policy # 917.

- b. In grades kindergarten through six, immediately suspend the student from attending regular classes and school activities. Consequences for violations of this policy may range from a minimum of five days of suspension up to a recommendation to expel. Due process shall be provided in accordance with BCBE Policy # 917.
  - c. Notify the parent/guardian as soon as possible.
  - d. Notify appropriate law enforcement officials.
- III. Notwithstanding the foregoing, in the event any student is found to be in violation of this policy and is criminally charged as a consequence thereof, they shall not be allowed to be readmitted to the Baldwin County school system until such charge(s) has been disposed of by appropriate authorities and the student has otherwise complied with all requirements for readmission.

**SEARCH OF PROPERTY AND INDIVIDUAL** (BOE POLICY #925) Desks, lockers and other items at any school, although assigned to particular students, may be entered and searched by school officials whenever said officials have reasonable cause to believe there exists on school campus illegal items harmful to the student, the welfare of the student body or significantly disruptive of or dangerous to the overall operation of the school program.

A search of the person shall be with the student's consent, except under emergency conditions when the safety and welfare of others is involved. When consent is not granted, the assistance of the parent and/or law enforcement officials shall be secured. The principal may take appropriate disciplinary action against the student who fails to cooperate with school officials in their investigation of school conduct code violations.

Officials of law enforcement agencies are allowed to make periodic unannounced visits to any local school for the purpose of detecting the presence of illegal drugs.

**INTERROGATIONS** (BOE POLICY #926) Students shall be allowed to participate in investigations conducted by law enforcement authorities or other state agencies while under the jurisdiction of the school system. In such incidents, a professional member of the local staff shall be present during each investigation unless otherwise prohibited by law. Should a student be placed under arrest by the legal authorities and removed from school, the principal shall notify the parents or guardians immediately or as soon as possible.

Representatives of the Department of Human Resources may hold private interviews with suspected victims of child abuse without the presence of a school official.

**INSPECTION OF SCHOOL PROPERTY** (BOE POLICY #937)

School officials reserve the right to inspect school property, including lockers, to ensure the safety and security of the premises and pupils. Lockers remain the property of the school. Although a student may exercise exclusive control of this locker as opposed to access by fellow students, the control is not exclusive against school officials. School officials may inspect lockers at any time to ensure school safety and pupil welfare.

**CARE OF PROPERTY** (BOE POLICY #938) Every pupil shall be a protector and caretaker of school property. Pupils who injure, deface or destroy any property of the school system shall be required to pay for damages. Pupils shall respect the property rights of others. Liability limit up to \$1,000.00 – Act 94-819

- (a) **Safekeeping of Valuables** Pupils are discouraged from bringing valuables and large amounts of money to school. Pupils shall be responsible for safekeeping of valuables and should not leave books, clothing, wallets, purses or other valuables unattended.
- (b) Only pupils assigned to a locker should have the combination.

**MARRIED STUDENTS** (BOE POLICY #930) Married pupils are subject to all board policies relating to students.

**HEALTH RELATED CONDITIONS, INCLUDING PREGNANCY** (BOE POLICY #931) When a student's attendance places his/her health or safety in jeopardy, the principal shall request a written statement from a licensed physician,

including recommendations concerning the advisability of school attendance. Additional statements from the physician verifying satisfactory physical condition shall be provided.

**USE OF AUDIO-TAPE RECORDERS** (BOE POLICY #932) Students with certain medical problems will be allowed to tape classes. A letter of recommendation from the student's physician, principal's approval and signatures of the teachers involved are required. Taping may continue as long as the medical problem exists.

**SCHOOL VISITORS** (BOE POLICY #935) Visitors to the school campus must obtain permission through the principal's office before entering school building or going on school grounds.

(a) **Pupil Visitors**

Pupils are not to visit other schools during school hours except for school sponsored events. Pupils who are found in violation of this are subject to disciplinary action and may be considered trespassing.

(b) **Parents**

Parents are invited and encouraged to visit the school. Visits during the school day should be cleared through the principal's office. Parent-teacher conferences are most important in improving the learning atmosphere. Conferences may be held with the principal during the school day. Conferences with teachers should be scheduled before or after school or during a teacher's planning period after permission is granted by the principal.

(c) Unauthorized persons on school property are trespassers and shall be subject to legal prosecution. This includes students who are on suspension or have been expelled.

**TEXTBOOK ACCOUNTABILITY** (BOE POLICY #939)

Section 16-36-69 - Use of textbooks.

(a) All textbooks furnished free of charge to pupils shall be the property of the local board of education, as long as textbook funds are expended as prescribed by law.

(b) When distributed to pupils the textbooks shall be retained for normal use only during the period they are engaged in a course of study for which the textbooks are selected. At the completion of each course of study or otherwise at the instructions of the principal or teacher in charge, the textbooks shall be returned as directed. A receipt shall be required from each pupil, parent, or guardian upon issuance of any textbook, which receipt shall be retained until the return of the textbook.

(c) The parent, guardian, or other person having custody of a child to whom textbooks are issued shall be held liable for any loss, abuse, or damage in excess of that which would result from the normal use of the textbooks. In computing the loss or damage of a textbook that has been in use for a year or more, the basis of computation shall be a variable of 50 to 75 percent of the original cost of the book to the local board of education. If the parent, guardian, or person having custody of the child to whom the textbook was issued fails to pay the assessed damages within 30 days after notification, the student shall not be entitled to further use of the textbooks until remittance of the amount of loss or damage has been made.

**HAZARDOUS AND DISRUPTIVE ITEMS** (BOE POLICY #940)(See also BOE POLICY #970)

Items which are hazardous or disruptive to the educational process may be collected by school officials.

**AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)** (BOE POLICY #941)

The Board finds that providing automated external defibrillators to Board facilities in accordance with the provisions of *Alabama Code 6-5-332.3* is in the best interest of the students, employees and visitors of the Board. The Board authorizes its staff to equip appropriate Board owned facilities with AEDs and to implement appropriate guidelines for the use of automated external defibrillators in Board facilities.

**MEDICATION** (BOE POLICY #942)

The principal shall be notified in advance, in writing, when it is necessary for a student to be administered medicine during school hours.

**ACCIDENTS** (BOE POLICY #943)

Principals shall file appropriate reports with the attendance supervisor of all student accidents requiring professional medical services occurring on school grounds or while participating in school related activities.

**FIRST AID** (BOE POLICY #944)

Principals shall establish and maintain a first aid area to provide emergency services to students.

**INCIDENTS** (BOE POLICY #945)

The principal shall file with the attendance supervisor reports of all incidents occurring on school campuses in compliance with Legislative Act 82-515.

**VOLUNTARY PRAYER AT SCHOOL RELATED EVENTS** (BOE POLICY #947)

In order that students may exercise their freedom of speech and religion as guaranteed by the Alabama and United States Constitutions without government direction, support or intervention, and to maintain a neutral position for the state on all religious matters and not to advance as state action any religion, the Baldwin County Board of Education has implemented the following policy concerning voluntary prayer on public school property or other property at school-related events:

- (a) All school board officials, employees or agents shall maintain a neutral position concerning students' religious matters and shall accommodate students' rights as guaranteed by the Alabama and United States Constitutions.
- (b) A student's giving of a prayer, invocation or benediction at any school-related assembly, school-related student sporting event, school-related graduation or commencement ceremony or any other school-related student event shall be at the personal decision of a participating student.
- (c) Any such prayer, invocation or benediction shall be non-sectarian and non-proselytizing in nature.

This policy shall in no way limit the rights of students to engage in prayer or religious activity at any such other times and places on public school property or other property as permitted by the Alabama and United States Constitutions.

**DISTRIBUTION OF MATERIALS (INCLUDES SURVEYS)** (BOE POLICY #950)

The sale or distribution of any goods or materials on school campuses by any individual or group of individuals is prohibited unless prior permission has been obtained from the principal of the school. Individuals and/or organizations outside the local school must have written approval from the superintendent.

**FUND RAISING** (BOE POLICY #952)

Participation in any fund raising or charity drive sponsored by the school or outside agency shall be entirely voluntary as far as each student is concerned. There shall be no cause for embarrassment to those who do not or cannot participate or contribute.

Fund raising activities sponsored by the school must receive the approval of the principal.

Fund Raising activities and charity drives sponsored by outside agencies must receive the approval of the principal and superintendent. In no case will approval be given for any fund raising activities to occur during the regular school day.

**SOLICITING FUNDS** (BOE POLICY #954)

The policy of the Board of Education shall be to safeguard students and parents from solicitations. Outside organizations shall not be permitted to solicit, advertise, or sell goods or services through the schools for the school district unless authorized by the superintendent.

**STUDENT RECORDS** (BOE POLICY #955)

The Baldwin County Board of Education shall adhere to the provisions of the Family Educational Rights and Privacy Act of 1974 regarding students records.

Parents shall be notified of their Family Educational Rights and Privacy Act rights annually by publication of the policy in the student handbook. Copies of the policy shall be available at each school.

**INSPECTION OF STUDENT RECORDS** (BOE POLICY #956)

Parents or eligible students shall submit to the student’s school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or other appropriate school official) shall make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

**TYPES, LOCATIONS, AND CUSTODIANS OF STUDENT RECORDS** (BOE POLICY #956A)

Following is a list of the types of records the school system maintains, their locations, and custodian:

<u>Types</u>	<u>Locations</u>	<u>Custodian</u>
Cumulative School Records	School Office	School Prin./ Prin. Designee
Cumulative School Records (Former Students)	School Office Inst. Resource Center	School Prin./ Prin. Desig./ Records Supv.
Health Records	School Office	School Prin./ Prin. Designee
Sp. Ed. Records (Active & Inactive)	Special Services Office	Div. Supt./ Sp. Ed. Supv.
Psych. And Section 504 Records	Special Services Office	Div. Supt./ Sch. Psych.
School Transportation Records	School Bus Garage	Director of Trans.
System wide Test Program Records	School Office	School Prin./ Prin. Designee
Discipline Records	School Office	School Prin./ Prin. Designee
Grades, Student Test Papers or Work Samples	School	Principal or Teacher

**DISCLOSURE OF EDUCATION RECORDS** (BOE POLICY #957)

The school system shall disclose information from a student's education records only with written consent of the parent, legal guardian, or eligible student, except:

1. To school officials who have legitimate educational interest in the records.

A school official is:

- A person employed by the district as an administrator, supervisor, instructor, or support staff member.
- A person elected to the school board.
- A person employed by or under contract to the district to perform a special task, such as an attorney, auditor, medical consultants or therapists.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or by a contract agreement.
- Performing a task related to a student's education.
- Performing a task related to the discipline of a student.
- Providing a service or benefit relating to the student or student's family, such as health care, counseling, or job placement.

2. To officials of another school in which a student seeks or intends to enroll upon request of such official. The school system forwards records upon request.
3. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs.
4. In connection with a student's request for or of receipt of financial aid, as necessary to determine the eligibility amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. If required by a state law requiring disclosure that was adopted before November 19, 1974.
6. To organizations conducting certain studies for or on behalf of the district.
7. To accrediting organizations to carry out their functions.
8. To parents of an eligible student who claim the students as a dependent for income tax purposes.
9. To comply with judicial order or lawfully issued subpoena.
10. To appropriate parties in a health or safety emergency.

**RECORD OF REQUESTS FOR DISCLOSURE** (BOE POLICY #957A)

The Baldwin County School System shall maintain a record of all requests for and/or disclosure of information from a student's education records, excluding requests of school officials and requests for directory information. The record will indicate the name of the party making the request, any additional parties to whom it may be disclosed,

and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents or eligible student.

The Baldwin County School District designated the following items as Directory Information: student name, address, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, most recent previous school attended and photograph. The District may disclose any of those items without prior written consent, unless notified in writing to the contrary by July 1 preceding the school year.

#### **CORRECTION OF EDUCATION RECORDS (BOE POLICY #958)**

Parents or eligible students have the right to request that records be corrected they believe are inaccurate, misleading, or in violation of their privacy rights. The following procedures shall be utilized in correcting student records:

1. Parents or the eligible student must submit written request for the Baldwin County School System to amend the record. In so doing, they shall identify the part of the record they want changed and specify why they believe it is inaccurate, misleading, or in violation of the student's privacy or other rights.
2. Baldwin County schools may comply with the request or decided not to comply. If a decision is made not to comply, system personnel shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, Baldwin County School officials shall arrange for a hearing, including the hearing officer, and notify the parents or eligible student, reasonably in advance of the date, place and time of the hearing. (con't)
4. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the District. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.
5. Baldwin County School officials shall prepare a written decision based solely on the evidence presented at the hearing and as recorded in the official board record of the hearing.
6. If Baldwin County School officials decide the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it shall notify the parents or eligible student they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
7. The statement shall be maintained as part of the student's education records as long as the contested portion is maintained. If the Baldwin County School System discloses the contested portion of the record, it shall also disclose the statement.
8. If the Baldwin County School System decides the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend the record and notify the parents or eligible student, in writing, that the record has been amended.

#### **REFUSAL TO PROVIDE COPIES (BOE POLICY #959)**

The Baldwin County School system shall not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student the right to inspect and review the records.

If the record involves answers to a standardized test and/or other copyrighted material, the school system will not provide a parent of copyrighted material unless written permission from publisher is submitted by the parent of eligible student.

**FEES FOR COPIES OF RECORDS** (BOE POLICY #959A)

The fee for copies will be twenty-five cents per page.

**SCHOOL FOOD SERVICE MANAGEMENT** (BOE POLICY #960)

School food service shall be provided in all schools where feasible. The management of said service shall be coordinated with the Supervisor of School Food Services and with the local principal responsible for the management in his/her school.

Individual schools operating school food service programs under the National School Lunch Act shall follow all requirements of the State and Federal agencies regulating USDA programs.

**PURCHASING FOR SCHOOL FOOD SERVICE** (BOE POLICY #961)

Purchasing of food, equipment, and other items for the school food service program shall be in conformity with current rules and regulations for the board.

**FREE AND REDUCED LUNCH POLICIES** (BOE POLICY #962)

A guide for free and reduced price lunches for the local system shall be revised and updated in conformity with that of the current USDA and State Department of Education policies. Principals shall follow this guide in administering this program. Any exceptions shall have the approval of the superintendent or his designee.

**PRICE AND PAYMENT OF SCHOOL FOOD SERVICES** (BOE POLICY #963)

The price of breakfast and lunch paid by students and adults in local system schools shall be recommended by the superintendent and approved by the board. Guests may be invited to have lunch on special occasions. Visitors not affiliated with school activities served in the school food service program shall have approval of the principal and shall be required to pay the current cost of the meal unless the cost of said meal is paid by the individual or group of individuals who extends invitations to eat in the school cafeteria.

**SANITATION INSPECTIONS** (BOE POLICY #964)

The principal, lunchroom manager, and school food service supervisor shall cooperate in every way with local, state and federal health inspectors. Lunchrooms shall conform to standards as set forth by these agencies. The principal shall assume primary responsibility in seeing that the lunchroom meets applicable rules and regulations relative to sanitation. The principal shall request assistance as necessary from the Supervisor of School Food Services in assuming this responsibility.

**CARE OF SCHOOL FOOD SERVICE EQUIPMENT AND FACILITIES** (BOE POLICY #965)

The principal and manager are responsible for the care of school food service equipment and facilities. Requests for maintenance work shall conform with procedures established by the board.

**WELLNESS POLICY ON NUTRITION AND PHYSICAL ACTIVITY** (BOE POLICY #966) *The entire policy may be found at [www.bcbe.org/CNP](http://www.bcbe.org/CNP)*

Baldwin County Board of Education (hereto referred to as the District) is committed to the optimal development of every student. The District believes that for students to have the opportunity to achieve personal, academic, developmental, and social success, we need to create positive, safe, and health-promoting learning environments at every level, in every setting, throughout the school year.



Research shows that two components, good nutrition and physical activity before, during, and after the school day, are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture's (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism, and better performance on cognitive tasks.<sup>i,ii,iii,iv,v,vi,vii</sup> Conversely, less-than-adequate consumption of specific foods including fruits, vegetables, and dairy products, is associated with lower grades among students.<sup>viii,ix,x</sup> In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education, and extracurricular activities – do better academically.<sup>xi,xii,xiii,xiv</sup>

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students have access to healthy foods throughout the school day—both through reimbursable school meals and other foods available throughout the school campus—in accordance with federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active during and after school;
- Schools engage in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- The District establishes and maintains an infrastructure for management, oversight, implementation, communication about, and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff, and schools in Baldwin County Public Schools.

## **Wellness Committee**

### ***Committee Role and Membership***

The District will convene a representative District Wellness Committee (hereto referred to as the DWC) that meets at least four times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation, and periodic review and update of this wellness policy.

The DWC membership will represent all school levels (elementary, middle, and high) and include (to the extent possible), but not be limited to: parents; Child Nutrition Program; physical education teacher(s); health education teachers; school nurses and/or Nurse Supervisor; school administrators; school board members; health professionals (ex., dietitians, doctors, nurses, dentists); and the general public.

Each school within the District will establish an ongoing School Wellness Committee (SWC) that convenes to review school-level issues, in coordination with the DWC.

### ***Leadership***

The Superintendent or designee(s) will convene the DWC and facilitate development of and updates to the wellness policy, and will ensure each school's compliance with the policy.

Committee Members as of January 4, 2016:

- Tony Myrick - Board Member
- Hope Zeanah –Assistant Superintendent
- Marty McRae –Assistant
- Dana Bottoms - Principal, WJ Carroll
- Kyle Nobles –Principal, Bay Minette Middle
- Joseph Roh – Principal, Robertsdale High

- Elizabeth Lucassen - Teacher, Elberta Elementary
- Wendy Simmons - Teacher, Magnolia Elementary
- Robin Nelson – PE Teacher, Rockwell Elementary
- Tracie Sweat – Parent, Gulf Shores Elementary
- Lee Tapscott – Parent, Fairhope Intermediate
- Holli Vincent, RN
- Erin Miller, Child Nutrition Coordinator

Each school will designate a school wellness policy coordinator, who will ensure compliance with the policy at the local school.

**CHILD NUTRITION PROGRAM CHARGE POLICY (BOE POLICY #967)**

Baldwin County Public Schools realizes that some students may either lose or forget their lunch/breakfast money. However, it is unlawful for the Child Nutrition Program to absorb unpaid, charged meals. Therefore, the following guidelines may be used by schools at the principal's discretion:

Grades K- 12: Two meals may be charged. The students and/or parents are responsible for repaying the funds for charged meals to the cafeteria. After a student has charged two meals, an alternative meal may be provided to the student at the principal's discretion.

No a la carte items can be purchased by any student until money for charged meals is collected. The cafeteria manager should continue to submit the child's name to a designated office employee daily or weekly until the charges are collected and submitted to the Child Nutrition Program. The CNP Manager and Assistant Manager should assist in contacting parents regarding money owed to the cafeteria. At the end of the school year, the school office will be responsible for remitting payment for the remaining charges to the Child Nutrition Program with non-public funds if parents have not resolved the matter within the proper time frame.

**CHILD NUTRITION PROGRAM OFFER VS. SERVE (BOE POLICY #968)**

The Child Nutrition Program offers lunch to all children in Baldwin County Public Schools and breakfast at select schools. Offer versus Serve (OVS) is system for reimbursable meals that allows students to decline a certain number of food items in the meal in order to reduce waste. Only senior high schools are federally required to have OVS for lunch and breakfast. To date, the practice for Baldwin County Public Schools has been to require Grades 4 – 12 to implement OVS. For lunch, students may decline 2 of the 5 food items offered and still be considered a reimbursable lunch. For breakfast, students may decline 1 of the 4 food items offered and still be considered a reimbursable breakfast. A reimbursable meal consists of 3 different food components and meets nutrient and portion size standards. Reimbursable meal prices are the same regardless if students decline items as long as a reimbursable meal is served. Students can choose to take all 5 meal components.

For lunch, the food items students choose from are:

- Meat or Meat Alternate
- Vegetable or fruit
- Fruit or vegetable
- Bread/Grain
- Milk

For breakfast, the food items students can choose from are:

- Meat or Meat Alternate
- Bread/Grain
- Fruit/Juice
- Milk

(The breakfast meal may consist of two meat/meat alternates or two bread grains.)

Offer vs. Serve will apply to all grades, Pre-K through 12 for breakfast and lunch. This will allow children to leave unwanted food items off the tray and will significantly reduce waste. Under this policy, children in all grades can decline milk as one of the food items. If children do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged. School staff cannot make exceptions to the policy, such as requiring that every child take milk. CNP managers and staff will be trained on OVS by CNP Central Office Staff prior to the beginning of each school year.

**CHILD NUTRITION PROGRAM DIET PRESCRIPTION POLICY FOR STUDENTS WITH SPECIAL DIETARY NEEDS** (BOE POLICY #969)

USDA regulations 7 CFR 15b require substitutions or modifications in school meals for children whose disabilities restrict their diets. A child with a disability is only provided substitutions in foods when that need is supported by a statement signed by a licensed physician (Diet Prescription Form). Baldwin County Public Schools Child Nutrition Program will work with these children to provide the best accommodations possible.

When in the licensed physician's assessment, food allergies may result in severe, life-threatening (anaphylactic) reactions, the child's condition would meet the definition of a "disability," and the substitutions prescribed by the physician must be made.

Each special dietary request must be supported by a Diet Prescription Form. This form explains the food substitution that is requested. It must be signed by a licensed and recognized medical authority. Diet Prescription Forms for Baldwin County Schools can be obtained at each school, from the Child Nutrition central office, or online at [www.bcbe.org](http://www.bcbe.org).

The diet prescription should include:

- An identification of the medical or other special dietary condition which restricts the child's diet
- The food or foods to be omitted from the child's diet
- The food or choice of foods to be substituted

Diet Prescriptions should be as specific as possible. For example: If a child cannot have fluid milk, it should be noted if the child can have cheese or food products made with milk. If milk is marked to be avoided and no other notations are made, all foods made with milk will not be given to the child. Specific foods that the child can or cannot have should be noted. If a child is prescribed a "rotation diet," specific guidelines must be given with the diet prescription.

Under no circumstances is school food service staff to revise or change a diet prescription. If any changes need to be made, the parent is responsible for obtaining a new diet prescription from the medical doctor.

School food service staff offers special meals, at no additional cost, to children whose disability restricts their diet as defined in USDA's nondiscrimination regulations, 7 CFR Part 15b.

It is advised by the State Department of Education and USDA that all children with diet prescriptions on file obtain new diet prescriptions for each school year. Because food allergies and special dietary needs can change as children get older, it is necessary to obtain updated information from a medical doctor regarding the child's condition and dietary needs. The food service staff cannot alter a child's diet prescription without written consent from a medical doctor.

Parents are also encouraged to obtain the monthly menus from the local school and highlight items that the child can eat. This menu should be returned to the cafeteria manager at least one week before the first of the month. Food service staff will work with the child/parent to provide the best meal possible.

The Child Nutrition Staff can only accommodate special dietary requests for students. Adults with special dietary needs should review the menu and supplement food from home.

### **DRUG/ALCOHOL FREE SCHOOL POLICY** (BOE POLICY #980)

#### I. General Policy

Practical experience and research have proven that even small quantities of illegal drugs, abused prescription drugs or alcohol can impair judgment and reflexes which can create unsafe conditions for students. Even when not readily apparent, this impairment can have serious results for students engaged in sports or other extra-curricular activities. Drug and alcohol-using students are a threat to other students and themselves, and may make injurious errors. For these reasons, the Baldwin County Board of Education has adopted a policy that all Activity Students, Parking Students and Volunteer Students be subjected to random drug testing to ensure that they are free from the effects of alcohol and/or the presence of drugs, unless used as prescribed by a physician.

#### II. Drug Use/Distribution/Impairment/Possession

All Activity Students, Parking Students and Volunteer Students are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, abused prescription drugs, inhalants or any other mind altering or intoxicating substances present in their system while participating in extra-curricular activities or while driving or parking at school.

#### III. Alcohol Use/Possession/Impairment

All Activity Students, Parking Students and Volunteer Students are prohibited from possessing, drinking or being impaired or intoxicated by alcohol while participating in extra-curricular activities or while driving or parking at school.

#### IV. After School Hours Conduct

After school hours use of drugs, alcohol or any other prohibited substances, including inhalants by a student is unlawful and may result in a positive test, in violation of this policy.

#### V. Prescription Drugs

The proper use of medication prescribed by a physician is not prohibited; however, the Baldwin County Public School System prohibits the misuse of prescribed (or over the counter) medications and requires all Activity Students using drugs at the direction of a physician to notify their school nurse where these drugs may affect their performance, such as by causing drowsiness.

#### II. Pre-Participation Substance Screening

- A. Extra-curricular Activities Applicants: Substance screening may be required for all extra-curricular activities applicants. If testing is conducted, a negative result must be recorded prior to a student participating in an extra-curricular activity. Such testing may be required either alone or as part of a pre-practice or pre-participation physical examination. Applicants are required to sign a Student Consent and Release form before submitting to screening. Applicants will not be allowed to participate in any extra-curricular activity when they test positive for alcohol, drugs or adulterants, refuse to submit to a test, or refuse to execute the required consent/release form.

- B. Parking Applicants: Substance screening may be required for all on campus parking applicants. If testing is conducted, a negative result must be recorded prior to a student receiving an on-campus parking permit. Such testing may be required either prior to or after receiving the parking permit. Applicants are required to sign a Student Consent and Release form before submitting to screening. Applicants will not be allowed to drive or park on campus when they test positive for alcohol, drugs or adulterants, refuse to submit to a test, or refuse to execute the required consent/release form.

VII. Procedure for Current Extra-curricular Students and Parking Students and Volunteer Students

A. Random Testing

The Board will conduct random unannounced screening of Activity Students, Parking Students and Volunteer Students. A randomizer computer program will be utilized to provide computerized random sample lists to the Drug Program Coordinator. The Activity Students, Parking Students and Volunteer Students randomly selected will be required to report to the Board-designated collection site for testing.

B. Return to Participation Testing

All Activity Students and Parking Students referred through administrative channels to undergo a counseling or rehabilitation program or who are suspended from the extra-curricular activity or parking for abuse of substances covered under this policy will be subject to monthly unannounced testing following return to extra-curricular activities or parking for no less than 12 months.

VIII. Testing Procedures

A. General Guidelines

The School Board and its laboratory shall refer, when prudent, to the guidelines of the Federal Department of Transportation, Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 49 C.F.R. Part 40 when a particular topic or subject is not specifically covered by the policy or procedures adopted by the Board. Relative to the protocols for determining diluted, substituted or adulterated specimens, the Board will refer to Part 40 for guidance.

B. Substances Tested

Activity Students, Parking Students and Volunteer Students may regularly be tested for: alcohol, amphetamines, methamphetamines, cannabinoids, cocaine, opiates, phencyclidine, barbiturates, benzodiazepines, methadone, methaqualone and propoxyphene. Students may be tested for any other substances listed as a controlled substance under Alabama Code 1975, § 20-2-20 through 20-2-32 and listed under schedules I through V without advance notice as part of a test performed by the Board for safety purposes. Such tests will be coordinated with the Coordinator.

IX. Collection Sites

The School Board will designate collection sites where students may provide specimens. Collections primarily will be conducted on-site at the appropriate designated school.

X. Collection Procedures

The Baldwin County School System and the laboratory have developed and will maintain a documented procedure for collecting, shipping and accessing specimens. The collection process shall be conducted so as to protect the privacy of the student. The Board and the laboratory will utilize a standard Custody and Control Form for all student testing. The Company will utilize a standard Breath Alcohol Testing Form for

all student alcohol testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will be used for specimen transportation.

Collection sites will maintain instructions and training protocol that emphasize the responsibility of collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure as reasonable under the particular circumstances. Where the Board has an employee collect the specimen, the Board will ensure that instruction and training are provided to that employee.

All students selected for testing will also be required to execute a Student Consent and Release Form.

XI. Evaluations and Return of Results to the Board

The laboratory will transmit directly (by fax, mail, or computer, but not normally over the telephone) the results of all tests to the Board's MRO. The MRO will be responsible for reviewing test results of students and confirm that the individuals testing positive have used drugs or adulterated the specimen in violation of the School Policy. Prior to advising the Board of the test result, the MRO shall give the student and his or her parent(s) an opportunity to discuss the result either in person or over the telephone and provide evidence that the student was taking a prescription medication that could also have produced a positive drug test result, or if for some other reason in accordance with Part 40 procedures allow the MRO to determine that the test result is not as the result of violation of this policy.

The MRO shall then promptly personally telephone and inform tell the Drug Program Coordinator which students had confirmed positive test results that had no legitimate medical explanation. The Baldwin County Public School Systems will then schedule a conference between the student and parent(s) or legal guardian(s) to discuss the positive test result and appropriate interventions and consequences.

XII. Release of Test Results

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the Board through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with this Policy and the Student Consent and Release Form.

However, all students selected for testing will be required to execute a Student Consent and Release form permitting the Board to release test results and related information to the school officials who have a need to know.

Parents or guardians will be informed of confirmed positive test results by the School Assistant Principal or Board designee.

XIII. Consequences

Violations	Interventions
<p>First Violation:</p> <ul style="list-style-type: none"> <li>• Activity student suspended from extra curricular activities for 30 days.</li> <li>• Student may not participate in extra-curricular activities or park on campus during the suspension.</li> <li>• Parking student suspended from parking on campus for 30 days.</li> <li>• Reinstatement requires a negative test.</li> <li>• Reinstatement requires a completion of Level I interventions.</li> </ul>	<p>Level I Interventions:</p> <ul style="list-style-type: none"> <li>• Parent and student must attend conference with a school drug coordinator.</li> <li>• Student and parent must attend prevention counseling session with a prevention counselor.</li> <li>• Student and parent must attend one AA/NA meeting.</li> <li>• Student must report to a designated school counselor each week for four weeks.</li> </ul>
<p>Second Violation:</p> <ul style="list-style-type: none"> <li>• Activity student suspended from extra curricular activities for 40 days.</li> <li>• Student may not participate in extra-curricular activities or park on campus during the suspension.</li> <li>• Parking student suspended from parking on campus for 40 days.</li> <li>• Reinstatement requires a negative test.</li> <li>• Reinstatement requires a completion of Level II interventions.</li> </ul>	<p>Level II Interventions:</p> <ul style="list-style-type: none"> <li>• Parent and student must attend conference with a school drug coordinator.</li> <li>• Student must attend one of the prevention programs indicated on the list of approved programs. Parents are responsible for tuition for programs that require tuition.</li> <li>• Student must report to a designated school counselor each week for six weeks.</li> </ul>
<p>Third Violation:</p> <ul style="list-style-type: none"> <li>• Activity student suspended from extra curricular activities for 365 days.</li> <li>• Student may not participate in extra-curricular activities or park on campus during the suspension.</li> <li>• Parking student suspended from parking on campus for 365 days.</li> <li>• Reinstatement requires a negative test.</li> <li>• Reinstatement requires a completion of Level III interventions.</li> </ul>	<p>Level III Interventions</p> <ul style="list-style-type: none"> <li>• Parent and student must attend conference with a school drug coordinator.</li> <li>• Student will be required to attend a prevention program indicated or a program approved by the school system.</li> </ul>

For any violation of the Policy, including testing positive in a confirmation test, testing positive for adulteration, refusing to submit to screening, refusing to execute a release, or refusing to cooperate with an investigation by the administration, the consequences for said violations are as follows (These consequences are applicable to all students who volunteer to be drug tested):

Baldwin County Board of Education Drug Free School Policy

Student Consent and Release Form

I, \_\_\_\_\_ have read the above statement of policy and agree to abide by the Board's drug and alcohol rules. I understand that no Activity or Parking Student testing positive, refusing to test, refusing to cooperate with testing or being in violation of this policy will be penalized academically.

\_\_\_\_\_ I agree to submit to drug and/or alcohol tests in accordance with the Policy as a condition of my initial or (initials) continued participation in extra-curricular activities or to have the privilege of driving or parking on campus.

\_\_\_\_\_ I agree to voluntarily submit to drug and/or alcohol tests at any time. (initials)

I do hereby give my consent to the School Board to collect a specimen from me, and I further give my consent to the Board to forward the sample(s) to the testing laboratory for its performance of appropriate tests thereon to identify the presence of drugs and/or alcohol and then to transmit the results to the Board's Medical Review Officer (MRO).

I authorize any laboratory or MRO to release test results to the Baldwin County School System. I authorize the MRO to release final test results to the Board.

I also expressly authorize the Board or its MRO to release any test-related information, including positive results:

- (a) As directed by my specific, written consent authorizing release of the information to an identified person.
- (b) To my decision maker in a lawsuit, grievance, or other proceeding initiated by me or on my behalf.

I understand that the refusal to submit to testing or a positive or adulterated test result will affect my initial or continued participation in extra-curricular programs or driving or parking on campus for Baldwin County Schools and result in consequences as described in the Baldwin County School System Drug Free School Policy.

\_\_\_\_\_ Student

\_\_\_\_\_ Date

\_\_\_\_\_ Parent or Guardian

\_\_\_\_\_ Date

\_\_\_\_\_ Witness

\_\_\_\_\_ Date

#### List of Approved Drug Programs

##### Level I

- 1. One counseling session with a Baldwin County Mental Health Counselor.
- 2. One AA/NA meeting.

##### Level II

- 1. Attendance at AA/NA five week program.
- 2. TEEN Program – 5 weeks (offered by BCMHC at parent expense).
- 3. J.O.P. (offered by BCMHC at parent expense).

##### Level III

All Programs at Level III are at parent expense.

- 1. Teen Program – 18 weeks
- 2. Programs approved by the school system



## Baldwin County Mental Health Center

To the parents of

BCMHC and the School Board have joined together to support the war against drugs in our school system among students. The BCMHC Teen Program will work together with the students of Baldwin County to develop a drug program meeting the requirements of the drug free school system policy.

The BCMHC Teen program is a 12 to 18 week drug program. The program is located at 201 East Camphor, Foley, AL 36535. 251-943-2818 Fax# 251-943-2144. The program meets three nights a week, 4:30p.m. to 7:30 p.m. Monday, Wednesday, and Thursday, with Thursday being a family night. The students will be randomly drug tested while in the program. The TEEN Program is not just a drug program. Other issues addressed are Anger Management, Peer Pressure, Self Esteem, Goals, Job Interviews, Communication Skills, Social Skills, Getting Along at Home with Family, Relationships and other Life Skills.

As mentioned in the Baldwin County School System Drug Free School Policy for student's second violation of the policy, a student will be suspended for 40 days from a sport, an activity, or parking privilege. Since the TEEN program is longer than the 40 days, we are willing to open doors for these students to attend for the 40 days (5 weeks) for treatment. After the 40 days the student and parent have the option of continuing with the program to the full term of 12 or 18 weeks.

The amount of the program is \$240 for the 18 weeks and \$10 for the initial assessment. Insurance, All Kids, Medicaid, accepted. Therefore for the 40 days (5 weeks) the cost would be approximately \$67.00, plus \$10.00 for the initial assessment.

If you have any questions, please call 251-943-2818.

Wanda Fox-Pierre MS  
Substance Abuse Coordinator TEEN Program

### Baldwin County Board of Education Drug Free School Policy (BOE POLICY #980)

#### Overview

The Baldwin County Board of Education (the "Board") has adopted the Baldwin County Board of Education Drug Free School Policy, (the "Policy"), a random alcohol and drug testing policy to promote the safety considerations noted herein and to deter the use of alcohol and drugs among high school students.

This policy will apply to three categories of students: (1) Activity students, consisting of students participating in (a) athletics or cheerleading (defined as any student, male or female, in grades seven through twelve, who is a member of any Board sponsored school sports team or cheerleading/dance squads), and (b) other school related extra-curricular activities (defined as any student male or female, in grades seven through twelve, who is a participant of a Board sponsored extra-curricular activity during the school day or after school); (2) Parking students, consisting of students operating or parking of a motor vehicle on campus (defined as any student grades nine through twelve who operates or parks a motor vehicle "at school" as defined herein); and volunteer students who have been voluntarily added to the random pool with the consent of his or her parents.

Participation in extra-curricular activities or operating/parking a motor vehicle on campus are privileges, not rights. Students in these activities represent the school and the school system in interscholastic competition, public performances and various other activities. They are role models for other students. Their use or abstinence from the use of alcohol or illegal drugs is likely to influence the choices of other high school students. In addition, the use or abuse of alcohol and/or illegal drugs by athletes or cheerleaders is likely to increase student injuries to the user or others with whom he or she is playing. Student drivers are inexperienced and pose a substantial risk to the

safety of themselves and others should they operate a motor vehicle on campus or elsewhere while under the influence of alcohol or illegal drugs.

#### Statement of Need

The Board expects all students to remain alcohol and drug free. However, the Baldwin County School System's "Pride Survey" test results indicate that students in grades 7-12 unlawfully use alcohol at rates above state and national norms. Please see the following chart.

Drug/Alcohol Use	Pride National	Alabama	Baldwin County
Any Alcohol	62.3	59.0	69.3
Any Illicit Drug	31.4	28.3	36.6

In addition, the needs assessment conducted by the "Drug Task Force" (A committee appointed by the School Board) indicates that law enforcement personnel, the judicial system and mental health professionals have expressed concerns about alcohol and illegal drug use by Baldwin County School System students.

Drug use interferes with a student's education, which is the primary goal of the school. Practical experience, research, and the Baldwin County School System's "Needs Assessment" have established that even small quantities of alcohol, illegal drugs or abused prescription drugs can impair judgment and reflexes, which can create unsafe conditions for students. Students using prohibited substances are a threat to other students and themselves and may make injurious errors.

#### Policy Objectives

1. To create and maintain a safe, drug free environment for all students in Baldwin County Schools.
2. To encourage students with a dependence on or addiction to alcohol or other drugs to seek help in overcoming the problem.
3. To reduce the likelihood of incidents of accidental personal injury and/or damage to property.
4. To minimize the likelihood that school board property will be used for illicit drug activities.
5. To educate parents and students to the warning signs and dangers of alcohol and illegal drugs.
6. To reduce behavioral problems in the classroom and promote general health and well being of all students.

Substance abuse can be a serious threat to the school system, its students, visitors and employees. It is the belief of the Baldwin County Board of Education that the benefits derived from the policy objectives outweigh the potential inconvenience to the students who will be subject to this Policy. The Board earnestly solicits the understanding and cooperation of all school staff, students and parents, in implementing this policy.

#### Enforcement

In an effort to achieve the policy objectives described herein, the Board reserves the right to require all Activity, Parking and Volunteer students to submit to random drug tests to maintain safety and security. The Board has developed this student-testing program to follow, as appropriate, the process outlined in the drug testing guidelines provided by the Federal Substance Abuse and Mental Health Services Administration (SAMHSA).

Pursuant to Board Policy and regulations, students subject to this Policy may be tested prior to beginning a seasonal activity, during the season of the activity, or prior to granting parking privileges on a random basis without advance notice. Once a student is placed in the Random testing pool the student is subject to testing for the remainder of the year.

Any student with a positive test, including a no-contact positive (as defined herein) for alcohol or drugs which is confirmed by the Board's Medical Review Officer (MRO) will be subject to certain consequences, which include immediate suspension from student activities. Refusal to submit to testing or to cooperate with the Board in any test investigation will result in immediate suspension from participating in extra-curricular activities or parking for 365 calendar days. A student's privileges will be reinstated pursuant to the Consequences section of this Policy.

No Activity or Parking Student testing positive, refusing to test, refusing to cooperate with testing or being in violation of this policy will be penalized academically or for non-participation in after school extra-curricular activities.

#### Confidentially

All information, interviews, reports, statements, memoranda, and test results, either written or otherwise, received by the Board through its alcohol and drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public way or private proceedings except under the following circumstances:

1. As directed by the specific, written consent of the parent/guardian authorizing release of the information to an identified person.
2. To an Activity, Parking, or Volunteer Student decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the student.
3. When compelled to do so by valid federal or state laws, or order from a court of competent jurisdiction.

Any questions should be directed to the person(s) assigned as the Board's Drug Testing Coordinator(s).

Any employee responsible for a breach of the confidentiality provisions of this policy shall be subject to appropriate disciplinary measures, including termination if warranted by the circumstances.

#### Clarification

This policy neither circumvents nor is intended to be used in place of Board Disciplinary Policy and School Rules pertaining to the use, possession, distribution, manufacturing, of alcohol or other drugs at/or away from school, School Board property, or at school sponsored events.

If a student is in violation of such disciplinary policies and rules, disciplinary consequences will be through normal school channels associated with said policies and rules. The consequences under this Policy become secondary.

#### Alcohol and Drug Testing

An integral part of the overall substance abuse policy will be the use of drug and alcohol testing. Drug and alcohol testing have been demonstrated to be accurate methods of determining the presence or absence of alcohol or illegal drugs in a person's body. Breath, oral fluid, hair or urine can be used for testing.

#### Definitions

1. *Activity Student.* Any student currently enrolled in the Baldwin County School System that participates in any extra-curricular activity as defined herein.

2. *Alcohol*. Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source produced.
3. *At School*. Means any school building, office or property, parking lots, owned or operated by the school, or being transported to and from a school activity or any other site off campus at which a student is engaging in any school activity.
4. *Chain of Custody*. The methodology of tracking specified materials, specimens, or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all of the materials, specimens, or substances and providing for accountability at each stage in handling, testing, and storing materials, specimens or substances and reporting tests results.
5. *Confirmation Test or Confirmed test*. A second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen. The confirmation test shall be different in scientific principle from that of the initial test procedure. The confirmation method shall be capable of providing requisite specificity, sensitivity, and quantitative accuracy.
6. *Drug*. Any substance listed as a controlled substance pursuant to ALABAMA CODE 1975, § 20-2-20 through 20-2-32. This includes but is not limited to amphetamines, cannabinoids, cocaine, phencyclidine PCP, methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene, or a metabolite of any of the substances.
7. *Drug Testing Agent*. The licensed and qualified independent agent, testing agency or medical office selected by the Board to carry out the screening of students.
8. *Drug Program Coordinator*. An employee(s) of the Baldwin County Board of Education appointed by the Board, responsible for overall implementation of the random drug and alcohol-testing program as outlined in this Policy.
9. *Extra-Curricular Activities*. Any school or school related activity, which is not required as a part of a student's mandated basic educational curriculum.
10. *Initial test*. A sensitive, rapid and reliable procedure to identify negative and presumptive positive specimens. All initial tests shall use an immunoassay procedure or an equivalent procedure or shall use a more accurate scientifically accepted method approved by SAMSHA as more accurate technology becomes available in a cost effective form.
11. *Medical Review Officer (MRO)*. A licensed physician who receives laboratory results, has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate a student's positive test result together with his or her medical history and any other relevant biomedical information. Only individuals holding either doctor of medicine (M.D.) or doctor of osteopathy (D.O.) degree may serve as an MRO.
12. *No Contact Positive Test*. A test shall be deemed positive if after a confirmation of the sample test indicates the sample is positive for drugs, the MRO is unable to reach the parent of the student, after diligent effort, to determine whether the drugs present were legally justified.
13. *Nonprescription Medication*. A drug or medication pursuant to federal and state law for general distribution and use without a prescription in the treatment of human disease, ailments, or injuries.
14. *On-site test*. This is an alcohol or drug test that is easily portable and can be administered in a location outside a laboratory. An on-site alcohol test shall meet the federal Department of Transportation guidelines for an initial alcohol test. An on-site drug test shall meet the requirements of the Food and Drug Administration

(FDA) for commercial distribution and the generally accepted cut off levels such as those in the SAMHSA Guidelines.

15. *Parent.* A person standing in parental relation including the custodial parent or a legal guardian or custodian.
16. *Parking Student.* Any student currently enrolled in the Baldwin County School System who drives or parks a motor vehicle “at school”, as that term is defined herein.
17. *Positive Test Results.* A finding of the presence of alcohol or drugs, or the metabolites of drugs in the sample tested at or above the threshold detection levels set. This shall include a “no-contact positive” test.
18. *Prescription Medication.* A drug or medication lawfully prescribed by a physician for an individual and taken in accordance with the prescription.
19. *Random Selection.* A mechanism for selecting students for drug tests that (1) results in an equal probability that any student from a group of students subject to the selection mechanism will be selected, and (2) does not give the school discretion to waive the selection of any student selected under the mechanism. All Activity, Parking or Volunteer Students will be subjected to random selection testing.
20. *SAMSHA.* The Federal Substance Abuse and Mental Health Services Administration.
21. *Specimen.* Breath, oral fluid, hair, urine, or other product of the human body capable of revealing the presence of drugs or their metabolites or of alcohol.
22. *Substance.* Drugs or alcohol.
23. *Substance Abuse Test or Test.* Any chemical biological or physical instrumental analysis administered for the purpose of determining the presence or absence of a drug or its metabolites or of alcohol.
24. *Trained Observer.* Employee who is knowledgeable of the school, teachers, students, and the school drug testing policy and procedures. The designated drug testing company will train these individuals.
25. *Volunteer Student.* Any student who is not an activity student or parking student but who chooses voluntarily, along with his or her parents’ consent, to participate in the Policy.

**School Attendance: Early Warning Truancy prevention Program and Driver’s License  
and Learner’s Permit Notice.**

Daily attendance is vitally important to the acquisition of knowledge. Students gain considerably as the result of being in class each day. It is the purpose of this program to do everything possible to encourage good attendance by involving as many supportive groups as necessary and by developing a uniform method of addressing this important issue.

Students deserve every opportunity for academic success and prompt, regular, daily attendance not only teaches life supporting skills but, also, increases the likelihood of school being a positive experience. A uniform attendance emphasis must then define the responsibilities of the groups of people directly related to the program. These groups will be: students, parents, teachers, administrators, and courts.

**Responsibilities of the Student**

- A. Arriving at school prior to the opening time.
- B. Being seated and ready for instruction in each class before the tardy bell rings.
- C. Bringing to each class those books and materials necessary to make attendance meaningful.
- D. Remaining in class for the entire class period.

**Responsibilities of the Parents**

- A. Encouraging their child to be present daily and on time.
- B. Discouraging their child from absences related to family trips and/or vacations during the school year, and appointments that could be better scheduled so as to not interfere with the school day.
- C. Refraining from asking the school to violate the checkout procedure approved by the Baldwin County Board of Education.
- D. Scheduling necessary appointments for their child outside the school day when possible.
- E. Cooperating with the school in providing valid excuses for their child's absence.
- F. Attending conferences arranged by the principal.

**Responsibilities of the Teacher**

- A. Developing class incentives related to improved attendance.
- B. Establishing contact with parents concerning their child's attendance patterns.
- C. Working with the guidance counselor in scheduling students in programs that meet their individual needs.
- D. Recognizing the importance of each class period and scheduling teacher request for students accordingly.
- E. Demonstrating to the student that planned learning experiences will take place each day.

**Responsibilities of the Administration**

- A. Designing local school plans for improving attendance.
- B. Enforcing a checkout system consistent with administrative policy.
- C. Considering many alternatives in an effort to reduce the number of suspensions and, thereby, absent days.
- D. Attempting to keep parents aware of each absence daily.

**SCHOOL ATTENDANCE: Early Warning Truancy Prevention Program and Driver's License and  
Learner's Permit Notice**

**SCHOOL CONDUCT INTERVENTION PROGRAM IMPLEMENTING THE PARENTAL RESPONSIBILITY STATUTE ALA.  
CODE §16-28-12 (1975)**

**PARENTAL NOTIFICATION**

Parents/Guardians:

During the special legislative session of 1994, the Alabama Legislature passed Ala. Code 16-28-12 (1975) which amended Act 93-672 as codified in Ala. Code 16-28-12 (1975). This legislation has important implications for parents, mainly to provide a safe, secure school environment for your children. This document is to inform you of the statutory requirements of Ala. Code 16-28-12 (1975) and the procedures to be followed. Read these procedures carefully. In an effort to assure that parents are informed of their school-related responsibilities, the State Board of Education has mandated that you receive notification, which addresses civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees. This information is provided to advise you of these school-related civil liabilities and criminal penalties. You are encouraged to read this document carefully and retain it for future reference. Although most students are regular in attendance and conduct themselves properly, we have a responsibility to make every effort to protect all children. Therefore, we are taking this opportunity to notify all parents of the requirements of this legislation and the procedures to be followed in the event violations occur. You are encouraged to read the enclosed documents carefully. Please sign the acknowledgment statement (on the back of this brochure) to document your receipt of this information and return it to school.

**Parental responsibilities in Ala. Code 16-28-12 (1975) are as follows:**

- a. To enroll children between the ages of six (6) and seventeen (17) in school (public school, private school, church school, or be instructed by a private tutor).
- b. To require any child enrolled to regularly attend school or to be regularly instructed by a tutor.
- c. To compel the child to properly conduct himself or herself as a pupil.

**Parents should be aware that:**

- a. Inappropriate student conduct or behavior may result in suspension from school.
- b. The Code of Conduct and related behavior and discipline policies adopted by the Board of Education shall define proper conduct.
- c. Out-of-school suspensions shall be reported to the superintendent of education and the district attorney.
- d. Parents, guardians or other persons having control or custody of the student are subject to prosecution for violations of this law.
- e. The Early Warning Truancy Prevention Program and the School Conduct Intervention Program shall be followed to implement this legislation.

**PARENTAL NOTIFICATION EARLY WARNING TRUANCY PREVENTION PROGRAM**

**1. ATTENDANCE**

The Alabama Compulsory School Attendance Law (Sec. 16-28-3) requires children between the ages of six (6) and seventeen (17) to enroll and attend school. Additionally, Section 16-28-12 of the Code of Alabama, as amended May 17, 1993, requires that any parent/guardian who enrolls a student in school will be responsible for the child's regular attendance and proper conduct. Parents and/or guardians must provide to the child's teacher an explanation of each absence within three days after the child returns to school. If the parent or guardian fails to provide this information to the teacher, each child's absence will be recorded as unexcused or truant. Except in emergency situations, out of town trips must have the principal's approval prior to taking the trip, if the absence is to be coded excused.

**Please be advised of the attendance requirements as set forth in the Early Warning Truancy Prevention Program, which has been implemented in Baldwin County schools since the 1989-90 school year. The program was recommended by the State Department of Education and the Administrative Office of the Courts and has been approved by the Baldwin County Board of Education and the Juvenile Court. Pursuant to Section 16- 28-12 of the Code of Alabama, all students - grades Pre-K--12 are subject to the provisions of this program.**

Schools shall follow the following protocol when absences occur:

**1. First Truancy/unexcused absence (warning)**

- (i) Parent/guardian shall be notified by the school principal or designee that the student was truant and the date of the truancy.
- (ii) Parent/guardian shall also be provided with a copy of Alabama's compulsory school attendance laws and advised of the penalties that can be applied and the procedures that shall be followed in the event that other unexcused absences occur.

**2. Second Truancy/unexcused absence (written notification)**

Parents will be sent a letter from the school notifying them of actions that will be taken by the school and courts should truancies continue.

**3. Third Truancy/unexcused absence (school conference)**

Parents will participate in a truancy intervention conference at the school with the school principal and/or designee (counselor, social worker, lead teacher, etc..). The school files a truancy report with the County Attendance Officer.

**4. Fourth Truancy/unexcused absence (district level intervention)**

The County Attendance Office will notify parents or legal guardians of legal actions related to non-attendance.

**5. Fifth Truancy/unexcused absence –(referral to Early Warning Truancy Prevention Program)**

- (i) The parent, guardian, or person having control of the child shall (1) attend a conference with the attendance officer and principal or his/her designee and/or (2) participate in the early warning program provided by the juvenile court.

(ii) Attendance at one of these conferences shall be mandatory except where prior arrangements have been made or an emergency exists.

(iii) Failure to appear at the school conference and/or to appear at the early warning program may result in the filing of a complaint/petition against the parent under Code of Ala. 1975, §16-28-12(c) (failure to cooperate), or a truancy against the child, whichever is appropriate.

**6. No earlier than seventh unexcused absence.**

(i) File complaint/petition against the child and/or parent/guardian, if appropriate.

**Early Warning Program**

**1. Purpose:** The Early Warning Program is a school /community-based program to assist public school personnel, parents, and law enforcement personnel in providing for early intervention for children and youth who are truant or in danger of becoming truant. A child is truant if no explanation is provided for absences or the child is absent for reasons other than those recognized as excusable.

**2. Description:** The Early Warning Program is a cooperative effort involving the Baldwin County Board of Education; Juvenile Court Services; and Community Agencies.

**3. Procedure:** Parents will be notified in writing of the date they are scheduled to attend the Early Warning Program. Per State Department guidelines, participation in the Early Warning Program is required.

**4. Truancies after Referral to Early Warning:** Non-attendance of the Early Warning Program and/or subsequent truancies may result in a truancy petition (against student) or a contributing to truancy petition (against parent/guardian) to be filed with the Baldwin County Juvenile Court.

**TENTH ABSENCE CODED EXCUSED:**

Students who accumulate ten excused absences may also be required to attend the Early Warning Truancy Prevention Program. This action will require approval of the principal.

**DRIVER'S LICENSE AND LEARNER'S PERMIT NOTICE**

Students and parents, by presentation of this written policy, are hereby notified of the provisions of Legislative Act 94-820 as enacted by the Alabama Legislature.

**Purpose of Act**

The purpose of the Act is:

1. to provide consequences for certain persons over 14 years of age convicted of possession of a pistol on the premises of a public school, school bus, or both, and 2. to require school attendance by persons 16-19 years of age as a prerequisite for obtaining a driver's license/learner's permit by the state of Alabama for the operation of a motor vehicle. School attendance standards may be met by enrollment in a school or General Educational Development (GED) program or job-training program approved by the State Superintendent of Education.

**Penalty Provisions of the Act**

Possession of a Pistol Provisions Section I of the Act states that any person over the age of 14 who is convicted of possession of a pistol on the premises of a public school, school bus, or both, shall be denied a driver's permit or license for 180 days from the date the person is eligible and applies for a permit or license. If a person over the age of 14 years possesses a driver's license on the date of conviction, the Department of Public Safety shall, under the provisions of this Act, suspend the convicted person's license for 180 days.

**Enrollment, Schooling, Employment Provisions**

Section I of the Act also states the Department of Public safety shall deny the issuance of a driver's license/learner's permit or the renewal of a driver's license to any person under the age of 19 who does not, at the time of application, present a diploma or other certificate of graduation from a high school or documentation that the person:



1. is enrolled in a secondary school, or
2. is enrolled and making satisfactory progress toward the GED certificate, or is participating in an approved job training program approved by the State Superintendent of Education, or
4. is gainfully and substantially employed, or
5. is a parent with care and custody of a minor or unborn child, or
6. has a physician's statement that the parents of the person depends on him/her as their sole source of transportation, or
7. is exempt from this requirements based on Section 16-28-40 of the Code of Alabama.

### **Suspension of Current Driver's License/Learner's Permits**

When a student 16 years or older who has a driver's license/learner's permit and is not enrolled or who is absent from school for 10 consecutive days or 15 days total for unexcused reasons during a semester shall be reported by the school authorities to the Department of Public Safety. Unexcused absences due to suspension days for conduct violations are counted toward the 15 day total. The Department of Public Safety shall notify persons that their Driver's Licenses/Learner's Permits will be suspended on the 30th day following notification unless re-enrollment occurs or one of the above conditions is documented.

### **Operational Procedures**

#### Principal's Responsibilities

1. Principals or designees shall provide students with information relative to the Act and procedures for compliance.
2. Principals or designees shall complete Part 1, Section 1 of the "Student Enrollment/Exclusion Status Form" at the request of students enrolled in their schools. Principals or designees should provide students with information relative to completing Part 1, Section 2, and Part 2 sections of the form; however, it is the responsibility of the student/parent/guardian to secure signatures, documentation statements, etc. for the GED and Exclusion Status Sections.
3. Principals or designees shall submit to the Department of Public Safety "A Student Enrollment/Exclusion Status Form" on each student who is not enrolled or who is absent from school for 10 consecutive days or 15 days total for unexcused reasons during a semester. Copies of said form will be sent to the attendance supervisor.
4. Principals or designees shall refer to the attendance supervisor the names of students who wish to be exempt for reasons beyond their control, under the provisions of this Act.

#### Student's Responsibilities

1. Students, who are eligible to apply for a driver's license/learner's permit should obtain a "Student Enrollment/Exclusion Status Form" at the office of their school before to going to the Department of Public Safety for a permit or license. The information included in this form must be completed and signed by the designated school official.
2. Persons, 15-19 years of age, who are not enrolled in a school of the School System and desire to get their driver's license/learner's permit should obtain a "Student Enrollment/Exclusion Status Form" at the office of the school they previously attended or at the Central Office of the Board of Education prior to going to the Department of Public Safety. The information included in said form should be completed and signed by the designated school official.

#### Right to an Appeal

Students and/or parents/guardians have the right to appeal decisions regarding school attendance standards as they relate to compliance with the Act. The process for an appeal will follow the grievance procedures as outlined in the Student Code of Conduct and Attendance issued to all students at the beginning of each school year. A copy of the Act shall be available for review through the principal's office and at the Central Office of the Board of Education.

### **STUDENT ENROLLMENT/EXCLUSION STATUS INSTRUCTIONS**

**Part I:** Enrollment Status should be completed and submitted to the area Driver License Examiner, Department of Public Safety, by any person under the age of 19 who is applying for or renewing or requesting reinstatement of a driver's license or learner's permit to operate a motor vehicle. Designated school personnel should submit this form to the Department of Public Safety, Driver Improvement, P. O. Box 1471, Montgomery, AL 36102-1471, if a student is not enrolled or has accumulated more than 10 consecutive or 15 days total unexcused absences during a single semester. Individuals claiming an exclusion should complete Part II of this form (see back).

**Part II.** The appropriate personnel for individuals claiming an exclusion from this Act should complete exclusion Status. The applicant is responsible for securing proper documentation for presentation to the Department of Public Safety.

## **SCHOOL CONDUCT INTERVENTION PROGRAM**

### **II. CONDUCT**

The following procedures shall be followed for out-of-school suspensions:

#### **FIRST SUSPENSION:**

- A. The parent, guardian, or person having control or custody of the child shall be notified in writing of the suspension.
- B. The superintendent of education shall be notified of the suspension.
- C. The district attorney shall be notified of the suspension.
- D. The parent, guardian, or person having control or custody of the child shall attend a school conference.
- E. The student on off-campus suspension for the first time, **except for infractions involving drugs or alcohol**, will be given the opportunity to make up tests, but not daily assignments.

**NOTE: The second and all subsequent suspensions off-campus are unexcused. A student who has been suspended off-campus more than once during the school year will not be allowed to make-up any schoolwork and the student will receive a zero on all graded work. A student who has been placed on suspension (ON-CAMPUS or OFF-CAMPUS) is prohibited from participating in all extracurricular activities.**

#### **SECOND SUSPENSION:**

- A. The parent, guardian, or person having control or custody of the child shall be notified in writing of the suspension.
- B. The parent, guardian, or person having control or custody of the child shall attend a school conference.
- C. The superintendent of education shall be notified of the suspension.
- D. The district attorney shall be notified of the suspension.

#### **THIRD SUSPENSION**

- A. The parent, guardian, or person having control or custody of the child shall be notified in writing of the suspension.
- B. The child and the parent, guardian, or person having control or custody of the child shall attend the School Conduct Intervention Program provided by the juvenile court. This program is designed to assist parents by informing them of the provisions of the law and identifying resources.
- C. The superintendent of education shall be notified of the suspension.
- D. The district attorney shall be notified of the suspension.

#### **FOURTH SUSPENSION**

- A. The parent, guardian, or person having control or custody of the child shall be notified in writing of the suspension.
- B. The superintendent of education shall be notified of the suspension.
- C. The district attorney shall be notified of the suspension and provided information relative to this and previous suspensions.
- D. **The fourth suspension shall result in a referral to the Baldwin County Juvenile Court for Judicial Action.**

**IT'S THE LAW!**

### **Parental Notification of Civil Liabilities and Criminal Penalties**

The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees: A Synopsis of each Act is printed below. The ACTS are available in each high school principal's office and may be reviewed by parents and/or students upon request.

#### **ACTS:**

#### **ACT 94-782 - ATTENDANCE AND CONDUCT**

Each parent/guardian having control or custody of a child required to attend school who fails to require the child to regularly attend school and compel the child to properly conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor (may be fined up to \$100 and may be sentenced to hard labor for up to 90 days).

#### **ACT 94-783 - CIVIL LIABILITY/DRUG DEALING**

Provides that a person who unlawfully sells, furnishes, or gives a controlled substance as defined in sec. 20-2-2, Code of Ala.-1975, to a minor may be liable for injury or damage or both suffered by a third party caused by or resulting from the use of the controlled substance by the minor.

#### **ACT 94-784 - ESTABLISHMENT OF SCHOOL DISCIPLINE PLANS INCLUDING: DRUGS/ALCOHOL/WEAPONS AND ASSAULT**

Provides for automatic suspension of students violating drug, alcohol, weapons, and assault policies - students will be readmitted based on local board approval. Principals are required to notify appropriate law enforcement officials when any person violates local board of education policies concerning drugs, alcohol, weapons or assaults.

#### **ACT 94-794 - ASSAULT ON TEACHERS OR OTHER EMPLOYEES**

Changes Assault on education employees from a Class A misdemeanor to a Class C felony.

#### **ACT 94-817 – WEAPONS IN SCHOOLS**

Forbids the possession of a deadly weapon on public school premises and makes violations a Class C felony if the violator has intent to do bodily harm.

#### **ACT 94-819 – LIABILITY FOR VANDALISM**

Increases from \$500 to \$1000 the Liability Limitations of parents for students who willfully damage school property.

#### **ACT 94-820 – DROPOUT/POSSESSION OF PISTOL/DRIVER'S LICENSE**

The Department of Public Safety shall deny a driver's license or learner's permit to any person under 19 who has not received a diploma or certificate of graduation. Exceptions are those students who enrolled in a GED or a secondary school, participating in a job-training program, gainfully employed, a parent of a minor or unborn child, and the sole source of transportation for a parent(s). Denies or suspends a driver's license for 180 days to persons over 14 convicted of a crime involving a pistol on school premises or school transportation.

#### **ACT 95-314**

If the school administrator is unable to verify the enrollment status\* of a student, the student shall automatically be removed from membership when he/she has accumulated ten (10) consecutive unexcused absences. This does not remove the responsibilities for investigating nonattendance, nonenrollment, and other requirements as specified by legislative or State Board of Education mandates relative to school attendance.

*\*After extensive documented research*

**Technology Acceptable Usage Policy (AUP)** - The entire AUP policy may be found at [www.bcbe.org/ET](http://www.bcbe.org/ET).

**PURPOSE:**

The purpose of the Baldwin County Board of Education (BCBOE) is to provide an effective, challenging, and engaging education for every one of our students. The intended use of technology is to a) enhance the educational experience of students by direct interaction with technology, and to b) indirectly enhance the educational experience of students by allowing faculty and staff to access and process important information in a timely and efficient fashion.

**POLICY STATEMENT:**

An acceptable use policy (AUP) is a policy that outlines, in writing, how Baldwin County Board of Education expects its community members to behave with technology. Similar to a Terms of Service document, an AUP should define publicly what is deemed acceptable behavior from users of hardware and information systems such as the Internet, computers, laptops, tablets and any applicable networks.

The primary goal of the technology environment is to support the educational and instructional endeavors of students and employees of Baldwin County Public Schools. Use of any and all technology resources is a privilege and not a right.

Any questions about this policy, its interpretation, or specific circumstances shall be directed to the Chief Technology Officer before proceeding. Violations of this policy will be handled in a manner consistent with comparable situations requiring disciplinary and/or legal action.

**ENVIRONMENTAL**

In October 1986, the Asbestos Hazard Emergency Response Act (AHERA) was signed into law. Included in this Act are guidelines for the Environmental Protection Agency (EPA) to establish rules regarding asbestos-containing materials (ACMs) in schools. Specifically, EPA was instructed to address the issues of (1) identifying, (2) evaluating and (3) controlling ACMs in schools. The final AHERA regulations (rules) became effective December 14, 1987. They are found in 40 CFR 763 Subpart E 763.80-763.99 and have authority under the Toxic Substances Control Act (TSCA).

The Baldwin County Board of Education has available for review and inspection the asbestos management plans for all schools and buildings under the jurisdiction of the Baldwin County Board of Education. These plans are available at each school or administrative center. Any person interested in reviewing these plans should contact the school or Mr. Anthony Sampson at 251-937-0310.

*Revised May 2016*

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<sup>i</sup> Bradley, B, Green, AC. Do Health and Education Agencies in the United States Share Responsibility for Academic Achievement and Health? A Review of 25 years of Evidence About the Relationship of Adolescents' Academic Achievement and Health Behaviors, *Journal of Adolescent Health*. 2013; 52(5):523–532.

<sup>ii</sup> Meyers AF, Sampson AE, Weitzman M, Rogers BL, Kayne H. School breakfast program and school performance. *American Journal of Diseases of Children*. 1989;143(10):1234–1239.

<sup>iii</sup> Murphy JM. Breakfast and learning: an updated review. *Current Nutrition & Food Science*. 2007; 3:3–36.

<sup>iv</sup> Murphy JM, Pagano ME, Nachmani J, Sperling P, Kane S, Kleinman RE. The relationship of school breakfast to psychosocial and academic functioning: Cross-sectional and longitudinal observations in an inner-city school sample. *Archives of Pediatrics and Adolescent Medicine*. 1998;152(9):899–907.

<sup>v</sup> Pollitt E, Mathews R. Breakfast and cognition: an integrative summary. *American Journal of Clinical Nutrition*. 1998; 67(4), 804S–813S.

<sup>vi</sup> Rampersaud GC, Pereira MA, Girard BL, Adams J, Metz J. Breakfast habits, nutritional status, body weight, and academic performance in children and adolescents. *Journal of the American Dietetic Association*. 2005;105(5):743–760, quiz 761–762.

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- <sup>vii</sup> Taras, H. Nutrition and student performance at school. *Journal of School Health*. 2005;75(6):199–213.
- <sup>viii</sup> MacLellan D, Taylor J, Wood K. Food intake and academic performance among adolescents. *Canadian Journal of Dietetic Practice and Research*. 2008;69(3):141–144.
- <sup>ix</sup> Neumark-Sztainer D, Story M, Dixon LB, Resnick MD, Blum RW. Correlates of inadequate consumption of dairy products among adolescents. *Journal of Nutrition Education*. 1997;29(1):12–20.
- <sup>x</sup> Neumark-Sztainer D, Story M, Resnick MD, Blum RW. Correlates of inadequate fruit and vegetable consumption among adolescents. *Preventive Medicine*. 1996;25(5):497–505.
- <sup>xi</sup> Centers for Disease Control and Prevention. *The association between school-based physical activity, including physical education, and academic performance*. Atlanta, GA: US Department of Health and Human Services, 2010.
- <sup>xii</sup> Singh A, Uijtendwilligne L, Twisk J, van Mechelen W, Chinapaw M. *Physical activity and performance at school: A systematic review of the literature including a methodological quality assessment*. *Arch Pediatr Adolesc Med*, 2012; 166(1):49-55.
- <sup>xiii</sup> Haapala E, Poikkeus A-M, Kukkonen-Harjula K, Tompuri T, Lintu N, Väistö J, Leppänen P, Laaksonen D, Lindi V, Lakka T. *Association of physical activity and sedentary behavior with academic skills – A follow-up study among primary school children*. *PLoS ONE*, 2014; 9(9): e107031.
- <sup>xiv</sup> Hillman C, Pontifex M, Castelli D, Khan N, Raine L, Scudder M, Drollette E, Moore R, Wu C-T, Kamijo K. *Effects of the FITKids randomized control trial on executive control and brain function*. *Pediatrics* 2014; 134(4): e1063-1071.
- <sup>15</sup> Change Lab Solutions. (2014). *District Policy Restricting the Advertising of Food and Beverages Not Permitted to be Sold on School Grounds*. Retrieved from <http://changelabsolutions.org/publications/district-policy-school-food-ads>.