Baldwin County Public Schools

Policies
of the
Board of Education

Bay Minette, Alabama
BALDWIN COUNTY BOARD OF EDUCATION
2600-A North Hand Avenue
Bay Minette, Alabama 36507

BOARD MEMBERS

David B. Cox       District 1
David Tarwater    District 2
Tony Myrick        District 3
Norman Moore       District 4
Angie Swiger       District 5
Cecil Christenberry District 6
Shannon Cauley     District 7

Mr. Eddie Tyler
Superintendent-Secretary

The board meets the third Thursday of each month
All meetings are open to the public
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INTRODUCTION

The very essence of public education is a complex and delicate endeavor. The Baldwin County Board of Education is constantly striving to improve the quality of education in Baldwin County and, on occasion, this requires adoption of new policies or amendments to existing policies.

The manual contains statements of policy approved by the Baldwin County Board of Education, the legal body responsible for the operation of the Baldwin County Public School System. These policies designate the responsibilities and constraints which guide all personnel employed by the system, as well as those it serves.

The Baldwin County Board of Educations functions in trusteeship and policy-making roles to assure the Superintendent has adequate guidance to fulfill his administrative functions in a manner consistent with locally controlled public education. Although the Baldwin County Public School System is locally controlled, it is subject to federal and state regulations. This manual also included rules and regulations, which result from both federal and state requirements.

A copy of this manual is available at all schools and at various central office locations for review by all personnel. Written suggestions and/or recommendations for new policies or revisions to existing ones to improve this school system are always welcome. The board reserves the privilege to change and suspend these policies in accordance with standard procedures as circumstances warrant.
POLICY ADOPTION

All personnel are hereby notified that these policies, as approved, are the official policies which govern the operation of the Baldwin County Public School System. All previous policies not brought forward in this manual and adopted by the Board are void and obsolete. These policies shall remain in effect until amended and/or deleted by the Baldwin County Board of Education.

Board Approved
September 28, 1995
APPEAL PROCEDURE

Any decision made by any employee of the Baldwin County Board of Education may be appealed to the Board where final authority in all matters of the school system resides. The Board requires any appealing party to exercise all channels of procedure prior to making an appeal to the board.
DUTIES

The duties and obligations of board members are as follows:

1. The Board of Education shall act as a legislative body in determining general policies for control, operation and maintenance of schools. Implementation of such policies shall be the responsibility of the superintendent and administrative staff.

2. The Board of Education shall determine with and on the advice of the superintendent the educational policy of the county, and shall prescribe rules and regulations for the conduct and management of schools.

3. The Board of Education shall appoint the superintendent of schools.

4. The Board of Education may appoint local schools patrons.

5. The board members shall familiarize themselves with state school laws, regulations of the State Department of Education and Baldwin County Public School System policies, rules and regulations.

6. Board members shall vote and act in board meetings impartially for the good of the system.

7. Board members shall accept the will of the majority vote in all cases and be of wholehearted support of the resulting policy.

8. Board members shall work harmoniously with other board members.

9. No member of the Board of Education shall be an employee of the Baldwin County Public School System.
Affirming that the Golden Rule is a good basis for ethical decisions, the members of the Baldwin County Board of Education hereby determine to treat our constituents, school district employees, and each other as we would want to be treated.

In accordance with applicable laws, rules, regulations, court orders and policies of the Baldwin County Board of Education, we will perform our responsibilities to the public as we would want our own elected representatives to perform their responsibilities to us.

➢ Each member understands that upon moving from their respective districts that their seat becomes vacant immediately. Upon the happening of such a vacancy the Board will notify the proper authorities at once to begin the replacement procedure.

➢ Each member recognizes and will adhere to the tenet that authority rests only with the Board assembled in a meeting and that Board members outside of regularly constituted meetings shall have no authority to make decisions, to commit the Board to actions, or to supervise or direct school activities.

➢ Each member understands that when representing the board at conferences they will attend meetings and workshops and perform all duties conscientiously.

➢ Members will avoid and disclose all conflicts of interest or potential conflicts of interest and will adhere to the Ethics Laws of the State of Alabama.

➢ Members will take no private action that will compromise the school system, the board, or the administration.

➢ Members will not use, nor expect to use, school district resources for their own personal interest or their special community interest in a way not available to the general public.

➢ Members will observe the letter and spirit of the open meetings law.

➢ When representing other community groups, Members will disqualify themselves from acting on issues that are inconsistent with any position taken by the Board or that are inconsistent with established Board policy or procedure.
We will relate to the superintendent and all school system employees as we would want them to relate to us.

➢ Members will not undermine the authority of the superintendent nor intrude into the spheres of responsibilities that properly belong to the school administration - such as hiring, transferring, or dismissing employees.
➢ Members will not lead people to think that they can get them a job or influence their employment.
➢ Members will avoid committing to constituents that they will solve their problem.
➢ Members understand that they do not have the right to access student records or employee personnel files.
➢ Members will seek to keep the superintendent informed of concerns or specific recommendations that any board member may bring to the board.
➢ Members will be courteous with all district employees and respectful of their time.
➢ Members will not target school system employee or vendors when seeking campaign support.

We will relate to fellow board members as we want fellow board members to relate to us.

➢ Members will speak to each other respectfully.
➢ Members will avoid making statements that are racially divisive.
➢ Members will speak truthfully and will respect confidentiality.
➢ Members will keep all information discussed in executive sessions confidential.
➢ Members will notify a fellow board member in advance if planning to hold a meeting in a school in the other board members district.
➢ Members will avoid surprising board members at the board table with items, issues, information, or motions not expected nor on the agenda.

(Board Approved: April 26, 2007)
It is the official policy of the Baldwin County Board of Education that no person, shall on the grounds of race, color, disability, sex, religion, national origin, age or creed be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity or employment.

It shall be the policy of the Board that no student shall 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, migrant 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.

(Board Revised: April 20, 2017)
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# 200  LEGAL RESPONSIBILITY

The general administration and supervision of the public schools of the educational interest of each county, with the exception of cities having a city board of education shall be vested in the county board of education.

Legal Reference: Laws of Alabama Relating of Education, Title 16-8-8

# 201  COMPOSITION

The Baldwin County Board of Education shall be composed of seven members who shall be elected by the qualified electors of the county.

Legal Reference: Laws of Alabama Relating to Education, Title 16-8-1
# 202 QUALIFICATIONS

Board members shall be persons of good moral character, with at least a fair elementary education, of good standing in their respective communities and known for their honesty, business ability, public spirit and interest in the good of public education.

Legal Reference: Laws of Alabama Relating to Education, Title 16-8-1

# 203 ORGANIZATION

Members of the board shall hold an annual organizational meeting in November of each year.

Legal Reference: Laws of Alabama Relating to Education, Title 16-8-4
# 204   OFFICERS

The officers of the board shall be a President and Vice President who shall be elected by the board members at the annual meeting, and whose term of office shall be for a period of one year.

# 205   METHOD OF ELECTION

At the first meeting after election, the board shall organize and elect its officers for its own members. The officers shall be elected in the following order: The President and then the Vice President. Each officer shall serve for a period of one year. Balloting for President and Vice President shall continue until a nominee receives a majority vote. The superintendent shall serve as official secretary and perform duties prescribed by the board and by State law. Vacancies in the above mentioned offices occurring during the year shall be filled by the board at its discretion.
# 206  VACANCIES

In the event a vacancy occurs in the membership of the Baldwin County Board of Education, the vacancy shall be filled through appointment by a majority of the remaining members of the Board of Education and the appointee shall hold office for the unexpired term.

Legal Reference:  Laws of Alabama Relating to Education, Title 16-8-6

# 207  DUTIES OF OFFICERS

Officers of the board will assume their duties immediately upon election at the annual organizational meeting in November following the general election.
The President, or in his/her absence, the Vice President, shall preside at all meetings of the board, preserve order and decorum, and decide all points of order, subject to an appeal to the board. He/she shall be entitled to vote on all questions. In the absence of both President and Vice President, a President Pro Tempore shall be elected who shall in such cases perform all the duties of the President.

The Vice President, in the absence of the President, shall preside at all meetings of the board, preserve order and decorum, and shall decide all points of order, subject to appeal of the board. He/she shall be entitled to vote on all questions.
# 210  SECRETARY

The board shall appoint as its executive officer a superintendent who shall also be the Secretary of the Board of Education. As Secretary, he shall conduct all correspondence of the board, keep and preserve all of its records, receive all reports required by the board, and ascertain that such reports are in proper form, complete and accurate.

Legal Reference: Laws of Alabama Relating to Education, Title 16-8-7

# 211  PARLIMENTARIAN

The President, or in his/her absence, the Vice President, shall decide all points of order, subject to an appeal to the board.
# 212  RULES OF ORDER

Robert’s Rule of Order, revised, shall be the official guide of the Board of Education on all points of parliamentary procedure.

# 220  REGULAR MEETINGS

The board shall hold regular meetings on the third Thursday of each month except as publicly announced otherwise.
All meetings of the board shall be held in the Board Room at the Instructional Resource Center at an appointed hour unless a different place and time shall be designated.

The board and superintendent, with the approval of four or more of the board members, may meet in or adjourn to an executive session when the good name or character of an individual is involved.
# 225  SPECIAL MEETINGS

Special meetings of the board may be held whenever called by the president, superintendent, or upon request of four or more members of the board. Time permitting, written notice setting forth the object for which said special meeting is called shall be disseminated to each member of the board.

# 226  QUORUM

Four members of the board shall constitute a quorum for the transaction of business at any regular or special meeting. No motion or resolution shall be declared adopted without the concurrence of the majority of the whole board.

Legal Reference: Laws of Alabama Relating to Education, Title 16-8-4
# 227 VOTING METHOD

Voting shall be by voice vote. A motion shall be declared not approved unless it receives four or more voices, a majority of the board.

# 228 ADJOURNED

Any meeting of the board may be adjourned to a designated time and place.
MEMBERS

Members of the board shall have authority only when acting as a board legally in session. The board shall not be bound in any way by any statement or action in the part of an individual member except when such statement or action is in pursuance of specific instruction of the board.

COMPENSATION AND REIMBURSEMENT TO BOARD MEMBERS

The members of the Board of Education shall receive from the public school funds of the county such compensation as set by the Board in compliance with state statute. Members of the Board shall be reimbursed for actual and necessary travel expenses incurred in performing official business of the Board or incurred in attendance at public meetings. All travel reimbursement procedures and rates as authorized of Board employees.

Reference: Alabama Code Section, 16-1-26 and Section 16-8-5

(Board Approved: June 15, 2006)
Board members shall keep abreast of current educational trends and issues to enable them to perform their duties. The board shall encourage individual and collective memberships in professional organizations.

School board members are encouraged to attend workshops presented by the county, state and national school boards association.

#232A  BOARD MEMBER TRAINING

1.1  Board Member Training

1.1.1  General – Baldwin County Board of Education members will pursue ongoing training to develop and enhance their knowledge and effectiveness as board members and to improve board governance and operations. Training will include participation in:

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

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

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

Reference: Act of Alabama 2009-297
(Board Approved: December 13, 2011)
At the annual meeting on the third Thursday in November of each year, or as soon thereafter as possible, the Board shall select a chairperson for each committee of the Board. Chairs shall serve for a term of one year. Each committee shall constitute a committee of the whole and shall consist of all members of the Board. Three members shall constitute a quorum. All committee meetings shall be conducted in accordance with the Alabama Open Meetings Act.

(Revised: January 18, 2007)

The general duties of the committees are advisory and not executive. No committee shall have any power to direct the action of administrators or other employees of the board. The superintendent or his designee shall serve as member of all committees. All committees will report their findings and recommendations to the board.

The agenda shall be prepared and delivered to members of the board, if possible, twenty-four (24) hours prior to the date of the regular meeting, and if practicable, twenty-four (24) hours prior to special meetings. This information shall be made available to the news media and to other interested organizations.
# 241               MINUTES

The minutes of each regular board meeting shall be prepared by the superintendent and mailed or delivered, if possible, to board members twenty-four (24) hours before the time of the next regular meeting.

At each regular board meeting, except in emergency, the minutes of the preceding regular meeting shall be approved by the board.

The official minutes shall be kept in bound volumes.

# 242              SUSPENSION OF THE RULES

The order of business within the agenda may be suspended at any meeting in accordance with Robert’s Rules of Order.

The Board shall assume the freedom of announcing time limits to be observed by delegations. Said time limits shall be based on the number of delegations to be heard, the overall length of the agenda, and other factors which might be considered important by the board.
All records of the board required by law to be available at the superintendent’s office, or at such place in the administrative offices of the school system as may be directed by the superintendent, in accordance with the terms of any such law.

Policies of the Baldwin County Public School System shall be developed in accordance to Laws of Alabama Relating to Education, Title 16-8-10.
#247  POLICY REVIEW

Written policies of the board shall be reviewed regularly and revised as needed and shall be made available to all school personnel. The superintendent shall use the resources of his staff to report to the board status of policy and the need for addition and revision.

#248  SUSPENSION OF POLICIES

A policy shall remain in effect until it is superseded by a new policy or until such time as a majority of the board shall, after due consideration, vote its suspension.
In cases where action must be taken within the school system where the board has provided no guides for administrative action, the superintendent shall have the power to act, but his decision shall be subject to review by action of the board at its regular meeting.

In accordance to the amended Ethics Act passed during the 1975 Alabama Legislative Session, all members of the board and employees who have any administrative and discretionary authority over the receipt of public funds shall file completed ethics forms annually as provided by the Ethics Commission.
STATE SCHOOL BOARDS ASSOCIATION

The board shall have the prerogative to appoint one or more of its members as representatives to State School Board meetings, conferences and other functions sponsored by the Alabama School Boards Association and to provide reimbursement of actual expense incurred.

NATIONAL SCHOOL BOARDS ASSOCIATION

The board shall have the prerogative to appoint one or more of its members as board representatives to National School Board meetings, conferences or other functions sponsored by the National School Boards Association and to provide reimbursement of actual expense incurred.
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# 300 GOALS

The goal of the Business Division shall be to provide services in a manner to demonstrate to the general public, parents and students that maximum effort is being exercised to ensure proper use of all school funds.

# 301 PURCHASING AUTHORITY

Purchases made through requisition and purchase orders as specified in # 313 involving any state or federally allocated funds or board monies shall be implemented by the Division Superintendent for Business Services with the approval of those deemed necessary in the various divisional levels. Final authority resides with the superintendent or his designee.

# 302 PURCHASE ORDERS AND CONTRACTS

Purchase Orders and/or requisitions shall be duly prepared, signed, and authorized to support all purchases. All purchase orders shall be processed in accordance with board policy, procedures, regulations and state laws. All requisitions and/or purchase orders shall fall within the framework of board approved budget except as otherwise authorized by policy or the board in official meetings.

The purchase order is an obligation to purchase and encumbers funds for a particular purchase. All purchase orders shall follow the encumbrance process. Any purchase that does not follow the encumbrance process must have prior approval from the Division Superintendent for Business Services with the concurrence of the Superintendent or his designee.
Purchasing shall be done in conformity with good ethical business practice and in keeping with all laws and regulations that govern purchasing within the State of Alabama.

Purchases shall be made in a way to achieve quality service and product at the lowest possible price.

Those responsible for purchasing shall keep informed on all quality products and services and shall make decisions about where to purchase in light of all reliable information which can be brought to bear on purchasing.

Preference shall be given to local firms in purchasing so long as quality of product and service is not sacrificed and so long as prices are competitive within the allowable percent and the State Bid Law is observed.

All purchasing shall be subject to review and concurrence by the superintendent or his designee and the Board of Education.

Cooperative purchasing ventures are encouraged when they benefit the system. Ventures in purchasing with other school systems shall be encouraged when volume purchasing lowers the cost to the system and conforms to the State Bid Law.
LOCAL PURCHASING

All purchases made for and in the name of the individual schools shall be approved by the principal and shall be handled in conformity with prescribed policies and procedures as approved by the board.

LOCAL SCHOOL PURCHASES OF ITEMS OF VALUE FOR SELECT EMPLOYEES

Local schools support extra curricular functions and programs through fund raising events and other local school revenues. There may be situations in which a principal determines that a particular position overseeing an extracurricular activity requires certain items in order to more efficiently perform that function, oversee student safety, coordinate activities, etc. Such items may include cell phones, PDA’s and other small equipment. Items identified by the principal as necessary in order to properly perform a job may be considered allowable uses of school funds for these activities. In the event that the school does not have sufficient local revenue in the extra curricular activity to provide these items, a support organization, booster club, PTA, PTO or other outside organization may make a contribution to the school in order to fund these expenditures. The principal must ensure that the provision of any items of value are purchased in the name of the school, become the property of the school and that the provision of such items comply with all applicable laws and regulations include matters that relate to Title IX, Civil Rights, etc. Principals must obtain further authorization from Business and Finance for the provision of these additional items should the individual value of an item purchased exceeds $1,000.

(Board Approved: August 16, 2007)
Student Organizations

Student clubs and classes are usually recognized as school activities. The student officers and faculty sponsor operate the organization while the school principal acts in a fiduciary capacity over the organization’s funds. The school’s accounting records contain a separate account to record the financial operations of each student organization. Income from the student organization is recorded by receipts and deposited in the school bank account. The school principal approves the purchase orders, signs the checks, and maintains the supporting documents for the expenditures.

Some organizations consisting of students from the school may not be school activities. Some students belong to social organizations that operate off-campus. Community recreation leagues may consist solely of the school’s students and operate under other entities that are not under the control of the school. Although the activities of these organizations may benefit the school’s students, these organizations have a separate employer identification number (EIN), a separate mailing address, and maintain their own records and accounts.

Athletics

School athletics are extra-curricular activities that must be under the control of the principal. Coaches and other school employees cannot maintain a separate bank account that supports, or benefits from, a school extra-curricular activity. Funds received to support an athletic activity at a school from sponsors, vendors, or other sources must be included in the school’s financial records under the fiduciary control of the school principal. Funds from gate receipts and other sources may be recorded in one or more separate accounts for a particular sport in the school’s financial records. However, a separate account for each sport is not required. When athletic events are held on locations other than school property, the school principal’s control over the financial operations of the event including ticket sales, concessions, and parking fees, will be determined by agreement with the entity in control of the event location.

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**Parent Organizations**

Parent and parent/teacher organizations provide a vital role in the education of students. In Alabama public schools, the PTA and the PTO are the most common parent organizations. Many parent organizations join a national organization that serves the individual school organizations. Each of the national organizations publishes guidance for the financial operations of the individual school organizations. These organizations must have a separate employer identification number (EIN) and a separate mailing address in order to maintain their own records and accounts outside the control of the school. However, these organizations will become school activities if:

   a) *Both parties mutually assent to the fiduciary control of the principal.*
   
   b) *A school employee serves/holds a leadership position in the organization, or,*
   
   c) *A school employee is involved with fund-raising or maintains the accounting records for the organization.*

**Booster Organizations**

All school sponsored extra-curricular activities must be under control of the school. However, booster organizations are often formed to support the operations of these activities in a variety of ways. While providing additional financial support for a particular extra-curricular activity, the volunteers in the booster organizations also enhance community support that often extends to benefit all of the students at a school. Because some of the activities of a booster organization may be intertwined with the extra-curricular activity it supports, some of the organization’s activities may be under the control of the school principal while other functions of the same booster organization are not school activities. The determination that a particular booster organization is a school activity must be made on a case-by-case basis according to the actual facts and circumstances of the organization’s operations at a school. These organizations must have a separate employer identification number (EIN) and a separate mailing address in order to maintain their own records and accounts outside the control of the school. However, these organizations will become school activities if:
a) Both parties mutually assent to the fiduciary control of the principal.
b) A school employee serves/holds a leadership position in the organization, or,
c) A school employee is involved with fund-raising or maintains the accounting records for the organization.

Specific activities of a booster organization may come under the control of the school principal if:

a) The organization collects admissions to the school function.
b) The organization operates a concession operation on school property at the school function.
c) The organization collects parking fees for the school function.
d) The organization operates a training camp that includes students of the activity it supports, or
e) The organization operates an exhibition or competition that includes students of the activity it supports.

Specific Requirements
Parent organizations and booster organizations that maintain financial operations outside of the control of the school could create a negative image for the school by failing to maintain proper accounting controls. Accountability for the funds these organizations control includes an agreement between the school and the organization that:

a) The organization has obtained an employer identification number from the IRS.
b) The organization provides a report of the annual audit of the organization to the school.
c) The organization makes its financial records available to the school's auditors and authorized school employees upon request
d) The organization provides required financial reports.

e) The organization provides proof of a fidelity bond for the treasurer.

f) The organization will not provide any payment or benefit to a school employee (or family member of a school employee) in violation of the State Ethics Law.

Handling of Funds and Property

All organizations which raise funds for the support of activities conducted by the Baldwin County Public Schools should follow sound fiscal policies in the handling of funds and property which are contributed by patrons for the support of school programs and activities.

Business and Financial Services Division will issue administrative procedures and guidelines to address the detailed requirements and guidelines for proper fiscal management and for reporting of revenues and expenditures to each school and/or the central office. The attached agreement must be signed by applicable personnel and filed at the school for audit purposes. The Agreement and other required compliance must be in place by July 1, 2008. The guidelines will serve as fiscal procedures and must be adhered to. Any organization which fails to comply with this policy will not be permitted to use school property or to associate itself as being affiliated with the Baldwin County Public School System.
Financial Operations of School-Related Organizations Agreement

Name of School: _________________________________________________

Name of Organization: __________________________________________

Purpose of Organization: _________________________________________

Anticipated sources of income for this organization are:

_______________________________________________________________

Anticipated uses of funds are:

_______________________________________________________________

Employer Identification No: _____________________________________

The above-named organization agrees to conduct its activities and operations in compliance with the Alabama Department of Education’s Guidelines for Financial Operations of School-Related Organizations including the following specific requirements:

   a) The organization will comply with Internal Revenue Service requirements necessary for maintaining an Employer Identification Number.
   b) The organization will provide the audit reports of its financial operations on at least an annual basis.
   c) The organization will make its financial records available to the school’s auditors or authorized school employees upon request.
   d) The organization will provide financial reports as requested by school officials.
   e) The organization will provide proof of a current fidelity bond for the treasurer.
   f) The organization will not allow an employee of the above-named school to lead a fund-raising activity or maintain accounting records or bank accounts for the organization.
   g) The organization will not provide any payment or benefit to an employee or officer or family member of the above-named school system in violation of State Ethics Law.

________________________________  ___________________________
Name of Organization’s Officer          Position          Date

________________________________  ___________________________
Name of School Official                Position          Date

(Board Approved: June 19, 2008)
#310 BILL PAYMENT AUTHORIZATION

The Director of Business and Finance and/or other authorized representative of the Superintendent shall authorize payment of all bills.

#311 PAYMENTS

Payments shall be made upon the completion of services, delivery and/or upon partial completion of services and delivery of goods provided they are completed in direct conformity with the prorated share of goods and services received. Any exceptions must be approved by the superintendent or his designee.

All efforts shall be made to obtain any discounts that may be offered as a result of prompt payment.

#312 CHANGE ORDERS

The Superintendent and/or Director of Planning and Construction Management are authorized to review and approve change orders on a per project basis in the total amount not to exceed one percent (1%) of the total contract for construction amount, but at a lump sum amount of no less than $25,000 per project and shall be reported to the board.

Any subsequent changes on a per project basis above this amount will need to be evaluated and approved by the Board.

(Board Approved: February 16, 2006)
The board shall approve all purchases of an emergency nature and those that are deemed necessary to continue the effective operation of the school program. Regular operational expenditures may be approved at the administrative level provided they fall within the following category: (1) specific or implied expenditures provided for in the general budget; (2) purchases made in individual schools not subject to the bid law; and (3) purchases that have been complied with under the State Bid law.

The board grants authority to the Superintendent, subject to applicable laws, policies and Board approved budget limitations (i.e. bid awards, contract for $10,000 or more and other limitations set forth in policy requiring board approval), to expend funds for budgeted operating expenditures, without advance Board approval of specific expenditures. All such expenditures shall be included in the monthly expenditure report to the Board.

(Revised: January 18, 2007)

Expenses incurred by school personnel in the performance of duties shall be reimbursable, or paid via BCBE-approved P-Card, provided said expenses are authorized by the appropriate officials in charge of the budget account incurring said expense. Expenses shall be reasonable amounts for the charges incurred and approved by the superintendent or his designee.

Procedures shall be established to incorporate the use of Purchasing Cards for district purchases and authorized travel for departments.

School system expense reimbursement shall be in accordance with those state and federal laws applicable to per diem and travel, or as approved by the Board. In
addition to certain rates established by state and federal laws, the Board adopts the following rates applicable to in-state travel effective April 21, 2017.

**Hotel/Motel:** Cost must be reasonable. If the meeting is held at a hotel/motel, the Board will pay no more than the host hotel/motel rates per day. If there is no host or conference/meeting hotel/motel, the Board will pay for the cost of the hotel/motel up to a limit of $150.00 plus applicable taxes per night. The Board will only pay for the “single” rate. If other individuals or family members accompany employees, the employees must pay for the additional room rate above the standard single rate for the hotel/motel. Business related telephone and/or other necessary communication expense reimbursement must have the nature of calls/contacts made and persons/entities contacted. Movie rentals, alcoholic beverages and other personal expenses will not be reimbursed. Paid hotel receipt must be submitted with Travel Expense Statement.

**Food/Meal Allowance:** The Board will reimburse the employee for a food/meal allowance in the amount of $45.00 per day of approved travel exceeding 100 miles one way. A paid receipt is not required for this allowance.

*(Board Approved: April 20, 2017)*

**# 320 PROPERTY SALES – REAL PROPERTY**

The board has the option to see real property on a negotiated basis or through competitive bid procedure. The Division Superintendent of Business Services will handle all property sales with the review and approval of the superintendent.

The board is vested with and exercises the power to sell or exchange any of its properties subject to the following conditions:

1. When the value of such property does not exceed the sum of $10,000, no less than five of the seven board members shall vote in favor of the sale or exchange.
2. When the value of such property exceeds the sum of $10,000, the sale or exchange to be valid shall carry the unanimous approval of the entire board membership, that is, all seven board members shall vote in favor of the sale or exchange.

3. The sale or exchange of such property, irrespective of the value, shall be supported and substantiated by written appraisal(s) obtained by the board. To be valid, all appraisals must be on file with the board and have been conducted within the preceding two years.

# 321 EQUIPMENT AND SUPPLIES SALES

The sale of equipment and supply items may be conducted on a competitive bid basis by utilization of sealed bids, negotiation or public auction to the highest bidder. Sales shall be limited to only discarded scrap, obsolete or worn-out items that have accumulated from the schools and shops and administrative offices within the school system and are deemed to be of minimal value to the school program.

All transactions and procedures shall have prior approval of the Division Superintendent for Business Services, the Division Superintendent of Maintenance and Transportation and the Superintendent. The Material Management Specialist shall be responsible for administering the sale in accordance with school board policy and state law.

All monies derived from sales shall be deposited in the general fund.

All sales of equipment and supplies shall comply with applicable state and federal programs.

All sales of equipment shall be supported by written appraisal(s) obtained by the board.
Accurate records should be maintained of all transactions and these records shall be open to public scrutiny.

#325 INVENTORY CONTROL

The primary responsibility for inventory control shall rest with the Business & Finance Division and shall be regulated in accordance with standard accounting procedures and practices.

The principal of the school shall assume the responsibility for reporting any changes in inventory to the Business and Finance Division, Materials Management Office. The principal shall be accountable for inventories at the local school level. If for any reason a principal does not provide alterations or additions to or deletions from his/her school’s inventory, the principal shall be held personally accountable for any unreported losses. The principal shall have the prerogative to hold the individual teacher in the assigned classroom areas responsible for losses of equipment should said losses not be reported to the principal as they occur.

The board directs that all fixed or capital assets shall be inventoried annually. Inventory records of fixed or capital assets shall be maintained in the school board’s central office. A supplemental inventory of equipment items not classified as fixed or capital assets shall be maintained.

(Board Revised: January 18, 2007)

#328 PROPERTY OWNERSHIP

All properties, equipment, estates, donations or funds for the benefit of any or all public schools of Baldwin County are vested in the Board of Education or their successors in office regardless of fund source (federal, Title I, P.L. 89-10, PTA or any private or public organization).

Legal Reference: Laws of Alabama Relating to Education, Title 26-8-40
The following matters are not subject to the competitive bid law or the public works law of the State of Alabama: (1) expenditures of funds of whatever nature for labor, services, work, or for the purchase or lease of materials, equipment, supplies, or other personal property involving less than $7,500.00; and (2) public works contracts involving less than $50,000.00. With the exception of the matters identified in the preceding sentence, or as otherwise provided under the laws of the State of Alabama, the Baldwin County Board of Education recognizes that all contracts of whatever nature for labor, services, work, public work, or for the purchase or lease of materials, equipment, supplies, or other personal property, made by or on behalf of the board, shall, except as otherwise provided, be let by free and open competitive bidding, on sealed bids, to the lowest responsible bidder in accordance with state public works law and state bid law. Bids shall be advertised and opened as specified by law. The board delegates the responsibility to ensure compliance with state law and board policies to the superintendent or his or her designee, the Division of Business and Finance.

The board reserves the right to accept or reject all or any part of a bid or any and all bids, to waive any informality, general condition, special condition, or minor specification deviation when considered to be in its best interest, and to award the bid that best serves the interest of the board.

All bid openings shall be supervised by the Division of Business and Finance. The Division of Business and Finance shall thereafter forward a recommendation concerning the award of each particular bid to the superintendent, who in turn shall make a recommendation to the awarding authority, the Baldwin County Board of Education.

The Board hereby delegates to the Division of Business and Finance the authority to make awards for the following purchases and projects: (1) expenditures of funds of
whatever nature for labor, services, work, or for the purchase or lease of materials, equipment, supplies or other personal property involving less than $7,500.00; and (2) public works contracts involving less than $50,000.00.

When receiving bids for personal property, the board will reserve the right to exercise its option to favor persons, firms, or corporations having a place of business in Baldwin County or the Standard Metropolitan Statistical Area (within the allowable percent), and it will place such notice in its invitation to bid or request for proposal, except as prohibited by federal laws and regulations.

(Board Approved: March 16, 2006)

#335 INSURANCE PROGRAM

A cumulative up-to-date record shall be kept of all insurance records and policies on school buildings, equipment and insurable properties.

The Division of Business and Finance shall develop and implement an insurance program to cover the buildings and property owned by the board, taking into consideration financial feasibility, advise from professionals in the field and availability of State Insurance Program coverage. The program shall be evaluated with reference to upgrading at all times. Periodic reports shall be submitted to the superintendent for his review.

#336 LIABILITY INSURANCE

The board will purchase general liability insurance coverage to protect the board members, the school district and employees for the risks to which all are exposed. This coverage will be purchased with limits for the district equal to at least the limits of exposure defined within the Alabama Tort Claims Act.

The board will also purchase errors and omissions liability coverage to protect the board members, the school district and all school employees.
The board recognizes that the county superintendent of education shall have an official bond of not less than $50,000 which has been approved by the County Board of Education and which covers the acts of a temporary secretary of the board serving in the absence of the superintendent.

The Baldwin County Board of Education shall establish blanket bonds of not less that $5,000 for local school principals and others who handle public school funds.

Legal Reference: Laws of Alabama Relating to Education, Title 16-8-7, 16-9-3, 16-22-4, 16-13-8, 16-8-33

Data Management

Policy matters contained herein pertain to the management of data as collected, processed and distributed by the computer center. Data are collected from those approved sources deemed appropriate by the superintendent and distributed to the appropriate parties for the purpose of enhancing the educational functions of the school system.

Data Collection

The collection of data shall be in accordance with approved procedures as established by the administrative personnel whose needs such collection serves.

Data Analysis

The analysis of collected data shall be performed in such manner as to best utilize the available resources of administrative personnel.
## 343 DATA DISSEMINATION

Data shall be distributed on a routine basis by the primary agency as approved by the superintendent.

## 344 DATA DISSEMINATION TO PUBLIC

The board shall release to the public through the Office of the Superintendent any and all data in the possession of the Data Processing Center that are useful in building or maintaining a viable educational environment.

## 350 PERMANENT RETENTION RECORDS

The Baldwin County Board of Education shall maintain a microfilming department with the essential equipment to microfilm records on a need basis. The Materials Management Specialist shall be responsible for reproducing and maintaining microfilm records.

All records which have a permanent retention time shall be retained on microfilm in the superintendent’s office with a duplicate copy in the record center. Such records may include, but not necessarily be limited to the following:

- Student cumulative records
- Personnel records
- Minutes of the board
- General ledgers
- Journals (con’t)
- Disbursement sheets
- Policies
- Others determined of permanent necessity

Legal Reference: Laws of Alabama Relating to Education, Title 16-1-3, 16-1-4, 16-1-5

# 351 SCHOOL CENSUS RECORDS

All school census records shall be kept in up-to-date form in the superintendent’s office. Birth records dating back to 1928 are available to persons needing them for social security reasons.

# 352 GENERAL RECORDS

Audits, school plans, custodian records, warrant issues, payrolls, personnel records and other miscellaneous records shall be kept on permanent file in the superintendent’s office.
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#400  GOALS

The Treasurer’s Office shall safeguard all revenues of the school system, ensure that expenditures are legal and adhere to the accounting procedures as set forth by the State Department of Education and the Examiners of Public Accounts.

#401  FISCAL YEAR

The fiscal year for the board shall coincide with the fiscal year of the State Department of Education. (Presently, the fiscal year is from October 1 through September 30.)

#405  BUDGETS

The Baldwin County Board of Education will adhere to procedures that ensure compliance with all laws, rules and regulations regarding budget input for Classroom Instructional Materials, local school budgets, budgets for state or federally funded programs, input from supervisors and administrative staff, etc. The School Finance Office and Custodian of Funds will provide forms and instructions to all principals, supervisors and administrative staff regarding budget input from each area. The procedures will reflect compliance with ACT 99-389 regarding Classroom Instructional Materials, committee requirements for Title and other federal funds, textbook adoption, etc. The Board will issue and revise procedures as needed to comply with current appropriation bills, laws and regulations. The School Finance Officer and the Custodian of Funds will coordinate all input and cause to be prepared a budget to be approved in accordance with Title 16-13-140 as stated above.

(Revision Board Approved: March 18, 2004)

#406  FINANCIAL STATEMENT

A general purpose Financial Statement shall be submitted to the State Superintendent of Education and published in accordance with the Title 16-8-37 of the Laws of Alabama Relating to Education.

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DEPOSITORY OF FUNDS

Funds received for school purposes by school board officials and employees shall be promptly deposited in the proper bank account in banking depositories as approved by the board. A financial institution used for the deposit and safekeeping of funds shall be approved as a qualified public depository by the Security for Alabama Funds Enhancement (SAFE Program) administered by the Alabama State Treasurer.

(Revised: January 18, 2007)

BANK RECONCILIATIONS

All bank accounts of the board and the schools shall be reconciled to the financial records. The chief school financial officer shall be responsible for verifying that monthly bank statements are reconciled to the financial records on a timely basis that ensures accurate monthly financial statements.

(Board Approved: January 18, 2007)

REVENUES

The Treasurer shall receive all public money arising from taxes or other sources of revenue, take charge of it and deposit in designated banks. A cash analysis must be kept daily.

EXPENDITURES

Expenditures denote resources previously held and accounting records shall be kept by classification for the purpose of keeping track of the assets or services obtained. These expenditures shall be accounted for in relation to the approved budgets and/or other approved board policies.
The superintendent shall have monthly reports of revenues and expenditures prepared for review by the board. The monthly financial reports and annual budget shall be made available to the public on the local internet site.

(Board Approved: January 18, 2007)

#415  INVESTMENT EARNINGS

SCOPE

This investment policy applies to all financial assets of the Baldwin County Board of Education. These funds are accounted for in the Board’s Comprehensive Annual Financial Report. In addition, any new fund titles created by the Board, unless specifically exempted, will be covered by this policy. This local policy pertains to the funds and investment instruments permitted by the laws of Alabama as relates to local boards of education.

OBJECTIVES

The objectives of the Board’s investment policy are as follows:

1. Safety of principal is the foremost objective of the investment policy of the Baldwin County Board of Education. Each investment transaction shall seek to first insure that principal losses are avoided.
2. The Board’s investment portfolio shall remain sufficiently liquid to enable the Board to meet all operating requirements which might be reasonably anticipated.
3. The Board’s investment portfolio shall be diversified with respect to maturity, security types, and/or financial intuitions to avoid incurring unreasonable or avoidable risk to principal or liquidity of the investments.
DELEGATION OF AUTHORITY

Management responsibility for the investment program is hereby delegated to the Director of Business and Finance. In the event of the extended absence or replacement of the investment official, the superintendent, or his designee, shall conduct the Board’s investment operations. A system of internal controls shall be documented in writing. The controls shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees of the Board.

PERMISSIBLE INVESTMENT/DEPOSITORY INSTRUMENTS

Investment instruments authorized for purchase by the Board for operational funds are limited to:

1. Certain obligations, Treasury bills or Notes of the United States or its agencies with maturities of 12 months of less.
2. Insured or collateralized certificates of deposit with maturities of twelve months or less
3. Overnight repurchase agreements with approved master repurchase agreement if applicable and desired
4. Fully collateralized interest bearing sweep accounts if applicable and desired

Investment of bond proceeds or unused proceeds of capital outlay warrants pending the expending thereof for the contemplated capital improvements shall be made in accordance with applicable bond covenants and Section 16-13-109 of the Code of Alabama and any other state, federal and local laws and regulations.

DIVERSIFICATION

It is the policy of the Board to diversify its investment portfolio. Assets shall be diversified to eliminate the risk of loss resulting from over-concentration of assets in
a specific maturity, a specific issuer, or a specific class of securities. Portfolio maturities shall be staggered in a way that avoids undue concentration of assets in a specific maturity sector. Maturities shall be selected which provide stability of income and reasonable liquidity.

PRUDENCE

Investments shall be made with judgment and care under circumstances then prevailing which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

In addition to these general policy considerations, the following specific policies will be strictly observed:

1. All transactions will be executed on a delivery versus payment basis.

2. The Board shall not trade in options or futures contracts.

3. Before accepting funds or engaging in investment transactions with the Board officials of approved depository and securities dealers shall be required to familiarize themselves with the Board’s investment objectives and constraints.

COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS

All investments of the Baldwin County Board of Education will be on a competitive basis. Competitive quotes from various investments will be obtained from qualified financial institutions. The Baldwin County Board of Education will then choose what best fits its portfolio based on the maturity required, liquidity requirements, the current makeup of the portfolio and the offered rate.
COLLATERLIZATION

All deposits of the Baldwin County Board of Education must be secured by pledged collateral in an amount greater than the highest balance during any month, or deposited with a Qualified Public Depository of the Security for Alabama Funds Enhancement (SAFE) Program, according to Sections 41-14A-2 through 41-14A-6, 41-14A-8, and 41-14A-9, Code of Alabama 1975, as amended.

Acceptable collateral would be:

**United States**
1. Any direct obligation.
2. Any agency or instrumentality of the United States. This includes Commodity Credit Corporation Certificates.

**Other States**
1. Any general obligation bonds or securities issued by any state of the Continental United States.
2. Any instrumentality of any state in the Continental United States having a rating of “A” or better by Moody’s (this does not include political subdivisions such as counties, cities, etc.)

**State of Alabama**
1. Any general obligation bonds.
2. Any agency or authority of the State of Alabama.

**Alabama County**
1. Any general obligation issue.
2. Gas Tax warrants.
3. County Board of Education warrants.
4. Obligations secured by pledge of the special road, bridge and public building tax.

**Alabama Municipality**
1. Any general obligation issue.
2. Electric, natural gas, water and sewer revenue bonds issued by the city or any board created by the city.
3. Board of Education warrants.

(Board Approved: April 26, 2007)
The Baldwin County Board of Education (the Board) acknowledges that the cornerstone of a fiscally responsible capital cost management system is a solid debt policy. This policy should govern when, how, for what purposes, and to what extent the Board may issue debt. It is the intent of the Board that this policy will promote long-term financial stability, send a message of responsibility to taxpayers, assist the Board in earning the best possible bond ratings from rating agencies, enhance regulatory compliance and assure that borrowing is done at the lowest cost to taxpayers.

Alabama statutes authorize boards of education to issue indebtedness in the form of “warrants” for the purpose of paying the costs of erecting, acquiring, providing, constructing, purchasing, altering, enlarging, improving, repairing and equipping school buildings, school playgrounds and buildings for housing and repairing school buses, and for the purpose of purchasing school buses. Such warrants cannot be general obligations of a board of education but must be payable solely from the proceeds of any ad valorem tax, privilege, license or excise tax, or other tax approved pursuant to the Alabama constitution for school purposes, and paid, apportioned or allocated to or for the benefit of the board of education.

- Long-term debt shall not be used to finance current operations or to capitalize expenditures. Operational expenditures should be completely covered through the current-year budget.
- Long-term debt should be used only for capital projects that cannot be financed from current revenue sources. Capital debt should be used only for large “one-time” projects, such as school buildings, additions, major improvements to current buildings (i.e., roofs) and other capital infrastructure items.
- It is the goal of the Board to monitor debt service to stay within or not exceed an acceptable “Moderate” range of debt service as a percent of expenditures. According to industry standards, a debt service of 7% - 15%
general fund expenditures is considered moderate. Therefore, it is the goal of the Board to plan debt service costs that do not exceed 15% of General Fund expenditures.

- The Board will perform due diligence in order to thoroughly evaluate the impact to operations and cash flow prior to approving any debt issuance.
- The Board should seek competent independent financial advisor and bond counsel to provide these professional services for debt issuance.
- The Board may seek capital leasing financing for buses when applicable and advantageous. The Board will ensure compliance with state and federal guidelines regarding these capital leasing arrangements and will follow a competitive process when seeking institutions for this type of financing.

(Board Approved: April 26, 2007)
Appropriations made by the board shall be made in the following order: (1) for the payment of all charges required by legislative act; (2) for the payment of all interest charges and sinking fund for the retirement of all existing indebtedness; (3) the operation, maintenance and support of all other departments, institutions, agencies and charges.

If the board should determine at any time that the total income is insufficient to make all appropriations payable in full in the amounts in such appropriations, the board shall be required to restrict appropriations, beginning with those placed in the third classification which shall be reduced proportionately until such appropriations in classification two shall be reduced proportionately; and so on in this order until, in the opinion of the board, the appropriations shall equal the estimated income; provided however that in the event there are sufficient funds at the end of a fiscal year to pay all appropriations in the amounts named, then all appropriations shall be paid in full.

The Board recognizes the need to secure sufficient fund balance in the General Fund in order to meet State Department of Education (SDE) financial requirements and ensure that sufficient balance is available in the event of emergencies, proration, natural disasters, etc. It is the Board’s goal to ensure that funds are available to meet the Financial Priorities identified in Policy #420 while protecting the security of employees’ salaries and benefits. The SDE minimum fund balance for basic financial health is one month’s operating balance. The national median for fund balance for school systems with A1 ratings by bond agencies is 11.4% of total General Fund annual revenues. The Superintendent will direct staff to plan and monitor expenditures such that the ending annual fund balance does not fall below the SDE minimum balance of one month’s operating expenditures and falls between (continued on next page)
1.5 months’ operating balance or 11.4% of annual revenues, whichever is less. Expenditures will not be approved that causes the fund balance to fall below the one months’ operating balance except in the case of emergency, natural disaster or proration and only with Board approval.

(Board Approved: March 16, 2006)

#423  FUND BALANCE POLICY IN ACCORDANCE WITH GASB STATEMENT NO. 54

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

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

The General Fund is used to account for and report all financial resources not accounted for and reported in another fund.

Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.

Debt Service Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest, even if it is being accumulated for future years’ payments. Debt Service Funds should be used to report resources if legally mandated.

Capital Projects Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets.

Tab 400 – Page 5
Fund balances will be reported in governmental funds under the following five categories using the definitions provided by GASB Statement No. 54:

A. **Nonspendable** fund balances include amounts that cannot be spent because they are either:
   a. not in spendable form, or
   b. legally or contractually required to be maintained intact.
   Examples of nonspendable fund balance reserves for which fund balance shall not be available for financing general operating expenditures include: inventories, prepaid items, deferred expenditures, long-term receivables, and outstanding encumbrances.

B. **Restricted** fund balances consist of amounts that are subject to externally enforceable legal restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. Examples of restricted fund balances include: child nutrition programs (limitations mandated by State Department of Education), construction programs, and restricted grants.

C. **Committed** fund balances consist of amounts that are subject to a purpose constraint imposed by formal action of the Board before the end of the fiscal year and that require the same level of formal action to remove the constraint.

D. **Assigned** fund balances consist of amounts that are intended to be used by the school system for specific purposes. The Board authorizes the Superintendent or Chief School Finance Officer to make a determination of the assigned amounts of fund balance. Such assignments may not exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. Assigned fund balances require the same level of authority to remove the constraint.

E. **Unassigned** fund balances include all spendable amounts not contained in the other classifications. This portion of the total fund balance in the general fund is available to finance operating expenditures.
When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the Board to consider restricted amounts to have been reduced first. When an expenditure is incurred for the purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the Board that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

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

(Board Approved: October 20, 2011)

#425 AUDITS

The Treasurer/Comptroller shall ensure that all accounting records are implemented to conform to the single audit approach as required by the State Examiners of Public Accounts and the State Department of Education.

#426 AUTHORIZED SIGNATURES

The board shall designate the authorized signatures for depositories to honor.

#427 CANCELLED CHECKS

Cancelled checks shall be systematically filed in order to satisfy the requirements of the law and of the State Examiners of Public Accounts.
The superintendent shall be authorized to establish payday schedules for all board employees.

#429  PAYROLLS

All employees of the board shall be paid on the basis of payrolls approved by the supervisor responsible for the employee (i.e., principal, director, etc.) except as otherwise directed by the superintendent. Payrolls shall be systematically filed so as to satisfy the State Examiners.

#430  FEDERAL PROGRAMS

Financial and Statistical records shall be kept to satisfy federal reporting requirements.

#431  EMPLOYEE WAGE AND HOUR

In compliance with the Fair Labor Standards Act (“FLSA”), the Board will pay required minimum hourly wages and overtime to all employees who are non-exempt employees under the FLSA. For purposes of determining overtime, the workweek begins at 12:01 a.m. on Sunday and ends at midnight on the succeeding Saturday. Hours representing holidays, annual leave, sick leave, or other leave types do not count as hours worked for the purposes of calculating overtime. All non-exempt employees who work more than forty (40) hours in a work week will be paid overtime. Employees must accurately report all time worked for the Board in the manner prescribed by the Superintendent or his designee. Non-exempt employees are not authorized to work additional hours in a work week without specific direction or authorization to do so by the Superintendent, the employee’s supervisor, or the supervising school principal.

(Board Approved: January 16, 2014)
#431-b  COMPENSATORY TIME

Non-exempt employees who work more than forty (40) hours in a work week will, upon agreement between the employee and the Board, be paid overtime in the form of compensatory time. Compensatory time will be accounted for in minimum time units of one-quarter hour rounded to the nearest one-quarter of an hour. No more than two hundred forty (240) hours of compensatory time may be accumulated. Compensatory time may be utilized by employees upon reasonable notice to the Board, unless such use will unduly interrupt the operations of the school system or school to which the employee is assigned. The Board reserves the right to require an employee to use compensatory time as necessary to reduce compensatory leave balances, and further reserves the right to “pay off” any compensatory time balance at its discretion. The Superintendent is hereby authorized to develop guidelines, procedures, and forms for use in implementing this policy.

(Board Approved: January 16, 2014)

#435  SHORT TERM LOANS

The board may adopt a resolution authorizing short term loans to meet with payrolls when necessary.

#440  WARRANT SALES

Local warrant sales shall be handled in accordance with state and legal requirements for the issuance of school warrants.

Legal Reference: Laws of Alabama Relating to Education, Title 16-13-96

#445  GRANTS

The board shall handle contracts and grants to assure that their intent shall be realized and approved accounting procedures are followed.
Revenue and Expenditure classification codes shall be used as designated by the State Department of Education. Additional digit suffixes may be added by the local system to the major account codes for revenue and expenditures where allowed.

MANDATORY DIRECT DEPOSIT

It is in the best interest of the Baldwin County Board of Education to implement Mandatory Direct Deposit for both financial and administrative reasons. Direct deposit provides a number of benefits such as less chance of a loss warrant, reduced potential for theft or forgery, and funds are deposited in employees’ accounts on payday. Funds are immediately available to employees regardless of hurricanes, storms, or other catastrophic events, personal illnesses or situations that prevent an employee’s attendance at work, etc.

All employees employed prior to October 1, 2008 are required to use direct deposit for their payroll and are required to enroll in the direct deposit feature by completing the appropriate enrollment form. The deadline for enrolling is July 1, 2009. There are specific exemptions that may apply for unique situations. The enrollment deadline provides for a phase-in period of time to allow employees sufficient time to make personal arrangements.

As a condition of employment, all newly hired or rehired employees on or after October 1, 2008 shall be required to enroll in the direct deposit feature within thirty (30) days of hire or rehire.

All payroll related payments shall be made by the delivery of payment to the legally designated recipient by United States mail or its equivalent, including electronic funds transfers. Electronic transfers to employees are normally facilitated by local banks after midnight on the pay date. All paper checks shall be mailed by the Payroll Department on the business day prior to the pay date.
There are certain circumstances for which salary payment by warrant rather than direct deposit is necessary or suitable. These exceptions are explained in the Guidelines to this policy.

**Proposed Guidelines**

**Exemptions:** The following circumstances constitute an exemption to the direct deposit rule and may be applied as though a specific exemption.

**Business Exemptions:**

1. It may be necessary to issue a paper check to a new employee until all paperwork is submitted for direct deposit.
2. Other circumstances may dictate a paper check such as payment cancellations, re-writes, pay-offs for employees leaving service, limited employment period, categories of employees not eligible for direct deposit, etc.
3. Substitute employees will be paid by paper check.
4. An employee hired for a short period of time may be required to be issued a paper check. If employment is extended, direct deposit is required unless employee has a personal exemption granted.

**Personal Exemptions:**

1. Employees not covered under a business exemption may request a hardship exemption on the “Application for Exemption from Payroll Direct Deposit” form. The possible exemptions for direct deposit include the inability to have a bank account or the employee is unable to withdraw funds because he or she does not live or work near a bank and is unable to withdraw funds.
2. For those employees who are granted an exemption, Business and Finance may secure and offer other payment methods as options, other than paper check, when such options may become available.
Any exemption must be authorized by the Chief School Financial Officer of the Board.

(Board Approved: September 21, 2008)

#455  SALARY DEDUCTIONS

It is the intent of this policy of the Baldwin County Board of Education to provide for a fair, orderly and efficient means by which employees may secure payroll deductions.

-Deductions for Federal Income Tax, Alabama State Income Tax and FICA (Social Security) taxes shall be withheld each pay period based upon W-4 and A-4 forms filed with the board and the applicable withholding schedule of the appropriate governing body unless evidence of exemption from such withholding is provided to the board no less than ten days before a given payroll.

Deductions for Alabama Teacher Retirement System shall be made at each pay period from members of the Retirement System according to the rate established by the System.

Such deductions shall be remitted to the appropriate organization as required by law.

-Garnishments, tax liens, child support payments and other court-mandated deductions shall be withheld and submitted to the proper authorities as required by law. An employee may have more than required withheld by filing a written request at least 15 days before a payroll date. (cont’d)
-Employee-authorized deductions may be made for the following purposes:

a. Dues: Membership in professional or job-related organizations
b. Insurance premiums: Group insurance plans
c. Tax Sheltered Annuities
d. Individual Retirement Accounts
e. Credit Union
f. Contributions to charitable or other organizations

-Dues for membership in professional or job-related organizations shall be withheld as provided in Title 16-22-6 of the Laws of Alabama Relating to Education. Deductions shall be made on the basis of lists of membership provided and certified by the organization by September 15 of each year. New enrollments will be accepted monthly not less than 15 days before payroll deduction is to begin. The annual amount of dues will be deducted in equal installments at each pay period over the period of membership. Once enrolled, authorization of deduction of dues to organizations is considered continuous from year to year unless revoked by the member before September 15 of a given year. Upon termination, amounts owed for the remainder of the year will be deducted from final pay.

-Insurance Premiums shall be deducted for those employees who currently or in the future are enrolled in insurance plans that have been or shall be in the future approved by the Insurance Committee of the Baldwin County School System. Insurance premiums shall be deducted each pay period until the member discontinues the authorization in writing as least 15 days before payroll date. New enrollments shall be accepted only during open enrollment periods as established in the contract of the insurance plan or within 30 days of the hiring of the new employee. Employees electing to shelter certain insurance premiums from taxes through the “Cafeteria Plan” may not discontinue premiums so sheltered during the twelve months following the “Cafeteria” election except under extraordinary circumstances. (cont’d)
- Contributions to tax sheltered retirement plans, such as Tax Sheltered Annuities and Individual Retirement Accounts, including PEIRAF, shall be deducted at each pay period for those employees enrolled in such plans. Plans may be terminated at any time by notification in writing at least 15 days prior to a payroll date. Companies not now operating approved plans with the Board of Education must enroll a minimum of seven (7) employees to qualify for payroll deduction.

- Payments to the Baldwin Educators Federal Credit Union shall be deducted each pay period as authorized by the employee on forms provided by the Credit Union. Deductions may be terminated by notification, in writing, at least 15 days before a payroll date.

- Voluntary contributions to charitable organizations (such as United Way) or other organizations (such as political committees) shall be deducted each pay period for those employees on certified lists received from these organizations. The number of deductions may be determined by the employee and may be terminated at any time by notification in writing at least 30 days before a payroll date.

- Amounts deducted shall be remitted to the authorized organization within ten days following monthly deduction or within ten days of the receipt of a valid invoice from the organization as is appropriate.

- When amounts have been correctly deducted and remitted as authorized to an organization by the board, the board shall bear no further responsibility or liability for subsequent transactions. The board shall not be liable for an error when acting in good faith according to provisions of this policy.
In accordance with the State Department of Education instructions dated February 25, 2002, the Baldwin County Board of Education (the Board) implemented a procedure for the monitoring and collection of worthless checks in June, 2003. The provisions of the procedure are as follows:

The face value of any returned or worthless check may not be absorbed as a cost by state, federal or public local funds. The Board must adopt worthless check procedures that, at a minimum, address the following issues:

1. The local principal or other school administrator/program manager must exercise due diligence in the acceptance of checks and in the collection of worthless checks.
2. Each school/program must maintain a list of individuals who have submitted bad checks in order to prevent the receipt of any further checks.
3. Public funds may not be used to cover worthless checks. Non-public funds must be used to cover the worthless checks.

The Board will adhere to State Department of Education instructions by entering into an agreement with a vendor to perform all collections efforts for worthless checks. The services and processes provided by the vendor must comply with all State Department of Education provisions. In the event it is not possible or feasible to contract with a vendor for this service, the Board will follow the Bad check procedure per our local District Attorney’s Office. The Board will ensure that public funds are not used to cover bad debts of individual or organizations/programs and will not write off the revenues of that fund or program.
Specific instructions are issued to each school and program accepting checks. The Business and Finance Division is responsible for distributing the guidance for these procedures, monitoring this process, and ensuring that the Board is in compliance with state guidance.

Note: The Board receives checks from employees from insurance and other benefits. Any returned checks from employees are immediately collectable through the payment of our salaries and do not result in any losses in this fund. Should the Board have any other funds not identified at this writing that receive a worthless check, then the administrator or school receiving the check will proceed with usual collection efforts, charging of a few and ultimate submission to the local District Attorney’s Office, if necessary.

(Board Approved: April 26, 2007)
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MAINTENANCE SERVICES

# 500 GOAL

The Board of Education endeavors to provide building and grounds which are safe and clean for all students and employees.

# 501 BUILDINGS AND GROUNDS MANAGEMENT

Principals are primarily responsible for the general supervision and care of the grounds, the buildings and all properties in the buildings. However, all employees share the responsibility to ensure facilities and grounds are kept clean, sanitary, safe and attractive.

# 505 SAFETY PROGRAM

The board strives to maintain safe buildings, grounds and equipment in order to minimize accidents or injuries to students, employees and other citizens. Principals’ and administrative staff shall work with the police department and other city and/or other agencies in an effort to provide the best possible safety procedures for students leaving and entering school grounds and from fire and natural disasters.
# 506   SAFETY INSPECTIONS

Principals and other building site managers shall continually inspect school owned property for potential safety hazards. Hazardous conditions identified shall receive immediate attention from the maintenance or other appropriate staff in order to prevent injury to persons and/or loss of property.

# 507   SECURITY

The board recognizes that security includes maintenance of a secure building as well as protection from such damages as fire hazard of faulty equipment and emphasizes safe practices in the use of electrical, plumbing and heating equipment.

Access to school buildings and grounds after regular school hours shall be limited to personnel whose work requires it or to those whom access has been granted by the principal.

Protective devices or employment of security personnel may be approved by the superintendent in situations which merit such action.
The board has a duty to ensure the safety of its students at all times. Students shall be adequately prepared to act intelligently and efficiently in the event of a fire or tornado in order to avoid injuries whenever possible. As required by state law, at least one fire drill per month while school is in session shall be conducted in each local school. A tornado drill should be held at least once each semester. The principal shall notify the nearest fire station, if one is available, in advance of each fire and/or tornado drill to allow them to participate, if possible. Each school should seek the assistance of its local fire department and Civil Defense units in developing informative teaching materials and activities for escape from fire and storm.

WEAPONS/FIREARMS

Weapons and firearms of any type are prohibited in schools, school facilities and school events, unless possessed by a certified law enforcement officer in the performance of their official duties.

(Board Approved: April 24, 2014)

CUSTODIAL PROGRAM

The principal shall be responsible for initiating and maintaining an effective school plant cleaning program. Custodial personnel shall be allocated in accordance with the board approved formula to provide effective custodial services for all schools.
COMPENSATION OF MAINTENANCE PERSONNEL

All maintenance and custodial personnel are prohibited from receiving compensation from local schools, organizations and contractors for work performed on school board property during their off time if such duties are normally performed by board employees.

REPAIRS

All requests for maintenance services that cannot be handled by local maintenance personnel shall be submitted to the Supervisor of Maintenance by the principal. Requests for maintenance services shall be made on the prescribed forms.

Requests for repair of hazardous conditions or of an emergency nature are to be reported to the Supervisor of Maintenance as soon as the condition is identified. Such hazardous and emergency requests shall be given priority consideration by the staff.
The board requires that all maintenance equipment, tools, parts, etc., be inventoried and a periodic check made to assure accounting for such equipment. Board owned equipment shall not be loaned to private individuals or used for private purposes.

The Division Superintendent for Maintenance and Transportation, with the approval of the superintendent, is authorized to loan equipment to city, county and state governmental agencies in emergencies.

All office and janitorial supplies provided by the board shall be requested in writing and accurate records of their distribution shall be maintained.

# 525  USE OF SCHOOL FACILITIES

The Baldwin County Board of Education as the owner of lands and buildings located thereon utilized for school purposes (“facilities”) is of the opinion that such facilities should be made available to non-student groups and organizations or individuals but only for the following purposes:

1. Civic, social, recreational, or community meetings, functions and gatherings open to the general public which promote the welfare of the community and which do not interfere with the principal use of said facilities;

2. Events, functions or meetings sponsored by professional educational organizations and associations.

3. Instruction in any branch of education, learning of the arts, or for the delivery of community education programs. (con’t)
4. Events sponsored by educational, civic or charitable organizations or groups for which admission fees are charged, if the fees are to be applied to educational or charitable purposes;

5. The conducting of elections and political meetings;

6. Recreation, athletics, exercise and physical training.

Use of said facilities for such permitted purposes shall be in accordance with and subject to the following criteria and conditions:

1. Use of the facilities shall be restricted to times when school is not in session and when not in use for school purposes; and such as shall not interfere with the use of facilities for school purposes either before or after such use.

2. Any user of the facilities shall be required to pay a fee or charge for the use of the facilities to assure that all expenses associated with such use (i.e. utilities, janitorial services, security, maintenance, and supervision) are recovered.

3. Any such group, organization or individual desiring to use school facilities shall be required to make written application for such use on a form approved by the superintendent which must be filed in duplicate with the principal at the school not less than fifteen (15) days prior to the date or dates desired for such use. Upon approval of the application by the principal and executive school patrons, the application shall be submitted by the principal to the superintendent’s office for approval or disapproval by the superintendent.

4. Said application shall embody, in addition to other provisions required by the superintendent, an agreement by the applicant: (con’t)
a. Acknowledge that the proposed use is not sponsored by or endorsed by the Board of Education, the principal, the executive school patrons, the school or any official or employee of the board;
b. To “hold harmless” the board, its members, the superintendent, the principal, the local executive school patrons, and all agents or employees of the board from any liability, including attorney’s fees (1) for negligence or any other wrongful acts of the user of the facilities or their agents, servants or employees, and/or (2) for permitting the use of such facilities;
c. To take out and carry liability insurance in an amount to be determined by the superintendent naming the board, its members, the superintendent, the principal, the executive school patrons and all agents or employees of the board as additional insured; and to provide to the superintendent, as appropriate, a certificate verifying the purchase of such insurance at the time the written application is submitted.
d. To assume all responsibility for damages and/or extraordinary expenses associated with or resulting from the use of the facilities; and
e. That the facilities will not be used for any purpose not permitted by this policy.

5. A request for use of school property or facilities pursuant to this policy which is consistent with the permissible purposes set out herein, and which would otherwise be granted, shall not be denied on the basis that presentation of or comment on the relevant subject matter is to be made from a particular viewpoint or prospective, including, but not limited to, a religious viewpoint or perspective.

6. Should this policy include any statement contrary to a policy adopted hereafter by the State Board of Education, the state policy will prevail.
BUILDINGS AND GROUNDS RENOVATIONS

Any renovations, addition to, or alteration of any building and/or classroom by local school personnel shall be approved by the Division Superintendent for Maintenance and Transportation and the superintendent.

RECORDS

A complete system of records shall be kept on the maintenance of school buildings. The system shall be adequate in scope to allow cost analysis.

ENERGY MANAGEMENT

Recognizing our responsibility as stewards of the public funds of the Baldwin County Board of Education, we believe that every effort should be made to conserve energy and our natural resources.

Under the policy, the Superintendent will appoint an Energy Management Team (EMT) that will be responsible for developing and implementing a plan to reduce energy costs.

As part of this policy, the use of personal appliances, such as refrigerators, plate warmers, space heaters, etc., will not be allowed in the normal classroom setting. These items are normally available in the teacher’s lounge or workroom. Variances from these requirements will be reviewed on a case-by case basis.

The Energy Management Team will develop an incentive program that will reward schools for initiatives taken to conserve energy.

(Board approved: September 15, 2011)
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# 600  GOAL

The board shall provide transportation for all students who live two or more miles from their assigned school and as otherwise necessary to ensure the effective operation of school programs.

# 601  SAFETY

School bus drivers shall comply with and observe all local, state and federal regulations. Their primary responsibility is the safety and welfare of the students. All bus drivers shall wear seat belts while operating a school bus.

# 602  SAFETY INSPECTIONS

All bus drivers shall perform a daily safety check at the beginning of their daily run.

School buses shall be inspected monthly by local transportation personnel in accordance with standards established by the State Department of Education. Any bus found to be deficient shall be “red tagged” and shall not be used to transport students until the appropriate repairs have been made.

The State Department of Education requires that school buses be inspected by authorized and qualified State Department of Education employees.

A systematic record of inspections and work orders shall be developed and maintained by the Supervisor of Transportation.
SCHOOL BUS DRIVERS

All Board employees, required by their job descriptions to be able to drive a bus, including bus drivers, mechanics and transportation supervisors, must have and maintain a valid commercial driver’s license and a current Alabama School Bus Driver Certificate issued by the State Department of Education.

As a precondition to employment, any prospective Board employee, required by his or her job description to be able to drive a bus, including bus drivers, mechanics and transportation supervisors, must have a valid commercial driver’s license and a current Alabama School Bus Driver Certificate issued by the State Department of Education.

In accordance with Alabama Code 16-27-4.1, as a precondition to employment, any prospective bus driver is required to pass a physical examination at his or her own expense. In accordance with Alabama Code 16-27-4.1, bus drivers currently employed by the Board are required to pass a physical examination at their own expense at least once every two years. This physical examination required hereunder shall be a Federal Department of Transportation (DOT) physical performed by a licensed physician that has been DOT certified and validated and on the Federal Motor Carrier Safety Administration National Registry of certified Medical Examiners.

(Revision Board Approved: August 18, 2016)

VEHICULAR INSURANCE

The board shall purchase liability insurance coverage naming as insured all employees who are required to transport students; or in lieu of purchasing such coverage will reimburse individual employees who are required to transport students for the cost of “drive other car broad form liability” riders to their individual insurance policies. If the board elects the second option it will specify the limit of coverage to be purchased and will require a certificate of insurance from the individual employee’s insurance carrier. (continued)
All vehicles owned by the Board of Education shall carry liability insurance. All vehicles owned by the Board may carry collision and comprehensive insurance.

The Supervisor of Transportation shall be responsible for the administration of the vehicular insurance program.

Reference: Act No. 84-191, 1984

#607 DRIVER EDUCATION VEHICLES

Driver education vehicles not owned by the Board of Education shall be insured for full coverage by the local school with the cost of the policy to be assumed from driver education fees. A copy of each policy shall be filed for the Business Services division.

#610 SPECIAL USE OF SCHOOL BUSES

The board permits the use of school buses for student trips or excursions to enhance instructional and extracurricular activities. The use of buses for such trips shall be strictly governed by regulations adopted by the board and/or established by the superintendent and administrative staff.

#612 OTHER USE OF SCHOOL BUSES

The Supervisor of Transportation, upon the approval of the Superintendent, is authorized to allow the use of school buses for the following purposes:

1. Emergency conditions declared by local, county and/or state officials.
2. To provide transportation for other school systems when buses are in the county and have mechanical problems.

3. Other conditions that the Supervisor of Transportation and Superintendent deem appropriate.

# 615 STUDENT CONDUCT

Students transported by buses operated by the Baldwin County Public Schools are under the jurisdiction of school officials from the time the student boards the bus in the morning until the student departs the bus in the afternoon.

The safety of those who ride a school bus depends to a great extent on their own behavior. Students on school buses are under the supervision of the bus driver and shall obey the driver at all times. The safety and welfare of others must not be endangered. Students who are guilty of misconduct and/or failure to comply with the instructions of the school bus driver may be suspended/expelled from the bus and/or school by the principal.

Rules and regulations governing school bus transportation shall also apply to all school sponsored trips.

# 620 SCHEDULING AND ROUTING

School buses shall be routed to within a reasonable distance of a student’s home provided safe all-weather roads and turnarounds maintained by state or county highway departments are available.
# 625  WALKERS AND RIDERS

Only employees of the board, pupils enrolled in public schools, or pupils in the process of enrolling in school shall be permitted to ride buses on regular runs to and from school.

# 630  COUNTY OWNED VEHICLES

Automobiles and trucks shall be assigned to employees by the superintendent according to their need for transportation.

The superintendent may authorize an employee to drive automobiles and service trucks to the employee’s home at night if the employee is subject to emergency call and the vehicle is necessary for his emergency use. In no case shall a vehicle be assigned to an employee solely for his transportation from his home to his place of employment.

# 631  ALABAMA SAFETY BELT ACT

The Alabama Safety Belt Act passed by the Alabama Legislature in 1991 requires all front seat occupants to wear seat belts. The Act designated the driver of the vehicle with the responsibility of ensuring compliance with this Act.

All front seat occupants of vehicles owned by the Baldwin County Board of Education are required to wear seat belts.
I. General Policy

Practical experience and research have proven that even small quantities of narcotics, abused prescription drugs or alcohol can impair judgment and reflexes. Even when not readily apparent, this impairment can have serious results, particularly for employees operating vehicles or potentially dangerous equipment. Drug-using employees may be a threat to co-workers, students, the general public and themselves, and may make costly errors. For these reasons, the Baldwin County Board of Education has adopted a policy (#846) that all employees must report to work completely free from the effects of alcohol and/or the presence of drugs, unless used as prescribed by a physician. Furthermore, all employees are prohibited from dispensing or in any way transferring possession of alcohol or any illegal drug while on school premises, including school vehicles, or at any school-planned activity.

II. Scope

This policy and the procedures related thereto shall apply to all Board employees (“Covered Employees”) currently subject to, or who may hereafter be made subject to, the drug and alcohol testing requirements established by the United State Department of Transportation (“DOT”) (49 C.F.R. Part 40, as amended, (hereinafter “DOT” Regulations”) and the Omnibus Transportation Employee Testing Act of 1991).

III. Presumptive Intoxication

While employees are prohibited from having any alcohol present in their system while on duty, a Breath Alcohol Concentration (BrAC) of .04 will constitute presumptive evidence of intoxication for any Covered Employee. Additionally, Covered Employees with a BrAC of .02-.039 shall be placed out-of-service for a period of no less than 24 hours. Alcohol testing shall be conducted by use of Evidential Breath Testing devices (EBTs) on the National Traffic Highway Safety Administration Conforming Products List, in accordance with DOT regulations or in any other manner approved by the DOT regulations.

IV. Off-Duty Conduct

Off-the-job use of drugs, alcohol, or any other prohibited substances, including inhalants, which results in impaired work performance, including, but not limited to, absenteeism, tardiness, poor work product, or harm to the school system’s image or relationship with the government is prohibited. Employees should realize that these regulations prohibit all illicit drug use – on and off duty.
V. Prescription Drugs

The proper use of medication prescribed by a physician is not prohibited; however, the Baldwin County Board of Education prohibits the misuse of prescribed (or over the counter) medications and requires all Covered Employees who use prescribed or over the counter drugs to notify their supervisor or the school system’s Medical Review Officer where these drugs may affect their job performance, such as by causing drowsiness.

VI. Substance Screening

A. Applicants

Substance screening is required for all final applicants applying for a position for which drug testing is required by the provisions of the Omnibus Transportation Employee Testing Act of 1991. Such testing may be required either alone or as part of a pre-employment physical examination. Applicants are required to sign a consent/release form before submitting to screening. Applicants will be disqualified for hire if they test positive for drugs or adulterants, refuse to submit to a test, or substitute or dilute their specimen.

B. Covered Employees

Reasonable Suspicion

All Covered Employees will be required to submit to screening whenever a supervisor observes circumstances which provide reasonable suspicion to believe an employee has used alcohol or a controlled substance or has otherwise violated the substance abuse rules. The supervisor’s determination that reasonable suspicion exists to require the employee to undergo alcohol and/or drug test may be based on specific, contemporaneous, articulable observations including, but not limited to, the appearance, behavior, speech or body odors of the employee.

The required observations for alcohol and/or controlled substance reasonable suspicion testing shall be made by a supervisor or designee who has received approved training for at least 60 minutes on alcohol misuse and an additional 60 minutes on controlled substance misuse.

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

2. **Random Testing**
The Baldwin County Board of Education will conduct random unannounced screening of Covered Employees. Tests of employees for illicit drugs will be conducted in a number equal to or greater than 50 percent of the affected workforce – without advance notice – in any given 12 month period. Tests of employees for alcohol will be conducted in a number equal to or greater than 10 percent of the affected workforce – without advance notice – in any given 12 month period. There will be no maximum number of samples that any one individual will be required to provide during the testing schedule. Subsequent testing will be conducted at levels equal to or greater than the initial testing level. The Drug Testing Laboratory will provide computerized random sample lists to the Designated Employer Representative. The list of employees in the random pool will be updated on a monthly basis. Employees will be required to report to the School Board designated collection site for testing immediately following notification. Annually, the tests will be spread reasonably over 12 months.

3. **Post Accident Testing**
Employees are required to immediately notify the Designated Employer Representative of any accident resulting in injury or damage to Board property. The Department of Transportation (DOT) requires post accident drug and alcohol testing following any accident which results in the: (1) loss of human life, or (2) receipt of a citation under State or local law for a moving traffic violation arising from the accident, where:

(a.) there is bodily injury to a persons who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; and/or

(b.) one or more vehicles incurring damage as a result of the accident, requires towing away from the scene.

4. **Return to Duty Testing**
All employees referred through administrative channels that undergo a counseling or rehabilitation program or who are suspended for abuse of substances covered under this policy
will be subject to unannounced testing following return to duty for no less than 12 months and no more then 60 months. Such employees shall be tested at the frequency stipulated in the abeyance contract or as scheduled by the Substance Abuse Professional (SAP). Testing will be on a daily, weekly, monthly or longer basis at the description of the SAP and will be in addition to the other types of tests provided in this policy.

Employees testing at a level 0.04 BrAC for alcohol or positive for drugs must be assessed by a Substance Abuse Professional (SAP), satisfy the recommendations of the assessment, test negative for drugs and below 0.02 BrAC for alcohol and be released by the Substance Abuse Professional prior to returning to duty.

5. **Recertification Physical Examination**
   All drivers may be required to undergo urinalysis as part of their recertification physical examination.

C. **Testing Procedures**

1. **General Guidelines**
   The school Board and its laboratory shall reply, when practical, on the guidance of the federal Department of Transportation, which include, but are not limited to, the following: Procedures For Transportation Workplace Testing Programs, 49 C.F.R Parts 40.1 through 40.413, and on the further guidance on the Omnibus Transportation Employee Act provided in 49 C.F.R Parts 382, 391, 392 and 395. Relative to the protocols for determining dilute, substituted or adulterated specimens, the school board will rely on the guidance issued by the Substance Abuse and Mental Health Service Administration in its program documents related to this issue.

2. **Substances Tested For All Employees**
   Covered Employees will regularly be tested for substances which may include, but will not necessarily be limited to: amphetamines, cannabinoids, cocaine, opiates and phencyclidine. Testing for alcohol will also be conducted subject to the final provisions for the Omnibus Transportation Employee Testing Act of 1991.

   Employees may be tested for other substances, including inhalants, without advance notice as part of a separate test performed by the School Board for safety purposes. Such tests will be coordinated with the Designated Employer Representative.
3. **Testing Procedure**

The Baldwin County Board of Education reserves the right to utilize any form of testing, including, but not limited to, blood, hair, breath, saliva or urinalysis testing procedures. All initial positive urine and hair specimens will be confirmed by gas chromatography/mass spectrometry (GC/MS), or as otherwise approved by DOT regulations. All initial positive alcohol breath testing and/or alcohol salvia testing will be confirmed on an evidential breath testing device (EBT) approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA’s “Conforming Products List” (CPL) of evidential breath measurement devices, or as otherwise approved by DOT regulations.

D. **Collection Sites**

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

E. **Collection Procedures**

The Baldwin County Board of Education, MRO and Drug Testing Laboratory have developed and will maintain a documented procedure for collecting, shipping and accessing urine specimens. The Board, MRO and Drug Testing Laboratory will utilize a standard Urine Custody and Control Form for all employee testing. The Board MRO and Drug Testing Laboratory will utilize a standard Breath Alcohol Testing Form for all employee alcohol testing. A tamper-proof sealing system, identifying numbers and labels, will also be used for specimen transportation.

Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure as reasonable. All collectors will undergo basic knowledge training, qualification training and an initial proficiency demonstration. All alcohol testing will be performed by a certified Breath Alcohol Technician (BAT). Where the School Board has an employee collect the specimen, the School Board will provide instruction and training to that employee.

All employees will be required to execute the Baldwin County Board of Education’s Applicant/Employee Consent Form.
F. Occasions When the Collection Personnel Should Directly Observe the Specimen Being Provided

The School Board has adopted the direct observation procedures as set out in Section 40.67 or the Department of Transportation regulations. Section 40.67 sets out the only circumstances where direct observation is appropriate:

G. Evaluations and Return of Results to the School Board

The laboratory will transmit (by fax, mail, or computer, but not orally over the telephone) the results of all tests to the School Board’s MRO. The MRO will be responsible for reviewing test results of employees and confirming that the individuals testing non-negative have used drugs or adulterated, substituted or diluted the specimen in violation of the school board policy. Prior to making a final decision the MRO shall give the individuals an opportunity to discuss the result either face to face or over the telephone.

The MRO shall then promptly tell the Designated Employer Representative which employees or applicants test positive for drugs or adulterants, or a substituted or diluted specimen.

H. Request for Retest

All urine collections will include a split specimen. An employee may retest of the split specimen within 72 hours of notification of the final test results. Request must be submitted to the MRO.

The employee may be required to pay the associated costs of retest in advance but will be reimbursed if the result of the retest is negative.

I. Release of Test Results

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the employer through its drug and alcohol testing program are confidential communications and may not be released except in accordance with the Policy Consent/Release Form. Information may be released without the employees consent in certain legal proceeding, including a lawsuit, grievance, or administrative proceedings brought by the Board, or on behalf of, an employee and resulting from a positive, adulterated or substituted drug test or alcohol test or a refusal to test. Such information may only be released to the decision maker in such action and only with a binding stipulation that the decision maker will make it available only to parties to the proceeding.
All employees will be required to execute a consent/release form permitting the School Board to release test results and related information to the Unemployment Compensation Commission or other relevant government agency.

The MRO shall remain the individual no-negative test results for five (5) years and negative test results for one year.

VII. Discipline

The School Board will discipline, up to and including discharge, employees for any violation of the policy, including refusing to submit to screening, or otherwise cooperate with an investigation or search by the administration. Disciplinary measures will be instituted in accordance with state and federal laws.

All employees who test positive in a confirmative substance test will be subject to discipline up to and including discharge. Any applicant or employee specimen that is found by the collection site, laboratory or MRO to have been adulterated or substituted will be considered equivalent to a positive test. All current employees who test positive for substituting the specimen will be subject to discipline up to and including discharge.

Rehabilitation, at a pre-approved treatment provider, may be available to individuals who violate the policy. However, unless other provisions are available to the effected individual, assistance will be limited to the degree of treatment provided with the School Board’s Employee Benefit Plan. The Designated Employer Representative should be contacted for guidance.

No employee may be returned to regular duties after any rehabilitation of testing positive unless certified as safe and not using drugs by the School Board’s MRO. The employee must be seen by a Substance Abuse Professional (SAP) and follow the SAP’s recommendation for education and treatment. Prior to returning to work, the employee must have a negative drug or alcohol test. Any employee returned to duty after violating the policy or testing positive will be subject to aftercare and random testing as set out in a written Probation Agreement which he or she will be required to execute.

VIII. Employee Assistance Program (EAP)

The Board’s EAP shall include education and training for supervisors who authorized to determine reasonable suspicion testing. These supervisors must receive a minimum of 60 minutes on alcohol abuse and an additional 60 minutes of approved training on controlled substance use and abuse.
The training shall cover the physical, behavioral, speech and performance indicators of probable use and misuse of alcohol and controlled substances. Documentation of training attendance must be maintained.

The Designated Employer Representative should be contacted for further guidance.

IX. Investigation/Searches

Where a supervisor has reasonable cause to suspect that an employee has violated the substance abuse policy, he or she may inspect an employee’s school system property, including, but not limited to, lockers, work areas, desks, tool boxes, compartments and school computers, with or without prior notice in order to ensure a work environment free of prohibited substances. An employee may be asked to be present and remove a personal lock from school property, or Designated Employer Representative will do so for him or her. The School Board may release any illegal, or controlled drugs, or paraphernalia to appropriate law enforcement authorities.

All searches should be coordinated with the Designated Employer Representative.

NOTE

These procedures should not be construed as contractual in any nature. They represent the School Board’s Current guidelines in dealing with a developing problem under evolving laws and facts, and may be charged in accordance with Board policy and state and federal law.
I, __________________________________, do hereby give my consent to the School Board to collect a urine, breath and/or blood sample from me on this date, and I further give my consent to the School 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. I further give the laboratory my permission to release the results of such tests to the School Board’s Medical Review Officer, if appropriate. I understand that the refusal to submit to testing or a positive test result will effect my initial or continued employment and result in disciplinary action as described in the School Board’s Drug and Alcohol Policy. I also understand that it is not the purpose of this test to identify any disability I may have.

____________________________   _______________________
Employee Signature            Date

____________________________
Employee Print Name

____________________________   _________________________
Witness              Date
I have read the above statement of policy and agree to abide by the Board’s drug and alcohol rules. I agree to submit to drug or alcohol tests at any time as a condition of my initial or continued employment. I authorize any laboratory or medical provider to release test results to Baldwin County Board of Education and its Medical Review Officer. I authorize the Medical Review Officer 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 a subsequent employer upon receipt of a written request form expressly authorized by the terms of my written request.

(c) To my decision maker in a lawsuit, grievance, or other proceeding initiated by me or on my behalf.

(d) To the Secretary of Transportation, any DOT agency with regulatory authority, state agency with authority over the employer and other agencies including, but not limited to, workers’ compensation, unemployment compensation, or other proceeding relating to a benefit sought by me.

I understand that this agreement in no way limits my right to terminate my employment or be terminated.

___________________________    ___________________
Employee Signature      Date

___________________________
Employee Print Name

___________________________    ____________________
Witness        Date

(Board Approved: January 24, 2008)
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CURRICULUM AND INSTRUCTION

# 700 GOAL

The Division of Curriculum and Instruction shall assume the responsibility of establishing a comprehensive educational program for students in grades K through twelve, and providing a system of ongoing supervision to ensure its implementation.

Curriculum shall be defined to include all approved school related experiences designed to prepare students to become responsible citizens capable of making rational decisions consistent with the basic tenets of a democratic society.

# 701 CURRICULUM DEVELOPMENT

The Division of Curriculum and Instruction shall assume primary responsibility for providing leadership in the development of instructional programs appropriate for students on all grade levels.

Curriculum development efforts shall involve instructional supervisors working jointly with professional staff members at the local level under the supervision of the Division Superintendent of Curriculum and Instruction.

# 702 COURSE OFFERINGS

The Alabama State Course of Study shall serve as guides in establishing systemwide instructional programs in terms of course offerings, content and time allocations.

(con’t)
The Division of Curriculum and Instruction shall prepare annually a handbook of course offerings for distribution to entering ninth grade students. The handbook shall contain a comprehensive list of courses available in grades 9 through 12, course descriptions, prerequisites, a four year plan schedule for students, and the requirements for graduation and certificates, diplomas and honors as determined by the State of Alabama Board of Education and the Baldwin County Board of Education.

# 703 INSTRUCTIONAL MATERIALS: COURSES OF STUDY GUIDES

The instructional programs shall focus on guidelines set forth in the official courses of study prepared by the Alabama Department of Education.

Using the State Department courses of study as a frame or reference, the Division of Curriculum and Instruction shall develop curriculum plans and guides to ensure a sequence of educational objectives, activities and, materials appropriate for students of varying abilities in grade K through 12. Such guides shall extend and enrich State Department recommendations and be approved by the superintendent.

# 710 ORGANIZATIONAL PATTERNS

Principals on the elementary and middle school levels shall adhere to the system approved organizational patterns when adopting organizational patterns for their respective schools.

Senior high school principals shall organize for instruction in conformity with regulations of the State Department of Education and Baldwin County Board of Education.
GROUPING FOR INSTRUCTION

Recognizing that grouping for instruction may enhance and maximize the learning process, principals and teachers shall make every effort to utilize a variety of appropriate practices when grouping students.

Grouping shall in no way be discriminatory as to gender, race, creed, national origin or handicapping conditions.

SCHEDULING

Class schedules and length of class periods shall meet requirements of the State Department of Education and accreditation standards.

INSTRUCTIONAL SUPERVISION

It shall be the responsibility of the Division of Curriculum and Instruction to provide an ongoing program of supervision to ensure implementation of approved programs.

PROGRAM EVALUATION

Evaluating the effectiveness of existing programs shall be an ongoing responsibility of the Division of Curriculum and Instruction. The evaluation process shall include an examination of test scores to determine areas of strength and weakness in the curriculum. (con’t)
Administrators at the local level shall assist in assessing the effectiveness of programs through formal classroom observations and other interactions with the professional staff.

# 717 Observation of Instructional Personnel

Observing assessing the performance of instructional personnel shall be an ongoing responsibility of the Division of Curriculum and Instruction. Instruments used in the process shall be those adopted by the Baldwin County Board of Education and in compliance with the State Department of Education requirements and regulations.

# 728 Compensatory Programs

The Division Superintendent for Curriculum and Instruction shall be responsible for the administration of federal programs and shall make certain that the instructional phase of federal programs is in harmony with the goals established for curriculum and instruction.

# 732 Homework

Homework is to be encouraged when it expands, enriches and/or enhances the learning process.

It shall be the responsibility of the Division of Curriculum and Instruction to develop guidelines for use in the assignment of homework. Such guidelines shall include a rationale for the assignment of homework as well as suggestions pertaining to both the quantitative and qualitative aspects of homework assignments.
PROMOTION AND RETENTION OF STUDENTS

The Division of Curriculum and Instruction shall develop guidelines and procedures to assist in making grading/promotion/retention decisions for grades K-8 and the awarding of Carnegie units in grades 9-12. Teachers and principals shall cooperatively make decisions concerning promotion and retention.

The guidelines shall provide information pertaining to the board approved numerical scale for awarding letter grades and shall provide a description of the expected standards of accomplishment for each grade awarded.

REPORTING TO PARENTS/PROGRESS REPORTS

The Division of Curriculum and Instruction shall work with school administrators and teachers in developing reporting methods for use on the various grade levels as approved by the superintendent. Reports to parents shall be designed to provide an accurate assessment of student achievement, attendance, conduct and shall be distributed at nine week (quarterly) intervals.

Progress reports are to be provided to parents of students who, at the mid-point of the grading period, are making less than a “C” based on the board approved system of numerical scale for letter grades.

GRADE BOOKS

Teachers shall maintain grade books which clearly support the grades assigned to students on their reports to parents and on permanent records.

Grade books are the property of the Baldwin County Board of Education.
Students who meet the following requirements may participate in the local school graduation ceremony:

- Earn the required credits for graduation by the end of the spring semester of the 12th grade year
- Pass all applicable parts of the Alabama High School Graduation Exam (per diploma type) by the end of the spring semester of the 12th grade year

*Students who earn an Alabama High School diploma with a Credit Based Endorsement must continue to take the Alabama High School Graduation Exam through the spring of the 12th grade year

**Students with Disabilities**

Students with disabilities (as defined by the *Individuals with Disabilities Education Act*) must meet the following requirements to participate in the local school graduation ceremony:

- Earn the required credits for graduation by the end of the spring semester of the 12th grade year
- Continue to take the Alabama High School Graduation Exam through the spring of the 12th grade year (exceptions, if any, will be determined locally and on a case-by-case basis)

*Students with disabilities who earn an Alabama High School Diploma or an Alternate Requirements must do the following:

1. Complete all course credits for the Alabama High School Diploma or the Alabama High School Diploma with an Advanced Academic Endorsement
2. Provide documentation of the disability in the subject area test of the Alabama High School Graduation Exam that was not passed
3. Participate in remediation activities during high school
4. Meet attendance requirements of the local school system
5. Hold a cumulative 2.0 grade point average for all coursework in grades 9-12

All of the documentation listed above must be submitted to the Special Services Coordinator in a timely manner as close to graduation as possible.

*(Revision Board Approved: November 19, 2009)*
Each school shall maintain a media center which shall provide a variety of supplementary instructional materials and equipment geared to the needs of the students served.

The local school center shall also house materials designed to enhance the professional development of staff members within the school.
While the ultimate responsibility for the selection of library materials housed within the school shall rest with the principal, individuals representing various segments of the school community may be involved. The board recognizes the right of persons to express objections to the material which they deem inappropriate. When requested, formal review of materials shall be conducted within guidelines issued by the superintendent.

SEX EDUCATION

The State Course of Study and officially adopted textbooks shall determine the content for use in the teaching of sex education and family living. Any departure from those sources shall require a review of the materials by the Division of Curriculum and Instruction and approval of the superintendent.

INSERVICE ACTIVITIES

Under the direction of the Division Superintendent for Curriculum and Instruction, and as approved by the Superintendent, a program of inservice activities shall be provided for teachers and administrators throughout the system. The local plan shall be developed according to provisions by the State Board of Education.
SUMMER SCHOOL

A financially self-supporting summer school program designed to meet the needs and interests of students in grade 6 through 12 shall be offered on a rotating basis at the five senior high and middle school sites. State Department regulations and resolutions governing the operation of summer school programs shall be observed in all instances.

Elementary schools shall be encouraged to conduct summer programs to provide enrichment and remediation for the elementary school population.

Principals of small feeder schools who cannot arrange summer classes because of limited enrollment should coordinate their efforts with larger area schools to ensure that the needs of all students are met.

PILOT PROJECTS

Pilot projects which are intended to assess the effectiveness of an educational program shall be approved by the Superintendent and coordinated by the Division Superintendent for Curriculum and Instruction.

FIELD TRIPS

Because all substantive learning does not occur at school, the Board of Education deems that field trips may be a desirable and integral part of the school program when instruction is their goal. Teachers may schedule field trips that serve an educational purpose.
Procedures are as follows:

1. Teachers or program directors must submit a request for field trips to the school principal for approval well in advance of the scheduled time, preferably two weeks.

2. Requests must include the nature of the trip, the out-of-class time involved, the group of students involved, the school personnel involved, the number of parent volunteers, a brief itinerary, the method of financing, if any, and the date of travel.

3. Classes or groups shall receive preparation prior to the trip and follow-up teaching afterward.

4. Safety precautions shall be maintained during trips, in accordance with the ages of the students and the nature of the trip.

5. All field trips shall be chaperoned by school personnel; parental assistance should be encouraged.

6. A trip permit signed by a parent or guardian shall be required for each student making the trip.

7. Transportation may be by school bus or public carrier. If school buses are used, such use shall not interfere with regular bus schedules. Whenever a public carrier is used, it shall be a properly insured, franchised public carrier. Private vehicles with licensed, insured adult drivers may be used with the permission of principal and parents.

8. All cost must be borne by those students or sponsoring organizations participating in the trip. (con’t)
9. Students, teachers and chaperones are subject to the same behavior standards that are in force in the regular school setting.

**Out-of-State**

10. All out-of-state field trips must be approved by the superintendent or his designated representative.

**Overnight**

11. All overnight field trips must be approved by the superintendent or board.

# 768 **INTERSCHOLASTIC ATHLETICS**

Interscholastic athletic programs shall be conducted at the middle schools and high schools. Participating schools shall be members of the Alabama High School Athletic Association and follow such rules as established by that organization, along with supplemental guidelines and policies issued by the Alabama State Department of Education and the Board.

The System Supervisor of Athletics shall work cooperatively with the school principals to ensure that programs are in compliance with regulations of the organizations listed above. Coaching supplements shall be paid on an annual basis as recommended by the principal and approved by the superintendent.
COMMUNITY RESOURCES

Local school personnel are encouraged to utilize the wide variety of human and material resources available in the community. Use of resource personnel in the school shall be approved by the principal.

TUITION AND FEES

No general tuition or matriculation fees may be collected in any school. Donations may be accepted from parents for special school purposes. Certain fees, as allowed by law, may be levied for non-required courses. Maintenance fees for lockers may be collected. No fee may be charged in connection with any required subject. However, the principal must file with the superintendent a report showing donations accepted and special fees collected. Neither the pupil’s report card nor his grade record may be withheld because of parent’s refusal to make a donation or to pay the child’s fee. However, a graduation diploma may be withheld if fees are outstanding from non-required courses, textbooks, library resources damaged or lost and supporting waivers indicating inability to pay by parents are not filed with the principal and approved by the Division Superintendent of Curriculum and Instruction.

PARENT-TEACHER CONFERENCES

The Board of Education encourages parent-teacher conferences and time shall be provided in the school calendar for teachers to be available. Parent-teacher conferences should be scheduled whenever the need arises. All such conferences should be scheduled through the appropriate school office.
STUDENT EXCHANGE PROGRAMS

Schools shall be encouraged to participate in student exchange programs provided no extra expense to the system is incurred. However, principals should be mindful of community resources available to meet each student’s unique needs.

Baldwin County students participating in exchange programs may, with prior approval of the local school principal and the Division Superintendent of Curriculum and Instruction, be given academic credit for studies completed.

ADULT EDUCATION PROGRAMS

The school system shall coordinate with the State Department of Education and with other agencies in the community in planning and conducting Adult Education programs to meet the educational needs of all segments of the community.

All such programs shall be self-supporting or be financed from state funds earmarked for this purpose.
Any student transferring to a Baldwin County public school from a public or non-public school accredited by an accrediting agency recognized by the State Board of Education will have all credits and current class/grade placement accepted without validation upon the receipt of an official transcript(s).

A student may be promoted to the next grade level according to the number of credits earned at the end of the admission term.

Any school/school setting not accredited by an accrediting agency recognized by the State Board of Education shall be considered a non-accredited school for the purpose of transfer of class/grade credit. Core courses shall be defined as English, mathematics, social science, and science.

The procedures below must be followed before credits can be awarded and class/grade placement determined for students transferring from non-accredited schools.

Procedures are as follows:

1. An official or a notarized transcript of course work attempted must be presented to the principal or his/her designee.
2. Credit for elective courses shall be transferred without validation.
3. No credit will be given for electives that are not normally accepted. The school may acknowledge on records that the student took these courses, but the courses will not count toward graduation.
4. Non-contested credit for core courses shall be transferred as follow:
   A. Using all official records and nationally standardized tests, the principal or his/her designee shall determine placement and notify the student and the parent(s)/guardian(s).
   B. If the parent(s)/guardian(s) agrees with the placement decision, the student shall be placed.
   C. Following placement, for any initial core course successfully completed, transfer of previous credit earned at a non-accredited school(s) in that subject area shall be accepted without further validation. If a student is unsuccessful in the initial placement core
course, it should be understood that no credit will be awarded in that subject until the student passes the initial placement core course. The student will have to repeat and pass the initial placement core course.

5. Contested credit for core courses shall be transferred as follows:

Validation of academic performance shall be accomplished on a course-by-course basis in grades 7-12. Such validation shall be accomplished by administering the preceding year’s midterm and semester examinations for each applicable course in which the person is seeking grade placement/course credit. The midterm and semester examinations shall be administered at the school in which the person is seeking to enroll/receive credit. A grade of 60 or better on each examination for each course shall be required for validation. For example, a person who seeks credit for Biology shall pass the midterm exam with a grade of 60 or better and the semester exam with a grade of 60 or better.

In the case of English courses, a student who successfully completes the midterm and semester examinations for a higher English course will receive credit for preceding English courses. (Example: A student presents a transcript that shows completion of English 9, English 10, and English 11. The student will take the English 11 midterm and final examinations. If the student successfully completes each English 11 test with a grade of 60 or better, credit will be awarded for all three English courses.)

In the case of a student who presents a transcript that shows completion of Algebra I and Algebra II/Trig: The student will take the Algebra II/Trig midterm and semester examinations. If the student successfully completes each test with a grade of 60 or better, credit will be awarded for Algebra I and Algebra II/Trig.

For any test failed, placement shall be made as originally recommended by school officials, and no credit shall be transferred for the pre-requisite course(s) in that subject.

In the event of the existence of controversial records/transcripts and/or the absence of any official or notarized records/transcripts, the student shall take examinations consisting of the school’s previous midterm and semester examinations for core courses. Placement decisions will be based on successful completion of examinations.
All transfer students must pass all applicable parts of the Alabama High School Graduation Exam and meet all local and state Board of Education requirements for graduation before being awarded a high school diploma.

1. Students who are transferring from a non-accredited school/school setting and who have been residents in Baldwin County must attend Baldwin County Public Schools for two (2) entire high school years immediately preceding the date of graduation. Under extreme circumstances as documented in writing by the guardian/custodian, the Superintendent may, in his or her sole discretion, authorize exceptions to the foregoing requirement. It is the intent of this policy that exceptions are to be sparingly granted.

(Board Approved: April 22, 2010)
The Baldwin County Board of Education recognizes the value of all extracurricular activities as they relate to the total education of students. The Baldwin County Board of Education also recognizes and supports high academic standards and the necessity of developing a framework to assess each student involved in extracurricular activities and his/her progress toward graduating from high school on schedule with his/her class. The Board of Education also recognizes that the Class of 2000 and subsequent classes will be required by the State Board of Education resolution and Alabama Administrative Code to earn a minimum of 24 credits in Grades 9-12 with four (4) credits each in science, mathematics, social studies and English.

Definitions

1. Extracurricular activities associated with athletics are defined as those recognized and sanctioned by the Alabama High School Athletic Association and other extracurricular activities are defined as those that are sanctioned by a public school which are not related to a student’s academic requirements or success in a course(s).

2. Regular curricular activities are defined as those that are required for satisfactory course completion.

Eligibility Requirements

1. Students entering Grades 10-12 must, for the last two semesters/terms of attendance and summer school, if applicable, have a passing grade and earn the appropriate number of credits in each of six (6) subjects that total six (6) Carnegie units of credit, including four (4) credits from the four (4) core subjects composed of English, science, social studies and mathematics with a composite numerical average of 70. Students entering Grades 8 and 9 must, for the last two semesters/terms of attendance and summer school, if applicable, have a passing grade in five (5) subjects with a composite numerical average of 70 with all other rules applying the same as to students in Grades 9-12. Students promoted to the seventh grade for the first time are eligible.

2. Physical education may count as only one (1) unit per year.

3. No more than two (2) Carnegie units may be made up during summer school. If a unit(s) or subject(s) is repeated in summer school, the higher numerical grade for the unit(s) or subject(s) may be used to compute the composite grade average.

4. A student who is eligible at the start of the academic year remains eligible for the entire academic year. Students deemed ineligible at the beginning of the school year
by virtue of having failed to meet the requirements outlined in eligibility requirement number 1 above, may regain their eligibility at the end of the first semester by meeting the requirements for eligibility in the two most recently completed semesters/terms, including summer school. Eligibility restoration must be determined no later than five (5) school days after the beginning of the succeeding semester.

Note: Unit calculations for regaining eligibility at the end of the first semester/term may not coincide exactly with units for graduation for students in schools on six – or seven-period days.

5. An ineligible student may not become eligible after the fifth day of school each semester/term. Bona fide transfers may be dealt with according to rules of the Alabama High School Athletic Association for sports and rules to be developed by each local board of education as they pertain to other extracurricular activities.

6. Each eligible student entering Grades 10-12 must have a minimum composite numerical average of 70 and a minimum of six (6) Carnegie units from the preceding year, including summer school. Summer school work passed may substitute for regular schoolwork repeated in computing the 70 average.

7. Each eligible student involved in athletics must meet the definition of a regular student as defined by the Alabama High School Athletic Association.

8. Any student who earns more than four (4) credits in the core curriculum in any given year, or who accumulates a total in excess of the required four (4) per year, may be exempt from earning the four (4) core courses in the succeeding year as long as that student remains on schedule for graduation with his/her class by earning eight (8) core credits over any two-year span, including summer school.

The Baldwin County Board of Education also recognizes and supports the Alabama High School Athletic Association guidelines in regards to the Academics First Policy.

Participation Requirements

1. Any student who earns more than four (4) credits in the core curriculum in any given year, or who accumulates a total in excess of the required four (4) per year, may be exempt from earning four (4) core courses in the succeeding year as long as that student remains on schedule for graduation with his/her class by earning eight (8) core credits over any two-year span, including summer school.

2. Each request for full participation by all students, regardless of academic standing, in a curricular activity shall be granted if the principal, superintendent and the local
board of education approve participation in the activity as an extension of a course(s) requirement(s) and it is an event sanctioned by a state/national subject matter association.

3. Notwithstanding anything to the contrary in this regulation, activities offered by the school through math, science, band, choral music, and other courses at events such as athletic events (pre-game, game, halftime or other breaks), clubs, conventions, parades, amusement park trips and competitions, trips by tour companies, performances at various meetings, etc… are extracurricular and students academically ineligible under this policy shall not be allowed to participate.

4. Decisions on a student’s participation in extracurricular activities should be consistent with the requirements found in the Individuals with Disabilities Education Act (1997) and its implementing regulations, both federal and state, as well as Section 504 of the Rehabilitation Act of 1973 if the student is identified as eligible under these statutes, rules and regulations, and such participation is determined to be appropriate.

(Board Approved: June 17, 1999)
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The Baldwin County Board of Education believes that the education of children is a collaborative effort between parents and schools. Further, it is our belief that the involvement of parents to students in Title I schools enhances the effectiveness of the program and promotes student success. To that end, the Baldwin County Board of Education through the Division of Instructional Services will strive to fully involve parents in the education of their child.

The Division of Instructional Services will involve parents of participating children in the development and distribution of a written parental involvement policy. Each Title I school shall develop a parental involvement plan, which will incorporate the following system goals.

- Involve parents in the joint development of an instructional plan and the process of school review and improvement.
- Develop with parents a school-parent compact.
- Strive to develop strong school/family/community partnerships by:
  1. assisting parents in understanding the No Child Left Behind Act, goals and performance standards, the curriculum that is used in the school, assessments, Title I requirements and the evaluation process of the academic progress of students.
  2. providing activities to promote improved student achievement
     - The activities may include:
       a. encouraging parents to attend the mandatory annual Title I informational meeting, parent-teacher association meetings and parent-teacher conferences held at the school.
       b. parent workshops on specific strategies to assist them in helping their child improve in mathematics or reading.
c. workshops to assist parents in interpretation of assessment results.

d. parenting workshops on attendance policies and student code of conduct.

- Ensuring to the extent possible, that information sent home is in language and form that parents can understand.
- Involve parents in an organized, ongoing and timely way, in the planning, review and improvement of program.
- Strive to involve parents in the activities of the school.
- Providing parents timely reports of their child’s progress.
- Offer flexible meeting times for parent participation.

The Division of Instructional Services will provide coordination, technical assistance and support to assist schools in planning and implementing an effective parental involvement plan. The plan will incorporate the following:

- Provide materials and facilities to train parents and other school system personnel to work cooperatively in meeting the academic needs of students.
- Coordinate and integrate parental involvement strategies with preschool agencies.
- Conduct with parents an annual evaluation of the content and effectiveness of the parental involvement plan related to improving student achievement. The evaluation shall identify barriers of hard-to-reach parents who are economically disadvantaged, disabled, limited English proficient, limited literacy or of any racial or ethnic background.
- Provide reasonable support for parental involvement activities as parents may request.
Utilize results of the annual evaluation to assist schools in strategies for school improvement and revise, if necessary, the parent involvement policies.

- Provide parents an opportunity to comment on a school-wide program they deem unsatisfactory for the school.

(Board Approved: February 19, 2003)

#790 EARLY EXIT POLICY

Subject to and in accordance with the implementing procedures, the Baldwin County Board of Education authorizes early graduation from high school of students who successfully meet the system’s graduation requirements. With parental consent, qualifying students may elect to exit high school at the end of the junior year or the first term of the senior year, provided that the following criteria are satisfied:

1. The High School Early Exit application form is completed and on file at the school. The student must complete Section I of the form a full semester prior to graduation and return it to his/her counselor.

2. The student must have completed all coursework through one or a combination of the following methods:
   a. Courses on the high school campus during the regular school day
   b. Dual enrollment with Alabama Coastal Community College, or any other institution with whom the Board of Education has a dual enrollment agreement

3. The student must provide to the counselor one of the following documents before exiting high school:
   a. Letter of acceptance to a postsecondary institution
   b. Letter of acceptance to the military
   c. Letter form employer verifying employment in the workplace
The following guidelines should be considered as students and parents consider the High School Early Exit opportunity:

1. Following the completion of Section III of the High School Early Exit application form, the student will be considered an alumnus, and therefore will not be permitted to participate in extracurricular activities, with exception of graduation ceremonies and prom.

2. Students who exit early will not be eligible for the College Preparatory with Distinction or IB diplomas. In addition, no master schedules will be adjusted to accommodate a student who wishes to exit early. Therefore, a “standard” diploma is the only option for early exit students.

3. If a student applies for High School Early Exit and changes his/her mind, the following shall take place:
   a. Student will write a formal letter to the principal outlining reasons for the change.
   b. An administrative committee at each high school will meet and discuss the student’s request to return to school for the second semester of his/her senior year.
   c. Student will be notified in writing of the committee’s decision to approve or disapprove the request to remain at the high school.

(Board Revised: April 20, 2017)
High School Early Exit  
Procedures

A student who wishes to exit early from high school must follow the steps below:

1. The student exiting high school early must complete Section I of the High School Early Exit application and give it to his or her counselor a full semester prior to graduation from high school.

2. The counselor will complete Section II of the application form.

3. A mandatory conference will be conducted. A parent/guardian and the student must attend the conference. The conference will occur early in the final semester of high school. The counselor will complete Section II of the High School Early Exit application during the conference.

4. If the request for early exit is denied, the decision may be appealed to the superintendent.

5. Upon exiting, the student will receive an unofficial transcript, a copy of the completed High School Early Exit application form, and a diploma.

6. A student who graduates in December of the senior year will be coded WG1, which designates an early graduate. A student who graduates at the end of the junior year will be coded as a graduate and marked with the exit type of a standard diploma.

(Board Revised: April 20, 2017)
ENROLLMENT:

1. Home school students must enroll in the Baldwin County Public School System (BCPSS) middle or high school that serves the area in which the parent(s) reside.
2. Home school students must enroll within the first 20 days of the semester in the appropriate school in order to be eligible for athletic participation.
3. All home school students must adhere to the BCPSS Code of Conduct and the local school Code of Conduct, and the Virtual School policies and procedures. This includes, but is not limited to, paying fees associated with athletic P.E., regular P.E., or a Virtual School elective, following the physical education dress code requirements, adhering to the attendance policy, and following the school’s daily procedures.

ACADEMIC ACCOUNTABILITY:

1. Home school students will adhere to all Alabama High School Athletic Association (AHSAA) rules for athletic eligibility.
2. All home school students are eligible for participation in athletics in their initial year of enrollment.
3. Students are required to take AHSAA criteria tests developed by the Alabama State Department of Education (ALSDE) in all four core subjects at the end of each semester of academic eligibility, beginning in grade 7 and through the end of the grade 11. Grades on these tests will be used to determine continued eligibility in athletics after the first year of enrollment.
4. All assessment tests will be given at the BCPSS Central Office Satellite building in Loxley, Alabama. Local school administrators will be notified of the specific days the tests will be administered. Administrators will share the results of the tests with home school students. (continued)
5. All home school students and their parent(s)/guardian(s) are required to sign a Home School Acknowledgement Form that explains that home school courses are not accepted by the NCAA toward participation in collegiate athletics.

ACADEMIC ENROLLMENT:

1. High school home school students are required to participate in an athletic physical education class that accommodates traditional students who participate in the same sports as home school students. If no athletic physical education course is provided for the sport(s) the home school students participate in, these students must enroll in a regular physical education course.

2. Physical education courses are taught on campus. Parents of home school students are responsible for transportation to and from the local schools and are also responsible for ensuring that their student(s) arrive to class on time and are picked up immediately after class is over. Parents of students who drive themselves to and from campus must sign a BCPSS transportation waiver.

3. Parents of high school home school students need to fill out an application for the Virtual School. Please go to www.bcbe.org, click on the “Schools” tab, then click on Baldwin County Virtual School. Click on the link to the Virtual School at http://www.bcbe.org/drvs. Click on the “Apply Now” link and complete the required forms.

4. High school home school students must enroll in an elective offered only at the Virtual School. Tests for the Virtual School course must be taken at the Virtual School.

5. Middle school students must enroll at the base school in a P.E. class.

ADDITIONAL INFORMATION:

1. Home school students who decide to enroll as full time traditional students are eligible to participate in sports if all other eligibility requirements are met. (continued)
2. Traditional students who decide to be home schooled because of failing grades are ineligible to participate in athletics for one school year.
3. Traditional students in good academic standing at the time of withdrawal who decide to be home schooled remain eligible for athletic participation.
4. Home school students who elect to transfer schools must do so in accordance with all AHSAA bylaws pertaining to transfers.
5. Home school students’ practice time must be equivalent to but not exceed that of traditional students during a school day.

(Board Approved: September 15, 2016)

#792 VIRTUAL SCHOOL OPTION

It shall be the policy of the Baldwin County Board of Education to provide an online option, for eligible students in grades 7-12, to earn a high school diploma.

Curriculum and Instruction:
The Baldwin County Virtual School is primarily delivered through ACCESS Distance Learning, a curriculum and instruction program administered by the Alabama State Department of Education. Although the Superintendent of Education shall have the discretion to modify the delivery options through appropriate procedures, all course curricula shall be aligned to Alabama Courses of Study. In addition, eligible Virtual School student may have the option of enrolling in local developed courses, dual enrollment courses and other computer-based independent study courses.

Eligibility Criteria for Initial and Continued Participation:
Students seeking admission to the Virtual School Program shall, at a minimum satisfy the following requirements:

- Meet all requirements for enrollment in Baldwin County Public Schools. (continued)
To enroll students shall:

- Be on track to graduate with an Alabama High School Diploma (applies to rising 10th-12th grade students) or be on grade level in reading and math performance (applies to rising 7th-9th grade students)
- Have a minimum overall GPA of 2.0 earned during the previous academic year.
- Have no more than 6 unexcused, full-day absences during the previous academic year.
- Have no expulsions, no category D-H disciplinary actions and no more than one suspension from the previous or current academic year.
- Be in good standing with the Baldwin County Virtual School, the Baldwin County Public Schools System, the Alabama State Department of Education and ACCESS.

To remain eligible for continuing enrollment in the program, student shall:

- Remain on track to graduate with an Alabama High School Diploma.
- Maintain appropriate course progression as measured by the completion of weekly assignments, quizzes and tests. Students who fail more than one academic class per academic year (includes fall, spring and summer terms) may be removed from the Baldwin County Virtual School.
- Maintain a minimum overall GPA of 2.0 annually.
- Accumulate no more than 6 unexcused, full-day absences annually.
- Avoid the accumulation of any discipline infractions resulting in suspension or expulsion. (continued)
• Remain in good standing as a student of the Baldwin County Virtual School by adhering to all expectations including the Academic Integrity Contract, Academic Intervention, procedures and policies of the Baldwin County Virtual School, the Baldwin County Public Schools System, the Alabama State Department of Education and ACCESS.

Testing Protocol:
All unit tests and term examinations must be taken at the Baldwin County Virtual School and will be proctored by a staff member unless an external proctor has been pre-approved by the superintendent or designee. Baldwin County Virtual School students are also required to take all state mandated assessments on site at the Virtual School or other specified location. Transportation is not provided; therefore, students and/or guardian must arrange for reliable and safe transportation according to the terms of the signed Transportation Agreement.

Attendance Requirements:
Baldwin County Virtual School students must “attend” class daily in accordance with the Baldwin County school calendar. Students fulfill attendance requirements when the log in to their courses daily. Students participating in Academic Intervention have additional attendance requirements, and online and face-to-face attendance is taken accordingly. Baldwin County Virtual School students are required to abide by the Baldwin County attendance policies and procedures.

Monitoring of Academic Performance:
Baldwin County Virtual School staff regularly monitor students’ academic performance. Students who fall behind comparable course progress or who have a failing grade may be subject to Academic Intervention and/or removal from the Baldwin County Virtual School.

Development and Modification of the Virtual School Program:
The Superintendent of Education shall be authorized to further develop and modify the Virtual School Program by and through the implementation of appropriate (continued)
administrative procedures in connection with all aspects of the Virtual School Program, including the expansion thereof to include additional grade levels. The Virtual School Program will be provided in compliance with applicable state and federal laws and regulations.

(Board Revised: April 20, 2017)

#793 TECHNOLOGY ACCEPTABLE USAGE POLICY (AUP)

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. (continued)
INTRODUCTION:
To ensure that students receive a quality education and that employees are able to work in a professional and intellectually stimulating environment, it is the policy of the Baldwin County Public school district to provide all students and employees with access to a variety of technology resources. All Baldwin County Public students and staff must acknowledge and adhere to this policy.

The creation of a large and varied technology environment demands that technology usage be conducted in legally and ethically appropriate ways, consistent with the Purpose Statement and instructional goals of the Baldwin County Public school district. We recognize that the use of technology always requires attempts to balance the benefits against the possibilities of danger, security problems, and abuse. Rapid changes in technology and growth in the range of content available makes this a constant challenge.

Thus, it is the intention of the Baldwin County Public Schools that all technology resources be used in accordance with any and all board policies and procedures as well as local, state, and federal laws and/or guidelines governing the usage of technology and its component parts. Additionally, it is implied that all students and employees of Baldwin County Public Schools will use the provided technology resources so as not to waste them, abuse them, interfere with or cause harm to other individuals, institutions, or companies.

Aspects of this policy may specifically address technology equipment personally owned by school system employees and/or students and brought into school facilities or onto school campuses to access school resources and/or personal resources. All personal technologies used on any Baldwin County Public campus are subject to this policy and may be used only if such usage is in compliance with all school system policies, procedures, and guidelines as well as local, state, and federal laws. No technologies may be purchased, brought on campus, or used to access school system resources that interfere with or adversely affect functions or operations of school system technology resources/infrastructure. All technology purchases must go through BCBOE Data Governance process. (continued)
The BCBOE Governance Committee will issue further specific guidelines detailing appropriate and legal use of copyright, email, technology resource purchasing and disposal, web page creation and maintenance, and the publication of student work. These guidelines are updated as best practices dictate and as case law emerges. These guidelines are considered appendices of the Baldwin County Board of Education Technology Acceptable Usage Policy. Students and staff are expected to be aware of and follow the guidelines which are updated annually and posted on BCBOE’s public website Technology page and referenced in the Employee Handbook and/or the Student Handbook.

BCBOE Superintendent, Assistant Superintendents, Chief Technology Officer, Security Manager, and/or School Principals will determine when inappropriate use has occurred, and they have the right to deny, revoke, or suspend specific user access and use of any technical resource.

ACCESS:
Access to email, cloud or web services through the Internet use refers to internet access via all Baldwin County Public Schools/Private and public networks. The use of all Baldwin County Public Schools technology resources is a privilege, not a right, and inappropriate or suspected inappropriate use will result in a cancellation of those privileges, pending investigation. Moreover, users of BCBOE technology and infrastructure must be aware that Baldwin County Public Schools cannot assume any liability arising out of the illegal or inappropriate use of technology resources.

Users should not have any expectation that their use of technology resources, including files stored by them on the BCBOE’s network, or data services, will be private and will be secure from access by others. Reasonable steps will be taken to maintain the security of technology resources, but no assurance can be given that penetration of such security will not occur.

In accordance with the requirements of the Children’s Internet Protection Act (CIPA), all district computers that can access the Internet will be filtered. All traffic on BCBE devices, at school or home is filtered via web filtering appliance or application. (continued)
Once a student or employee access any of BCBOE technology resource they must comply with the exceptional use policy.

- Individuals identified as a real or suspected security risk will be denied access. This access denial could include but not limited to Student Information System, Accounting Software, Human Resource Data Systems and network access. If a staff member fails to demonstrate the capacity of understanding how a system works that staff members can be denied access to that data. Defined data owners are accountable for quality, access and safety of the BCBOE data.
- Any use of technology resources, regardless of ownership, that reduces the efficiency of use for others will be considered a violation of this policy.
- Individuals must not attempt to disrupt any technology services or data integrity by engaging in inappropriate activities. Examples include, but are not limited to, spreading viruses, spamming, excessive network and/or Internet activity, or modification of equipment or infrastructure.
- Individuals must not attempt to modify technology resources, utilities, and configurations, and/or change the restrictions associated with his/her accounts, or attempt to breach any technology resources security system or filtering systems, either with or without malicious intent.
- Internet activity can and will be monitored, along with other aspects of technology usage.
- Successful or unsuccessful attempts to bypass the Internet filter by using proxies or other resources are a violation of this policy. Use of proxies are strictly prohibited!
- Access to BCBOE technical resources is limited to usage associated with activities of Baldwin County Public Schools. The technical resources cannot be used for profit, for commercial purposes, to express personal opinions, or to editorialize.
- Personal technology-related devices such as, but not limited to laptops, cell phones, smart-phones, iTouch/iPods/iPads, cameras or other eDevices, etc. (continued)
used on school grounds are subject to all items covered in this policy and other applicable published guidelines. The permission for such personal devices to be brought to school and the use of such devices will be at the discretion of the Superintendent, Assistant Superintendent, Chief Technology Officer or by a school nurse if it is a medical device. Public Internet access (guest wireless network) is designed for temporary use and is available for visiting devices. However long term Wi-Fi access is provided for non-BCBOE employees that work within our district. Long term access requires a school Principals’ authorization and be renewed annually. All access to the guest Wi-Fi is subject to the conditions outlined in this policy and all other board policies and guidelines, as well as local, state, and federal laws.

DATA PRIVACY & SECURITY:

BCBOE takes seriously its obligations to secure data systems and protect the privacy of students and employees. Strict processes help safeguard the confidentiality and security of the data. Students and Employees must:

- Employees may use only accounts, files, software, applications and/or other technology resources that are assigned to, provided, or approved for him/her. (Personal web drives (i.e., Dropbox, google drives and other web storage capabilities are unacceptable to use with district information and student records.)
- Staff and Students should not have any expectation that their usage of such resources is private. Reasonable efforts will be taken to maintain security of technology resources, but BCBOE cannot ensure that such security will not be penetrated or breached and cannot assume any liability arising out of any such penetration or breach of security.
- Employees are prohibited from emailing outside the school system or storing/saving on external storage devices or portable devices that do not remain on within official district systems, electronic copies of student or staff personal information. This information includes, but is not limited to data (continued)
containing social security numbers, information protected by FERPA, and any other sensitive and/or protected information. In the event that this type of information is stored on a portable or external device and said device is lost or stolen or if the security of this data is believed to have been breached in any way, the Chief Technology Officer should be notified immediately.

- All electronic content stored on any external storage medium or personal off-site storage location that is brought to or accessed from a BCBOE is subject to all Board policies and guidelines, as well as local, state, and federal laws. Because communications on the Internet are public in nature, all Staff and Students should be careful to maintain appropriate and responsible communications.

- Staff and Students are encouraged to avoid storing personal and/or private information on the district and/or school’s technology resources. Users must be careful of Social engineering, in the context of information security, refers to psychological manipulation of people into performing actions or divulging confidential information. A type of confidence tricks for the purpose of information gathering, fraud, or system access, it differs from a traditional "con" in that it is often one of many steps in a more complex fraud scheme. Users are still responsible for any type of data breach they create regardless of falling prey to social engineering.

- Staff and Students must take all reasonable precautions to prevent unauthorized access to accounts and data and any other unauthorized usage within and outside the Baldwin County Public Schools. Any such unauthorized usage shall be reported immediately to the local school Chief Technology Officer.

- All Staff and Students shall be responsible for reporting suspected or actual breaches of data security whether due to inappropriate actions, carelessness, loss/theft of devices or failures of technical security measures.

- Permission for publishing employee photographs on the Baldwin County Public website is assumed unless the employee specifies otherwise in writing to his or her direct supervisor. (continued)
• Staff and Students may not attempt to log into the network or application using any account and/or password other than the login(s) assigned to him/her. Individuals may not allow someone to use his/her network account and/or password to access the network, email, specific software packages, or the Internet.

• Students and staff are expected to follow all local, state and federal laws and system policy regarding the protection of student and staff confidential data.

APPLICATION, SOFTWARE AND WEB SERVICES:
Baldwin County Board of Education provides numerous accounts for employees such as Microsoft Office 365 and for students Google Mail, which will allow full use and participation of Google Apps for Education. However, students are only allowed/limited to communicate with iBaldwin.org and bcbe.org domains only. This means students can only email internally to BCBOE administrators, teachers and other students. E-mail accounts are provided to ensure all employees and students use technology to communicate in schools for school related purposes in an appropriate manner, and to support teaching and learning. Some of these learning activities may include collaborating on live digital projects, shared writing projects, peer editing, share presentations, collaborating with fellow students, using spreadsheets, documents, and presentations, etc. With this opportunity comes responsibility. It is important that all employees, parents and students read and understand this Acceptable Use Policy and ask questions if needed. Please note that BCBOE will take all reasonable steps to preclude access to objectionable material. However, it is not possible to absolutely prevent such access. It will be the responsibility of employees and students to follow the rules of appropriate use.

• Baldwin County Board of Education provides email accounts for all employees, long-term substitutes, and, in our secure cloud (secure online applications and storage), for students. Privacy and state regulations limits email accounts to employees and enrolled students only. Short term subs or non-BCBOE employees will not be provided with an E-mail address or iNow (continued)
accounts. Data Governance Committee recommend exceptions for Superintendent’s approval.

- Personal use of email or web service by BCBOE Staff is permitted as long as it does not violate Baldwin County Board of Education policy and/or adversely affect others or the speed of the network.
- Use of Baldwin County Public Schools’ email or web service accounts for harassing or threatening is strictly prohibited.
- Baldwin County Public Schools' email or web service type of accounts may not be used for political activity, personal gain, commercial purposes, or profit.
- When using email, web and cloud service, all users are responsible for maintaining professionalism at all times. Avoid impulsive and informal communication. Users must be constantly mindful of the need to review carefully and reconsider their content and communications before responding to and/or sending any type of digital communication. As a general rule, the content of an email should be acceptable to a general audience.
- Baldwin County Public Schools' email, web and cloud service accounts may not be used for attempting to send or sending anonymous messages.
- Baldwin County Public Schools' email, web and cloud service accounts may not be used for sending mass emails and/or text messages unless to parent lists or for other educational purposes.
- Baldwin County Public Schools' email, web and cloud service accounts may not be used for posting or forwarding other user's personal communication without the author's consent.
- Because email, web and cloud service is not securely transmitted, discretion must be used when sending, or encouraging the receipt of email containing sensitive information about students, families, school system employees, or any individuals. There can be no assurance that email will be confidential and/or private.
- All users are responsible for their individual assigned account. All users are responsible for not sharing their passwords with others and will be held accountable if another person utilizes their account inappropriately.
• Incoming and outgoing email or web service are filtered by the district for inappropriate content, viruses, phishing, and/or malware. All BCBOE staff accounts including district-issued email, student information, human resources, and financial systems will automatically expire on the last full day of employment.

• All BCBOE student accounts including district-issued email and educational software accounts will be disabled following the last day of enrollment or upon graduation.

• At the discretion of the Superintendent, email or web services accounts may be locked without notice. Violation of the Acceptable Use Policy can result in revocation of any system account, such as email, legal action in accordance with employee manual or student code of conduct, or applicable laws.

GUIDELINES REGARDING EMPLOYEES & STUDENTS BRINGING PERSONAL DIGITAL DEVICES TO SCHOOL AND SCHOOL-SPONSORED ACTIVITIES

• Staff and Students are under the same guidelines with personal digital devices as they are when using computers and other digital devices at school and at school-sponsored events. The Acceptable Usage Policy that all employees, students and parents sign each year applies to but is not limited to all digital devices, storage devices/media, and digital content. Staff and Students are subject to disciplinary action for misuse of personal devices during the school day or at school-sponsored activities. For example, cyberbullying, harassment, accessing of pornographic or other inappropriate content, and other misuses of technology—even personal technology—are subject to disciplinary action when they occur at school or at school-sponsored activities.

• School filters are automatically employed for Wi-Fi connections to Baldwin County Public Schools guest networks. However, schools have no way to filter content that comes to personal devices via cellular (3G/4G/LTE) data plans. Particularly at the elementary level, we recommend students NOT bring personal devices with data plans, but if they are brought, we recommend they not be used during the school day. (continued)
• Texting, making phone calls, taking pictures or making videos, emailing, messaging, gaming, and accessing digital content is a privilege that is extended in our schools, which can be withdrawn at any time at the discretion of the teacher or school administration. Violating any of these rules will result in losing digital device privileges for a period of time to be determined by the administration.

• The school system or school system employees are not responsible for any damages to or loss of personal devices brought to school by students or its employees.

PURCHASING HARDWARE, SOFTWARE, APPLICATIONS AND WEB SERVICES:

With the 1:1 initiative and new state and federal privacy regulations we are now require to change our mindset on purchasing, sustaining and maintaining resources which requires an executive / centralized review process. This is becoming even more important as our student, financial, human resources, and administrative data is dependent on the exchange of data between systems and the escalation of legal review prior to entering and maintaining any service or agreement. To this end, we are putting in new controls to ensure that the technology infrastructure is consistent and stable. Based on this, we have instituted the Data Governance Committee (DGC). This governance board requires that any new hardware, software applications and web services be vetted for compliance and data quality to remove duplication of effort and data. A thorough review will take place and recommendations will be made for the Superintendent’s /Board’s approval to purchase. This procedure is intended to provide for the proper purchasing and disposal of technological devices only. Staff and must follow these guidelines:

• Staff and students should not purchase or dispose of software, hardware, peripherals, or other technology-related devices without consulting the Educational Technology staff and guidelines established for the district. Regardless of purchase date, location or funding source, all personnel should adhere to the Technology Purchasing and Disposal Guidelines in regard to all purchases and disposals. (continued)
• Illegal copies of software/media may not be created or used on school equipment.
• Legal and ethical practices of appropriate use of technology resources are reviewed with students and employees in the system (i.e. as part of the Technology Education Curriculum, during orientation sessions, faculty meetings, or through online methods, etc). Again, all questions regarding legal and ethical practices of appropriate use should be directed to the district’s Chief Technology Officer.
• Copyright is implied for all information (text, data, and graphics) published on the Internet. Student and employee web page authors will be held responsible for the contents of their pages. Do not "borrow" icons, sounds, or graphics from other pages without documented permission. It is the student’s or employee’s responsibility to secure proper usage permission.
• Duplication of any copyrighted software/media is prohibited unless specifically allowed in the license agreement and, then, should occur only with the knowledge of the technology staff.
• Free educational software and web services are always encouraged to be used within a classroom or for an educational endeavor. However, each staff member must not allow or encourage the use of any software or web service purchased for free if it requires student information that is not deemed student directory information without a contract/agreement in place to protect student privacy. Access to free software applications and web services must be approved by the Data Governance Committee.
• Data Governance Committee will post an authorized list of software and services. Superintendent or his/her designee is authorized to sign license acknowledgements for a school within the system. Copies of any system-wide license agreements must be maintained and inventoried by the district Chief Technology Officer and/or Superintendent and distributed to all schools that will use the software. All binding contracts/agreements must be signed by the Superintendent. (continued)
EXAMPLES OF INAPPROPRIATE USE OF RESOURCES:

This list is not all-inclusive, but is intended to provide general guidance. Anything that would be considered inappropriate in "paper form" or “verbal form” is also considered inappropriate in electronic form. Information, such as but not limited to Student Information System (SIS) data, accessed through school system technologies may not be used for any private business activity. The following are examples of inappropriate activities when using any Baldwin County Public Schools’ network, email system, hardware, software, technology services, and/or Internet access:

Sharing passwords

- Using another user's password or attempting to discover another user's password
- Trespassing in another user's files, folders, home directory, or work
- Saving information on any network drive or directory other than your personal home directory or a teacher-specified and approved location
- Downloading, installing, or copying software of any kind onto a computer, laptop, home directory, network drive, or other electronic device (except for approved updates or apps)
- Harassing, insulting, embarrassing, or attacking others via technology resources
- Damaging/abusing technology resources, including, but not limited to, printers, telephones, computers, computer systems, any e-device, or computer networks (this includes changing workstation configurations such as screen savers, backgrounds, printers, BIOS information, preset passwords, etc.)
- Intentionally wasting limited resources such as Internet bandwidth, disk space and printing capacity
- Accessing inappropriate material stored on resources such as, but not limited to, digital cameras, flash drives, iPods, online storage, cell phones, web sites, etc.
- Accessing inappropriate material from web sites or attempting to bypass the Internet filter to access web sites that have been blocked (Examples: information that is violent; illegal; satanic; sexual; demeaning; racist; inflammatory; and/or categorized as a social networking, blogging, or journaling sites, etc.)
- Sending, displaying, or downloading offensive messages or pictures
- Using obscene, racist, profane, discriminatory, threatening, or inflammatory language in a document, email, etc. (continued)
• Using a digital camera, camera phone, or any other device capable of storing a still or video image to take inappropriate, harassing, and/or embarrassing pictures
• Editing or modifying digital pictures with the intent to embarrass, harass or bully is prohibited
• Participating in unsupervised or non-instructional on-line chat rooms without the permission/supervision of an adult staff member
• Posting any false or damaging information about other people, the school system, or other organizations
• Posting of any personal information as defined previously in this document
• Broadcasting network messages or participating in sending/perpetuating chain letters
• Violating copyright laws
• Plagiarism of materials
• Use of technology resources to create illegal materials (i.e. counterfeit money, fake identification, etc.)
• Use of any Baldwin County Public Schools Technology resource for personal gain, commercial or political purposes
• Accessing any website or other resources by falsifying information
• Downloading games or playing games on-line that are not instructional in nature or directed
• Streaming video or audio not related to the core business of the School System

(Board Approved: May 19, 2016)

#794 DATA GOVERNANCE POLICY

PURPOSE

Protecting our students’ and staff’s privacy is an important priority and Baldwin County Board of Education is committed to maintaining strong and meaningful privacy and security protections. The privacy and security of this information is a significant responsibility and we value the trust of our students, parents, and staff.

The Baldwin County Board of Education Data Governance document includes information regarding the Data Governance Committee, the actual Baldwin County Board of Education Data and Information Governance and Use Policy, applicable Appendices, and Supplemental Resources. (continued)
The policy formally outlines how operational and instructional activity shall be carried out to ensure Baldwin County Board of Education’s data is accurate, accessible, consistent, and protected. The document establishes who is responsible for information under various circumstances and specifies what procedures shall be used to manage and protect it.

The Baldwin County Board of Education Data Governance Policy shall be a living document. To make the document flexible, details are outlined in the Appendices. All modifications shall be posted on the Baldwin County Board of Education website.

SCOPE

The superintendent is authorized to establish, implement, and maintain data and information security measures. The policy, standards, processes, and procedures apply to all students and employees of the district, contractual third parties and agents of the district, and volunteers who have access to district data systems or data.

This policy applies to all forms of BCBE data and information, including but not limited to:

A. Speech, spoken face to face, or communicated by phone or any current and future technologies,
B. Hard copy data printed or written,
C. Communications sent by post/courier, fax, electronic mail, text, chat and or any form of social media, etc.,
D. Data stored and/or processed by servers, PC’s, laptops, tablets, mobile devices, printers, etc.,
E. Data stored on any type of internal, external, or removable media or cloud based services.
F. Video cameras and devices (continued)
REGULATORY COMPLIANCE

The district shall abide by any law, statutory, regulatory, or contractual obligations affecting its data systems. BCBE complies with all applicable regulatory acts including but not limited to the following:

A. Children’s Internet Protection Act (CIPA)
B. Children’s Online Privacy Protection Act (COPPA)
C. Family Educational Rights and Privacy Act (FERPA)
D. Health Insurance Portability and Accountability Act (HIPAA)
E. Protection of Pupil Rights Amendment (PPRA)
F. Payment Card Industry Data Security Standard (PCI DSS)

RISK MANAGEMENT

A thorough risk analysis of all BCBE data networks, systems, policies, and procedures shall be conducted on an annual basis or as requested by the Superintendent, or Chief Technology Officer. The risk assessment shall be used as a basis for a plan to mitigate identified threats and risk to an acceptable level.

The Superintendent or designee administers periodic risk assessments to identify, quantify, and prioritize risks. Based on the periodic assessment, measures are implemented that mitigate the threats by reducing the amount and scope of the vulnerabilities.

DATA CLASSIFICATION

Classification is used to promote proper controls for safeguarding the confidentiality of data. Regardless of classification the integrity and accuracy of all classifications of data are protected. The classification assigned and the related controls applied are dependent on the sensitivity of the data. Data are classified according to the most sensitive detail they include. Data recorded in several formats (e.g., source document, electronic record, report) have the same classification regardless of format. (continued)
SYSTEMS AND INFORMATION CONTROL

Any computer, laptop, mobile device, printing and/or scanning device, network appliance/equipment, AV equipment, security and surveillance cameras, server, internal or external storage, communication device or any other current or future electronic or technological device may be referred to as systems. All involved systems and information are assets of BCBE shall be protected from misuse, unauthorized manipulation, and destruction. These protection measures may be physical and/or software based.

A. Ownership of Software: All computer software developed by BCBE employees or contract personnel on behalf of Baldwin County Board of Education, licensed or purchased for BCBE use is the property of BCBE and shall not be copied for use at home or any other location, unless otherwise specified by the license agreement.

B. Software Installation and Use: All software packages that reside on technological systems within or used by BCBE shall comply with applicable licensing agreements and restrictions and shall comply with BCBE acquisition of software, applications and web services procedures.

C. Virus, Malware, Spyware, Phishing and SPAM Protection: Virus checking systems approved by the District Technology Department are deployed using a multi-layered approach (computers, servers, gateways, firewalls, filters, etc.) that ensures all electronic files are appropriately scanned for viruses, malware, spyware, phishing and SPAM. Users shall not to turn off or disable BCBE protection systems or to install other systems.

D. Access Controls: Physical and electronic access to information systems that contain Personally Identifiable Information (PII), Confidential information, Internal information and computing (continued)
resources is controlled. To ensure appropriate levels of access by internal workers, a variety of security measures are instituted as recommended by the data governance committee and approved BCBE. In particular, the data governance committee shall document roles and rights to the student information system and other like systems. Mechanisms to control access to PII, Confidential information, Internal information and computing resources include, but are not limited to, the following methods:

1. Authorization: Access shall be granted on a “need to know” basis and shall be authorized by the superintendent, principal, immediate supervisor, or Data Governance Committee with the assistance of the Chief Technology Officer. Specifically, on a case-by-case basis, permissions may be added in to those already held by individual users in the student management system, again on a need-to-know basis and only in order to fulfill specific job responsibilities, with approval of the Data Governance Committee.

2. Identification/Authentication: Unique user identification (user ID) and authentication are required for all systems that maintain or access PII, Confidential information, and/or Internal Information. Users shall be held accountable for all actions performed on the system with their User ID. User accounts and passwords shall NOT be shared.

3. Data Integrity: BCBE provides safeguards so that PII, Confidential, and Internal Information is not altered or destroyed in an unauthorized manner. Core data are backed up to a private cloud for disaster recovery. In addition, listed below are methods that are used for data integrity in various circumstances: (continued)
- transaction audit
- disk redundancy (RAID)
- ECC (Error Correcting Memory)
- checksums (file integrity)
- data encryption
- data wipes

4. Transmission Security: Technical security mechanisms are in place to guard against unauthorized access to data that are transmitted over a communications network, including wireless networks. The following features are implemented:

- integrity controls and
- encryption, where deemed appropriate

Note: Only BCBE district-supported email accounts shall be used for communications to and from school employees, to and from parents or other community members, to and from other educational agencies, to and from vendors or other associations, and to and from students for school business.

5. Remote Access: All other network access options are strictly prohibited without explicit authorization from the Chief Technology Officer or Data Governance Committee. Further, PII, Confidential Information and/or Internal Information that is stored or accessed remotely shall maintain the same level of protections as information stored and accessed within the BCBE’s network. PII shall only be stored in cloud storage if said storage has been approved by the Data Governance Committee or its designees.

6. Physical and Electronic Access and Security: Access to areas in which information processing is carried out shall be restricted to only appropriately authorized individuals. At a minimum, staff passwords shall be changed annually. (continued)
• No PII, Confidential and/or Internal Information shall be stored on a device itself such as a hard drive, mobile device of any kind, or external storage device that is not located within a secure area.
• No technological systems that may contain information as defined above shall be disposed of or moved without adhering to the appropriate Purchasing and Disposal of Electronic Equipment procedures.
• It is the responsibility of the user to not leave these devices logged in, unattended, and open to unauthorized use.

DATA TRANSER/EXCHANGE/PRINTING:

1. Electronic Mass Data Transfers: Downloading, uploading or transferring PII, Confidential Information, and Internal Information between systems shall be strictly controlled. Requests for mass download of, or individual requests for, information for research or any other purposes that include PII shall be in accordance with this policy and be approved by the data governance committee. All other mass downloads of information shall be approved by the committee and/or ISO and include only the minimum amount of information necessary to fulfill the request. A Memorandum of Agreement (MOA) shall be in place when transferring PII to external entities such as software or application vendors, textbook companies, testing companies, or any other web based application, etc. unless the exception is approved by the Data Governance Committee.
2. Other Electronic Data Transfers and Printing: PII, Confidential Information, and Internal Information shall be stored in a manner (continued)
inaccessible to unauthorized individuals. PII and Confidential Information shall not be downloaded, copied or printed indiscriminately or left unattended and open to compromise. PII that is downloaded for educational purposes where possible shall be de-identified before use.

ORAL COMMUNICATIONS:

BCBE staff shall be aware of their surroundings when discussing PII and Confidential Information. This includes but is not limited to the use of cellular telephones in public areas. BCBE staff shall not discuss PII or Confidential Information in public areas if the information can be overheard. Caution shall be used when conducting conversations in: semi-private rooms, waiting rooms, corridors, elevators, stairwells, cafeterias, restaurants, or on public transportation.

AUDIT CONTROLS:

Hardware, software, services and/or procedural mechanisms that record and examine activity in information systems that contain or use PII are reviewed by the Data Governance Committee annually. Further, the committee also regularly reviews records of information system activity, such as audit logs, access reports, and security incident tracking reports. These reviews shall be documented and maintained for six (6) years.

EVALUATION:

BCBE requires that periodic technical and non-technical evaluations of access controls, storage, and other systems be performed in response to environmental or operational changes affecting the security of electronic PII to ensure its continued protection.

IT DISASTER RECOVERY:

Controls shall ensure that BCBE can recover from any damage to critical systems, data, or information within a reasonable period of time. Each school, (continued)
department, or individual is required to report any instances immediately to
the Superintendent, and Chief Technology Officer for response to a system
emergency or other occurrence (for example, fire, vandalism, system failure
and natural disaster) that damages data or systems. The IT Disaster Plan
shall include the following:

1. A prioritized list of critical services, data, and contacts.
2. A process enabling BCBE to restore any loss of data in
the event of fire, vandalism, natural disaster, or system
failure.
3. A process enabling BCBE to continue to operate in the
event of fire, vandalism, natural disaster, or system
failure.

Procedures for periodic testing of written contingency plans to discover weaknesses
and the subsequent process of revising the documentation, if necessary.

COMPLIANCE

The Data Governance Policy applies to all users of Baldwin County Public
Schools information including: employees, staff, students, volunteers, and
outside affiliates. Failure to comply with this policy by employees, staff,
volunteers, and outside affiliates may result in disciplinary action up to and
including dismissal in accordance with applicable BCBE procedures, or, in
the case of outside affiliates, termination of the affiliation. Failure to comply
with this policy by students may constitute grounds for corrective action in
accordance with BCBE policies. Further, penalties associated with state and
federal laws may apply.

Possible disciplinary/corrective action may be instituted for, but is not limited
to, the following:

1. Unauthorized disclosure of PII or Confidential Information.
2. Unauthorized disclosure of a log-in code (User ID and
password).
3. An attempt to obtain a log-in code or password that belongs
to another person.
4. An attempt to use another person's log-in code or password.
(continued)
5. Unauthorized use of an authorized password to invade student or employee privacy by examining records or information for which there has been no request for review.
6. Installation or use of unlicensed software on BCBE technological systems.
7. The intentional unauthorized altering, destruction, or disposal of BCFOE information, data and/or systems. This includes the unauthorized removal from BCBE of technological systems such as but not limited to laptops, internal or external storage, computers, servers, backups or other media, copiers, etc. that contain PII or confidential information.
8. An attempt to gain access to log-in codes for purposes other than for support by authorized technology staff, including the completion of fraudulent documentation to gain access.

DATA GOVERNANCE PROCESS

Data governance supports decision-making in data-related matters, such as the availability, usability, integrity, and security of the data. An effective data governance program includes a defined set of procedures and policies, a plan for executing those procedures and policies, and an agency-wide perspective.

In order for its data governance program to be effective and to accomplish the BCBOE’s mission, the Board with the Superintendent will put the necessary personnel, policies, procedures, and organizational structures in place to make data accurate, consistent, and secure.

Effective data governance can make the agency more efficient by reducing costs, establishing accountability and ensuring transparency, and building standard, repeatable processes regarding data activities and communication. To do so, however, the data governance program requires active and ongoing participation and commitment of executive leadership, business owners, district data management, Federal program areas, and Information Technology, as well as consultation with external education stakeholders.

Baldwin County of Education Board of Education’s focus on data governance is to

• Promote data quality
• Eliminate redundancy in data collections and in costs (continued)
• Eliminate data silos
• Establish data security
• Protect Confidentiality and Privacy
• Eliminate duplication of products and effort
• Define the protocols and procedures to ensure that governance is enforced

THE DATA GOVERNANCE STRUCTURE

In order to achieve these goals, data governance is planned, managed, and implemented through a three-tiered structure under the leadership of the Superintendent and his administration:

• Baldwin County Board of Education approves the policies and procedures for data or information in all its forms: written, electronic, or printed is protected from accidental or intentional unauthorized modification, destruction, or disclosure throughout its life cycle. This oversight includes an appropriate level of security over the equipment, software, and practices used to process, store, and transmit data or information.

• Data Governance Committee ensures that data governance is aligned with the strategic direction of the Superintendent and the Baldwin County Board of Education, ensuring that data governance efforts address all relevant and mission-critical needs of the overall district. It manages data governance as an integrated program rather than as a set of unconnected projects, policies, or finances. Finally, it recommends data governance solutions and priorities to the Baldwin County Board of Education for approval. It develops and implementation plans for Board policies. It proposes data governance solutions and priorities to the Board for review, and communicates with internal and external stakeholders, key data users, and external stakeholders. It identifies staff (data stewards) to oversee areas of data domains.

• Data Stewards Committee implements the Baldwin County Board of Education and Data Governance Committee’s plans and policies, analyzes any tactical problems that arise, advises the Data Governance Committee and resolves technical issues accordingly. (continued)
This three-tiered governance structure outlined above will require engagement and support from other critical stakeholders:

Effective and frequent communication is essential for successful data governance and requires that executive leadership and the Data Governance Committee tell stakeholders what steps are being taken and why, inform all relevant stakeholders about how data governance will benefit them, and listen to stakeholders to incorporate their ideas and feedback into the data governance program. Input and feedback makes governance efforts more effective in achieving mission-critical goals and is vital for successful data governance.

The Goals of Baldwin County Board of Education Data Governance:

- Enable better decision-making
- Reduce operational friction
- Protect the needs of data stakeholders
- Train management and staff to adopt common approaches to data issues
- Build standard, repeatable processes
- Reduce costs and increase effectiveness through coordination of efforts
- Ensure high quality control over data
- Ensure transparency of processes

Data governance encompasses the people, processes and procedures to create a system-wide (district) view of Baldwin County Board of Education data in order to increase consistency and confidence in decision-making, enhance data security, and improve efficiency and cost. The data governance policies serve as the backbone of the data governance program and ensure that the governing of data is not optional. The Superintendent will recommend for the Board’s approval on all data governance policies that best support the Baldwin County Public Schools, protect student privacy and make recommendations to the Baldwin County Board of Education as required by law, regulations, state requirements and for best practices.

(Board Approved: May 19, 2016)
THE JASON FLATT ACT:
YOUTH SUICIDE AWARESS AND PREVENTION

Introduction

Suicide is the tenth cause of death in the United States according to the Centers for Disease Control and Prevention. For youth between the ages of 10 and 24, the cause of death rankings are 2nd and 3rd in the nation, and these rankings are higher for youth in the same age brackets in the state of Alabama. The Jason Flatt Act was passed in order to equip education institutions and their personnel to recognize and act on signs of suicide risk in order to provide prevention, intervention, and postvention with students at risk, their families, and the communities who may be affected.

The Jason Flatt Act, which amends the 16-28B-8 of the Code of Alabama 1975, includes several elements listed below (in italics) which should be interpreted as policy. “To the extent that the legislature shall appropriate funds, or to the extent that [the] local board may provide funds from other sources, the Baldwin County Public School System shall implement the following standards and policies for programs in an effort to prevent student suicide:”

Section 1: Prevention of Suicide

The Jason Flatt Act was passed in order to equip Alabama school districts and their personnel to recognize and act on signs of suicide risk in order to provide prevention, intervention, and postvention with students at risk, their families, and the communities who may be affected. This act, which amends 16-28B-8 of the Code of Alabama 1975, includes prevention of harassment and violence.

Section 2: The Jason Flatt Act includes several elements which should be interpreted as policy. The Baldwin County Public School System will:

1. Foster individual, family, and group counseling services related to suicide prevention.
2. Make referral, crisis intervention, and other related information available for students, parents, and school personnel.
3. Foster training for school personnel who are responsible for counseling and supervising students.
4. Increase student awareness of the relationship between drug and alcohol use and suicide.
5. Educate students in recognizing signs of suicidal tendencies and other facts and warning signs of suicide.
6. Inform students of available community suicide prevention services.
7. Promote cooperative efforts between school personnel and community suicide prevention program personnel.
8. Foster school-based or community-based, or both, alternative programs outside of the classroom.
9. Develop a strategy to assist survivors of attempted suicide, students, and school personnel in coping with the issues relating to attempted suicide, suicide, the death of a student, and healing.
10. Engage in any other program or activity which the Board of Education for the Baldwin County Public School System determines is appropriate and prudent in the efforts of the school system to prevent student suicide.
11. Provide training for school employees and volunteers who have significant contact with students on the local board policies to prevent harassment, intimidation, and threats of violence.
12. Develop a process for discussing with students local board policies relating to the prevention of student suicide and to the prevention of harassment, intimidation, violence, and threats of violence.
13. Provide annual training for all certificated school employees in suicide awareness and prevention. This training may be provided within the framework of existing in-service training programs or as a part of required professional development by the Baldwin County Public School System.

Section 3: Description of Behavior Expected of Students

Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are expected and required to (1) comply with the requirements of the law, policy, regulation, and rules prohibiting harassment, violence, or intimidation and (2) to comply with the system’s prevention strategies related to suicide prevention, intervention, and postvention support.

Section 4: Responsibility of Reporting

Any person involved in a cause of action or omission resulting from the implementation of this suicide prevention policy or resulting from any training, or lack thereof, required by this section, shall be subject to state immunity law.

Section 5: Promulgation of Policy and Related Procedures, Rules, and Forms

This policy and any procedures and rules developed and approved to implement the
policy will be published, disseminated, and made available to students, parents, and legal guardians, and employees by such means and methods as are customarily used for such purposes, included publication on the Baldwin County Public School System’s website.

(Board Approved: November 17, 2016)
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PERSONNEL

# 800  GOALS
The Personnel Division shall develop and maintain a staff qualified and committed to rendering effective educational services to the system. It shall advise with the system administration or program for the continuing self-education and improvement of all personnel. It shall plan and coordinate programs for personnel induction. The Personnel Division shall establish and recommend for adoption and implementation personnel procedures relating to leaves of absences, health tenure, separation and retirement and it school prepare personnel records, reports and research aimed at informing the administration of the status, needs, problems and issues of human resources in the system.

# 801  EDUCATOR CODE OF ETHICS

Statement of Purpose:

The Baldwin County Board of Education endorses the acceptance and use of professional standards as a means to shape or mold the conduct of its teachers and other certificated staff. These rules establish and uphold standards of professional conduct for licensed professional educator throughout the State. Any willful breach of these professional standards may result in consequences as outlined by the Baldwin County Progressive Discipline System adopted by the Board of Education, or other consequences as the Board may see fit and proper.

ALABAMA EDUCATOR CODE OF ETHICS

Introduction
The primary goal of every educator in the state of Alabama must, at all times, be to provide an environment in which all students can learn. In order to accomplish that goal, educators must value the worth and dignity of every person, must have a devotion to excellence in all matters, must actively support the pursuit of knowledge, and must fully participate in the nurturance of a democratic citizenry. To do so requires an adherence to a high ethical standard.

The Alabama Educator Code of Ethics defines the professional behavior of educators in Alabama and serves as a guide to ethical conduct. The code protects the health, safety and general welfare of students and educators; outlines objective
standards of conduct for professional educators; and clearly defines actions of an unethical nature for which disciplinary sanctions are justified.

**Code of Ethics Standards**

*Standard 1: Professional Conduct*

*An educator should demonstrate conduct that follows generally recognize professional standards.*

Ethical conduct includes, but is not limited to, the following:

- Encouraging and supporting colleagues in the development and maintenance of high standards
- Respecting fellow educators and participating in the development of a professional and supportive teaching environment.
- Engaging in a variety of individual and collaborative learning experiences essential to developing professionally in order to promote student learning.

Unethical conduct is any conduct that impairs the certificate holder’s ability to function in his or her employment position or a pattern of behavior that is detrimental to the health, welfare, discipline, or morals of students. Unethical conduct includes, but is not limited to, the following:

- Harassment of colleagues.
- Misuse or mismanagement of tests or test materials.
- Inappropriate language on school grounds.
- Physical altercations.
- Failure to provide appropriate supervision of students.

*Standard 2: Trustworthiness*

*An educator should exemplify honesty and integrity in the course of professional practice.*

Ethical conduct includes, but is not limited to, the following:

- Properly representing the facts concerning an educational matter in direct or indirect public expression.
- Advocating for fair and equitable opportunities for all children.
- Embodying for students the characteristics of intellectual honesty, diplomacy, tact, and fairness.

Unethical conduct includes, but is not limited to, the following:

- Falsifying, misrepresenting, omitting, or erroneously reporting professional qualifications, criminal record, or employment history when applying for employment or certification.
- Falsifying, misrepresenting, omitting, or erroneously reporting information submitted to federal, state, and/or other governmental agencies.
- Falsifying, misrepresenting, omitting, or erroneously reporting information regarding the evaluation of students and/or personnel.
• Falsifying, misrepresenting, omitting, or erroneously reporting reasons for absences or leaves.
• Falsifying, misrepresenting, omitting, or erroneously reporting information submitted in the course of an official inquiry or investigation.

**Standard 3: Unlawful Acts**

*An educator should abide by federal, state and local laws and statutes.*

Unethical conduct included, but is not limited to, the commission or conviction of a felony or of any crime involving moral turpitude. As used herein, conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*, regardless of whether an appeal of the conviction has been sought or a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted.

**Standard 4: Teacher/Student Relationship**

*An educator should always maintain a professional relationship with all students, both in and outside the classroom.*

Ethical conduct includes, but is not limited to, the following:
• Fulfilling the roles of trusted confidante, mentor, and advocate for students’ growth.
• Nurturing the intellectual, physical, emotional, social, and civic potential of all students.
• Providing an environment that does not needlessly expose students to unnecessary embarrassment or disparagement.
• Creating, supporting, and maintaining a challenging learning environment for all students.

Unethical conduct includes, but in not limited to, the following:
• Committing any act of child abuse, including physical or verbal abuse.
• Committing any act of cruelty to children or any act of child endangerment.
• Committing or soliciting any unlawful sexual act.
• Engaging in harassing behavior on the basis of race, gender, national origin, religion, or disability.
• Soliciting, encouraging, or consummating an inappropriate written, verbal, or physical relationship with a student.
• Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs.

**Standard 5: Alcohol, Drug and Tobacco Use or Possession**

*An educator should refrain from the use of alcohol and/or tobacco during the course of professional practice and should never use illegal or unauthorized drugs.*

Ethical conduct includes, but is not limited to, the following:
• Factually representing the dangers of alcohol, tobacco and illegal drug use and abuse to students during the course of professional practice.
Unethical conduct includes, but is not limited to, the following:
- Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs.
- Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages or using tobacco. A school-related activity includes, but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc., where students are involved.

**Standard 6: Public Funds and Property**

*An educator entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility.*

Ethical conduct includes, but is not limited to, the following:
- Maximizing the positive effect of school funds through judicious use of said funds.
- Modeling for students and colleagues the responsible use of public property.

Unethical conduct includes, but is not limited to, the following:
- Misusing public or school-related funds.
- Failing to account for funds collected from students or parents.
- Submitting fraudulent requests for reimbursement of expenses or for pay.
- Co-mingling public or school-related funds with personal funds or checking accounts.
- Using school property without the approval of the local board of education/governing body.

**Standard 7: Remunerative Conduct**

*An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation.*

Ethical conduct includes, but is not limited to, the following:
- Insuring that institutional privileges are not used for personal gain.
- Insuring that school policies or procedures are not impacted by gifts or gratuities from any person or organization.

Unethical conduct includes, but is not limited to, the following:
- Soliciting students or parents of students to purchase equipment, supplies, or services form the educator or to participate in activities that financially benefit the educator unless approved by the local governing body.
- Accepting gifts from vendors or potential vendors for persona use or gain where there appears to be a conflict of interest.
- Tutoring students assigned to the educator for remuneration unless approved by the local board of education.
Standard 8: Maintenance of Confidentiality
An educator should comply with state and federal laws and local school board policies relating to confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements.

Ethical conduct includes, but is not limited to, the following:
- Keeping in confidence information about students that has been obtained in the course of professional service unless disclosure serves professional purposes or is required by law.
- Maintaining diligently the security of standardized test supplies and resources.

Unethical conduct includes, but is not limited to, the following:
- Sharing confidential information concerning student academic and disciplinary records, health and medical information, family status/income and assessment/testing results unless disclosure is required or permitted by law.
- Violating confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, and violating local school system or state directions for the use of tests or test items.
- Violating other confidentiality agreements required by state or local policy.

Standard 9: Abandonment of Contract
An educator should fulfill all of the terms and obligations detailed in the contract with the local board of education or educational agency for the duration of the contract.

Unethical conduct includes, but is not limited to, the following:
- Abandoning the contract for professional services without prior release from the contract by the employer;
- Refusing to perform services required by the contract.

Reporting
Educators are required to report a breach or one or more of the Standards in the Alabama Educator Code of Ethics as soon as possible, but no later than sixty (60) days from the date the educator became aware of the alleged breach, unless the law or local procedures require reporting sooner. Educators should be aware of their local school board policies and procedures and/or chain of command for reporting unethical conduct. Complaints filed with the local or state school boards or with the State Department of Education Teacher Certification Section, must be filed in writing and must include the original signature of the complainant.

Alabama Administrative Code 290-3-2-.05
1)-5-c Each Superintendent shall submit to the State Superintendent of Education within ten calendar days of the decision, the name and social security number of each employee holding an Alabama certificate or license who is
terminated, or non-renewed, resigns, or is placed on administrative leave for cause, and shall indicate the reason for such action.

Disciplinary Action
Disciplinary action shall be defined as the issuance of a reprimand or warning, or the suspension, revocation, or denial of certificates. “Certificate” refers to any teaching, service, or leadership certificate issued by the authority of the Alabama State Department of Education.

*Alabama Administrative Code 290-3-2-.05*
(1) Authority of the State Superintendent of Education
   (a) The Superintendent shall have the authority under existing legal standards to:
      (1) Revoke any certificate held by a person who has been proven guilty of immoral conduct or unbecoming or indecent behavior in Alabama or any other state or nation in accordance with Ala. Code §16-23-5 (1975)
      (2) Refuse to issue a certificate to an applicant whose certificate has been subject to adverse action by another state until after the adverse action has been resolved by that state.
      (3) Suspend or revoke an individual’s certificate issued by the Superintendent when a certificate or license issued by another state is subject to adverse action.
      (4) Refuse to issue, suspend or recall a certificate for just cause.

Any of the following grounds shall also be considered cause for disciplinary action:
- Unethical conduct as outlined in the Alabama Educator Code of Ethics, Standards 1-9.
- Order from a court of competent jurisdiction.
- Violation of any other laws or rules applicable to the profession.
- Any other good and sufficient cause.

An individual whose certificate has been revoked, denied, or suspended may not be employed as an educator, paraprofessional, aide, or substitute teacher during the period of his or her revocation, suspension, or denial.

*(Board Approved: August 17, 2006)*
The board recognizes that an effective educational program in the Baldwin County School System depends, to a large extent, on the quality of the personnel employed in the county. Therefore, every effort shall be made to employ the most qualified personnel available. The board also believes it is educationally sound to provide students with an opportunity to relate to and learn from staff members of diverse backgrounds.

It is the policy of the Baldwin County Board of Education that applicants for positions shall be selected on the basis of qualifications, merit and professional ability. The decision to employ will be based on the qualifications of an applicant to perform in a specific assignment. There will be no discrimination in the hiring process due to age, sex, marital status, religion, creed, race, color, handicap, national origin, or place of residence. The system will provide, through a positive and effective affirmative action program, equal opportunity for employment, retention, and advancement of all people regardless of race, color, religion, national origin, handicap, or sex. The board wished for the system affirmative action program to be active, not passive, and for it to comply in good faith with all relevant laws and regulations.

The Baldwin County School System, within its capabilities, shall seek to provide and maintain working conditions which ensure safety and quality performance.
The Baldwin County Board of Education shall seek to employ the best qualified personnel for professional positions. The division superintendent for Personnel shall establish and maintain a continuous plan for actively recruiting promising professional personnel for employment which shall be reviewed periodically by the Baldwin County Board of Education.

The Division of Personnel shall be responsible for staffing and/or giving professional service in staffing all positions, as approved by the superintendent, with qualified personnel, for keeping records of employment, and other functions concerning the general welfare of the employees of the system.
# 806 QUALIFICATIONS AND DUTIES

Professional personnel shall be qualified and competent in the performance of duties expected of them and commensurate to their position.

Professional personnel shall meet state certification requirements and/or licensing requirements.

Assigned duties of professional personnel shall be determined by the supervising administrator and approved by the superintendent.

# 807 EMPLOYMENT

The board shall approve employment of all personnel upon written recommendation of the superintendent. The superintendent shall have the authority to employ personnel to fill vacancies and new positions, but each such nomination shall be subsequently for board approval. The duty of the Division Superintendent of Personnel shall be to ensure that all employees satisfactorily meet all requirements of state law and local board regulations.

# 808 ASSIGNMENTS

Personnel may be assigned to job responsibilities by the Superintendent or his designee, by the school principal or other appropriate administrator. Such assignments shall be made in an attempt to accomplish the objectives of the Board in accordance to other Board policies and shall be made on an equitable basis.
# 809  ORIENTATION OF NEW TEACHERS AND OTHER PROFESSIONAL PERSONNEL

It shall be the responsibility of the Division Superintendent of Personnel to provide at the beginning of each school year appropriate orientation for new teachers and other professional personnel entering the system. Orientation shall include formal programs with an agenda that provides personnel with an understanding of their responsibilities as they relate to instruction.

# 810  HEALTH EXAMINATIONS

Employees infected with a communicable disease as defined by the Baldwin County Board of Health shall not remain on active duty. Final decisions regarding such matters shall be made after consultation with the county health doctor, family physician and the Superintendent of Education. Due process shall be a part of these procedures.

# 811  ORIENTATION OF PERSONNEL

The board recognizes the importance of an organized system-wide orientation program for all personnel new to the system. The superintendent shall prepare or cause to be prepared an orientation program in accordance with system needs.
All staff members have a responsibility to make themselves familiar with, and abide by, state laws as these affect their work and board policies and the administrative regulations designed to implement them.

Most professional organizations for administrators, teachers and other education professions have codes of ethics which set forth standards for ethical professional conduct. The board wishes for professional staff members to adhere to the standards established by the pertinent codes.

In the area of personal conduct, the board expects all staff members to conduct themselves in a manner that not only reflects credit to the school system, but that sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of school operations and the instructional program are the following specific responsibilities which will be required of all personnel.

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of board policies and administrative regulations.
3. Submission of required reports promptly at the specified.
4. Care and protection of school property.
5. Concern and attention toward their own and the school system's legal responsibility for the safety and welfare of students, including the need to assure that students are under supervision at all times.
# 813 PROBATION

In accordance with the Alabama School Code, all professional personnel eligible for tenure shall be considered on probationary status until continuing service status (tenure) is attained. Continuing service status is attained as provided in Section 16-24-2, Code of Alabama, 1975. Upon written recommendation of the superintendent, professional personnel may be dismissed by the board at any time during the probationary period in accordance with the tenure laws. Professional personnel not notified in writing by the board prior to the expiration of the probationary period that his services will not be retained shall automatically gain continuing service status.

# 814 PROBATION/SUSPENSION

A professional employee may be placed on probation/suspension by the Superintendent when circumstances warrant. Due process procedures shall be adhered to when such action is necessary.

# 815 TENURE

All eligible professional personnel shall attain tenure in accordance with Alabama School Law and as provided in Section 16-24-2, Code of Alabama, 1975.

Professional personnel eligible for tenure are defined by the Code as follows: “...all persons regularly certificated by the teacher certification authority of the State of Alabama who may be employed as instructors, principals or supervisors in the public elementary and high schools of the State of Alabama.”

Legal Reference: Laws of Alabama Relating to Education, Title 16-24-1

Tab 800 – Page 12
# 816  CONTRACTS FOR PROFESSIONAL PERSONNEL

According to the State of Alabama tenure regulations, the contract of employment of any teacher who shall attain continuing service status with the Baldwin County Board of Education shall remain in full force and effect unless superseded by a new contract signed by both parties, or canceled as provided by law.

A teacher coming into the system for the first time for a full academic year will be given a contract for that academic year. Any teacher entering the system after September 20 will be issued a temporary contract which automatically ends the last day of school for the same scholastic year in which it is issued.

#817  DESIGNATION OF SCHOOL TERM

The school Term shall be consistent with the annual school calendar as approved by the Board, with the end of the School Term being the last day of work for 9-month teachers as established by the annual school calendar.

(Board Approved: May 26, 2005)

#818  PROMOTION OF PERSONNEL

The Baldwin County Board of Education shall maintain and utilize objective criteria in identifying, appraising and recommends persons for promotion to leadership positions.

The board adheres to the philosophy that when qualifications of candidates are comparable, preference shall be given to candidates within the system.

#819  PROFESSIONAL DEVELOPMENT OPPORTUNITIES

The board encourages all professional employees to take advantage of all professional development opportunities.
PROFESSIONAL STAFF DEVELOPMENT

Personnel employed by the Baldwin County Board of Education are encouraged to develop and grow in job performance beyond minimum requirement. Personnel shall meet minimum requirements such as a degree and professional certification. All employees are encouraged to actively participate in inservice education, which will promote personal and professional growth.

STAFF-STUDENT RELATIONS

Professional personnel having the responsibility of working directly with students shall strive to develop a professional working relationship with students.

WORKLOAD

The Baldwin County Board of Education believes the primary responsibility and workload of teacher personnel shall be the planning and implementing of the instructional program. Teachers shall share in non-teaching responsibilities, which are considered either necessary or desirable to the proper functioning of the total school program. Teachers are expected to share in the responsibility for supervising co-curricular activities. The assigning of extra duty shall be done in an equitable manner by the principal.

Teachers shall report to their teaching stations 15 minutes prior to the opening of school and remain 15 minutes after the class day end for students. Teachers assigned additional responsibilities shall remain on duty until their assignment responsibilities are discontinued at the end of the day. Any emergency, professional duties or other circumstances necessitating departure from the school campus during school hours shall be approved by the principal or his designee prior to departure.
BOARD EMPLOYEES AND TOBACCO

In order to protect the health, welfare and safety of students and the public, the board prohibits all persons from the use of tobacco on board premises, including school vehicles or any school-planned activity. Further, a board employee who violates this policy will be subject to disciplinary action including, but not limited to, reprimand, suspension or dismissal.

SUPERVISION

The board recognizes the benefits to be derived from supervision of certificated personnel.

While supervision initially shall be provided to employees by one’s immediate supervisor, efforts shall be made to involve appropriate personnel in a continual process of supervision.

EVALUATION

Employee assessments and evaluations shall be an integral part of improvement of staff performance. The board shall delegate, through the Superintendent, the responsibility of developing, organizing and implementing a system-wide program for evaluating personnel. All plans of evaluation will be in concert with those of the State Department of Education.
BOARD EMPLOYEES AND WEAPONS

No employee will be in possession of an unauthorized weapon on any school premises, including school vehicles, or at any school-planned activity. Any employees who violates this policy will be subject to appropriate disciplinary measures, including termination if warranted by the circumstances. The prohibition set forth herein shall not apply to authorized law enforcement personnel acting within the line and scope of their law enforcement duties.

(Board Approved: October 20, 2005)

PART-TIME EMPLOYMENT

Principals, supervisors, coordinators and directors, under ordinary circumstances, shall not be eligible for part-time work. Exceptions shall be based on the need for a highly specialized service and all such exceptions shall be approved in writing by the Superintendent.

All other full-time employees of the Board of Education shall annually obtain permission in writing from supervising administrators and the Superintendent to participate in part-time employment over and beyond regularly assigned duties performed for the Board of Education.

New employees shall be informed at the time of employment that part-time employment must be approved.

The Superintendent shall cause to be prepared an annual report on part-time employment, setting forth names of employees whose applications have been approved, the nature of the part-time work performed, names of employers, the estimated number of hours or work performed weekly and shall submit said report to the Board of Education. (con’t)
Supervisors shall be authorized to withdraw approval for part-time work of employees under their supervision for good and sufficient reasons when the part-time work is having an adverse affect on the employee’s primary responsibility to the Board of Education. In such instance, the supervisor shall direct a letter to said employee explaining why approval of part-time work is being withdrawn and a copy of said letter shall be filed with the superintendent’s office.

# 828  DRESS

Appropriate appearance for teachers and other school personnel shall be in accordance with the high standards of the profession.

# 830  VOLUNTARY TRANSFER

The Baldwin County Board of Education will allow personnel to apply for any advertised position for which they possess the qualifications and/or applicable certification. Voluntary transfers shall be processed so that the needs of the instructional program and the qualifications of personnel shall be determining factors. Every effort shall be made to employ the most qualified personnel.

(Board Approved: May 17, 2012)
#831 INVOLUNTARY TRANSFER OF PROFESSIONAL PERSONNEL

If the need arises, the board shall have the authority to exercise its legal right involuntary transfer certified personnel from a school or subject assignment. Such transfers shall be done in accordance with legal statutes and court rendered decisions.

Legal Reference: Laws of Alabama Relating to Education, Title 16-24-5

#832 (Also #899) ON-THE-JOB INJURY

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

a. The employee submits a signed written account of the accident attested by a principal or department head within twenty-four (24) hours after the injury occurred. If the injured employee is not able to notify the Board, another person reasonably knowledgeable about the employee’s condition and circumstances leading to the injury may provide the required notification.

b. The injured employee submits written medical certification from the attending licensed physician within ten (10) days of the injury, stating that the employee was injured and cannot return to work due to a specified injury, if there is a reasonable expectation that the employee will return to work and, if so, the expected date of that return. The Board may require a second opinion from a Board specified physician, at its expense.

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

[Reference: Alabama Code Section 16-1-18.1 (1975)]

(Board Approved: January 16, 2014)

#833  WORK ATTENDANCE AN ESSENTIAL JOB FUNCTION

Punctual, regular attendance is an essential job function of every job and position, and employees are expected to report to work when scheduled and to remain at work each working day.

(Board Approved: January 16, 2014)

#834 (Also #894)  ABSENCES

Except as otherwise authorized by Board policy, employees may be absent from work only in the following circumstances:

- Illness, injury or other qualifying reason for sick leave or on-the-job injury leave under state law or the Family Medical Leave Act;
- Personal Leave;
- Annual Leave;
- Administrative or Professional Leave;
- Military Leave;
- Court Leave;
- Other unpaid leave that is specifically approved by the Board, in its sole discretion, upon showing of substantial hardship or extraordinary circumstances.

Employees who know in advance that they will be absent from work must notify the Board of the expected absence in accordance with procedures specified by the Superintendent or the Board.
Leaves of absence shall be approved on a case by case basis. No employee is guaranteed or entitled to a leave of absence. In the event of an emergency or incapacity that makes advance notice impractical, employees must notify the Board of their absence as early as possible. Employees who have a foreseeable absence of two weeks or longer are required to request an official leave of absence to be submitted for Board consideration. Leaves of absence, paid or unpaid, may be approved for up to one year. Periods of approved leave in excess of one (1) year may result in the employee’s position being vacated with no guarantee to return to the original position. In the event an employee’s position is vacated, upon return to active employment, the employee shall be placed in a position for which he/she is qualified. The Board reserves the right to require additional supporting information, including, but not limited to, a medical doctor’s written statement in the event the requested leave is the result of a medical necessity. Nothing contained herein shall operate to impair applicable employee tenure rights, if any.

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

(Board Approved: January 16, 2014)

#835 (Also #882)  
PAID SICK LEAVE

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

Tab 800 – Page 20
Earning and Accumulation of Paid Sick Leave – All eligible employees earn sick leave days at the rate provided for in state law. Nine or ten month employees who work during summer school earn one sick day for the entire summer session. Eligible employees may accumulate sick leave as provided by state law.

Use of Sick Leave – Eligible employees may only use paid sick leave for absences caused by the following:

1. Personal illness;
2. Incapacitating personal injury;
3. Attendance upon an ill member of the employee’s immediate family, defined as a spouse, parent, child, sibling or any person with a close personal tie;
4. Death of a family member, including a spouse, parent, child, sibling, mother or father-in-law, son or daughter-in-law, brother or sister-in-law, nephew or niece, grandparent, grandchild, aunt or uncle;
5. Death or care of an individual with whom unusually strong personal ties exist because of a relationship other than those listed above.

Certification – Employees must certify that sick leave was used for one of the reasons provided in state law and specify the reason. If the employee’s principal or department head has reasonable suspicion to believe that an employee has abused or misused sick leave, a physician’s statement verifying the existence and nature of the illness or medical condition may be required by the Board. Abuse of sick leave may subject the employee to disciplinary action.

[Reference: Alabama Code Section 16-1-18.1 (1975)]

(Board Approved: January 16, 2014)

#836 (Also #895) FAMILY AND MEDICAL LEAVE ACT (FMLA)

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

Calculation of 12-month period – The Board uses a rolling 12-month period which is measured backward from the date an employee uses any FMLA leave. Under the rolling 12-month period, each time an employee takes FMLA leave, the remaining leave entitled is the balance of the 12-weeks which has not been used during the immediately preceding 12-months.
Medical Leave Provided by the Act – Under the FMLA, eligible employees are entitled to twelve (12) weeks of unpaid leave during any twelve (12) month period for one or more of the following reasons:

a. The birth and first year care of a newborn child;
b. The placement of a foster child or adoption;
c. The care of an immediate family member, defined as a spouse, child or parent, with a serious health condition;
d. The taking of medical leave because of the employee’s own serious health condition.

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

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

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

**Military Family Leave Provided by the Act –**

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

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

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

**Intermittent Leave** – An employee may take leave intermittently or on a reduced leave schedule only when medically necessary to care for a spouse, parent, or child or to receive planned medical treatment. Intermittent leave should be scheduled to the extent practicable so as not to unduly disrupt the operations of the Board. Intermittent leave may be further limited for teachers in accordance with federal law.
Use of Vacation and Sick Leave – If an employee has available sick leave, vacation leave or other applicable paid leave, the employee must utilize those forms of leave before taking unpaid leave under the FMLA. In that instance, the paid leave and the FMLA leave will run concurrently and the employee’s twelve (12) weeks of unpaid FMLA leave will be reduced by the paid leave utilized, as long as the need for such leave results from one or more of the qualifying reasons under the FMLA.

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

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

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

Certification for Qualifying Exigency Leave – Certification will be required by the Board for requests for qualifying exigency leave. Certification must be timely submitted on forms available from the Board. For the first such request, certification may include a copy of the military service member’s duty orders or other military documentation.
Return to Work – The Board may require an employee who has taken leave due to the employee’s own serious medical condition to provide the Board with a healthcare provider’s certification in order to return to work. Any employee who takes leave under these provisions will be entitled to be restored to the original position held when the leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

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

Instructional Employees – Medical leave taken by eligible instructional employees is subject to further limitations and provisions established by the FMLA. The Superintendent or his designee is authorized to develop additional information and guidelines concerning Instructional Employees.

(Board Approved: January 16, 2014)

#837 (Also #895) COURT LEAVE

Permanent and full-time employees are entitled to regular compensation while performing jury duty (Alabama Code Section 12-16-8) or when the employee is summoned under subpoena or other legal requirement to testify at trial in a court of law or in an administrative proceeding constituted under the statutory authority of
the agency conducting the proceedings. Paid leave is not authorized for employees to meet with attorneys, to attend depositions, or to otherwise prepare for legal proceedings unless the presence of the employee is requested or required by the Board.

(Board Approved: January 16, 2014)

#838 (Also #897) PERSONAL LEAVE

All regular, full-time employees are eligible for two (2) non-cumulative personal leave days each scholastic year without loss of pay. Personal leave must be requested in writing in accordance with such procedures as may be established by the Superintendent or the Board. Teachers may choose to be compensated for unused personal leave at the end of the school year at the same daily rate of pay used for substitute teachers. For full-time employees, unused personal leave days will be converted to sick leave days at the end of the school year.

[Reference: Alabama Code Section 16-8-26 (1975)]

(Board Approved: January 16, 2014)

#839 (Also #875) ADMINISTRATIVE OR PROFESSIONAL LEAVE

The Superintendent is authorized to grant professional leave with pay to Board employees to engage in educational activities which, in the judgment of the Superintendent, serve the needs and interests of the school system. The number of days approved for such leave will be at the discretion of the Superintendent. These activities may include, but are not limited to:

- Accompanying students on school approved activities
- Participation in professional development, conferences, seminars, etc.
- Attendance at conventions or meetings for professional education associations if employee is an officer or delegate

(Board Approved: January 16, 2014)

#839-A (Also #876) MILITARY LEAVE

Military leave is available to all employees in accordance with state and federal law.

(Board Approved: January 16, 2014)
Eligible Employees – Twelve-month, full-time employees are eligible for paid annual leave.

Annual Leave Benefits – Eligible employees will earn annual leave benefits as follows for each month in which the employee works or receives pay for a minimum of half of the applicable work-days during said month:

<table>
<thead>
<tr>
<th>Months of Service</th>
<th>Annual Leave Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 96 months</td>
<td>One (1) day per month</td>
</tr>
<tr>
<td>96 months or more</td>
<td>One and a half (1.5) days per month</td>
</tr>
</tbody>
</table>

Only consecutive service with the Board will be considered in establishing length of service for purposes of determining annual leave benefits.

Accrual and Accumulation of Annual Leave – Annual leave shall be earned monthly and must be earned before it can be used. Annual leave may be accumulated up to but not to exceed forty-five (45) days. Accumulated Annual Leave in excess of forty-five (45) days shall be converted annually to sick leave days and may be used as sick leave or accumulated for purposes of retirement, subject to the Retirement System of Alabama (RSA) rules at the time of retirement. Accumulated, unused annual leave will be paid at the employee’s daily rate of pay upon resignation, retirement, or death.

Scheduling – Annual leave must be scheduled with the knowledge and approval of the employee’s supervisor.

(Board Approved: January 16, 2014)

# 840-B NONCOMPLIANCE WITH BOARD LEAVE POLICIES
(Also # 884-B for Classified Personnel)

An employee who fails to return to work after the expiration of any period of approved leave shall be considered to have abandoned his or her position with the Board and may be recommended for termination.
# 841  RESIGNATION

Professional personnel shall resign in accordance with provisions of the Laws of Alabama Relating to Education. The Law states: “No teacher (to include all school district professional personnel), whether in continuing service status or not shall be permitted to cancel his/her contract during the school term for which said contract is in effect; nor a period of forty-five (45) days previous to beginning of such school term unless such cancellation is mutually agreed upon; any such teacher shall be permitted to cancel his/her contract at any other time by giving five days written notice to the employing board.”

Persons canceling their contract in any other manner shall be deemed unprofessional and subject to certificate suspension or revocation.

The Superintendent may accept resignations of all employees, with the exception of tenured teachers, on behalf of the Board of Education and will, in turn, provide a list of resignations as part of the information provided to the Board at each meeting. Upon acceptance of a resignation, the superintendent will immediately forward the resignation to the Personnel Department.

Legal Reference: Laws of Alabama Relating to Education, Title 16-24-11

(Board approved: February 18, 1999)

#842  RETIREMENT

Professional personnel shall be subject to and retired in accordance with Alabama State Law pertaining to retirement.

All professional personnel employed by the school system shall be covered by the social security program. All employees shall be eligible for benefits in accordance with the rules and regulations developed and implemented by said agency.
Professional employees who are members of the Alabama State Retirement System may use their accrued sick leave up to the maximum number of days approved by state law, to be included as membership service in calculating service and determining benefits.

Accrued sick leave may be used to attain minimum requirements for service retirement under one of the following conditions:

- Age sixty (60) with ten (10) years of service, or
- Any age with twenty-five (25)* or more years of service

(*Reduced to twenty-five (25) or more years of service by action of the 1988 Legislature.)

#843 JOB VACANCIES

The Baldwin County Board of Education shall exercise employment practices, which are non-discriminatory and consistent with the laws governing equal employment opportunities. Employment practices shall reflect procedures to insure employment of personnel at the highest degree of competency, professional qualifications and experience relative to considered assignment.

The Superintendent shall post a notice of vacancy for each vacant personnel position. The notice shall be posted in a conspicuous place at each school campus and work site at least 14 calendar days before the position is to be filled. The notice shall include, but not necessarily be limited to, all of the following:

1) Job description and title;
2) Required qualifications;
3) Salary schedule and amount;
4) Information of where to submit the application;
5) Information on any deadlines for applying;

If a personnel vacancy occurs during the time when the schools are in session, the vacancy notice shall be posted not less than seven calendar days before the position.
is to be filled. All vacancies involving jobs, which are supervisory, managerial, or otherwise newly created positions shall nevertheless require posting notices of at least 14 calendar days.

In the event of dire emergency circumstances, these provisions may be delayed temporarily in order to reasonably meet the conditions of the emergency.

(Board Approved February 18, 1999)

#844 EMPLOYMENT OF RELATIVES

The Baldwin County Board of Education recognizes its obligations and assumes its responsibilities through its designated representatives to assure fairness in its employment of all personnel and has affirmed this through its policy of Equal Opportunity Employment. However, the board realizes the awkwardness that may arise from certain situations resulting from employing members of the same family related in the first degree.

Two members of the same family related in the first degree shall not be assigned in the same school or department where the employee may be supervised or evaluated by a member of the same family. Exceptions shall be allowed only with the approval of the Superintendent after the Director of Human Resources has certified that non-relatives are not available.

Related in the first degree includes father, mother, brother, sister, husband, wife, son, daughter, nephew, niece, aunt, uncle, son-in-law, daughter-in-law, mother-in-law or father-in-law.

All persons responsible for interviewing and recommending persons for employment shall ascertain that the employment of such person shall not represent a conflict of interest.
Scope and Definition
This policy shall apply to reduction-in-force (RIF) within the meaning of Act No. 97-622, 1997 Acts of Alabama. As used herein, the term “RIF” means an unavoidable reduction in the work force beyond normal attrition due to decreased enrollment or shortage of revenues. An unavoidable reduction in the work force may also be driven by a financial exigency, program change, serious natural disaster, or other legitimate business reason. Such a determination constitutes the necessary cause for dismissal. Subject to any applicable statutory and constitutional limitations, such as procedural protection, the Board has the authority to terminate, demote, or reassign personnel to achieve the necessary reduction in staff. The term RIF does not include and the provisions of this policy do not apply to decisions to terminate or not to extend the appointment of occasional, temporary, or “at-will” employees, or to decisions not to extend or renew the employment of employees upon the expiration of annual or other specified terms of appointment.

As a prerequisite to all other considerations, the Board shall determine upon the recommendation of the Superintendent, the organizational levels to be reduced and the positions or job classifications to be affected. The Board should determine whether organizational levels (elementary, middle, junior high, senior high) are to be considered distinct categories. The personnel within these levels may be considered separately, (i.e., elementary and secondary, physical education, music, counselors, library personnel, media center, etc.).

The Superintendent shall include a recommendation for the organizational level to be reduced, the level of employees to be affected and the particular employees to be dismissed. The Superintendent shall confine his or her recommendations for personnel reductions to personnel assigned to the affected programs or employment areas.

Regarding non-certified employee layoffs, the Superintendent shall recommend in writing to the Board the positions or job classifications to be affected and the
particular employees to be dismissed. In making his recommendation, the Superintendent is bound to consider all of the factors set out in this policy and must adhere to the same guidelines for Reduction in Force decision making as established for the Board.

The Board shall not adopt a policy that is based solely on longevity or experience.

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

a. The Board’s determination of its educational needs, requirements, and priorities;

b. Current data and projected trends in revenue collection and/or enrollment;

c. The comparative abilities of persons currently holding positions subject to elimination to meet the needs and requirements of the school system as determined by such consideration as education, training, and experience; quality of job performance; special skills and aptitudes; possession of necessary and appropriate licensure and/or certification; and proficiency in performing varying tasks, responsibilities, and functions (versatility);

d. When a reduction in force is necessary, the first employees considered for dismissal will be non-tenured and probationary persons within the class of personnel being reduced. Non-tenured or probationary persons will be retained when a tenured or non-tenured person is terminated only if the tenured/non-probationary person is not qualified using criteria identified in “c” above.

e. Other factors being equal, comparative length of employees’ service in the position and with the Board;

f. The extent to which cost savings or other appropriate administrative objectives can be realized by taking into consideration voluntary retirements, resignations, transfers, and other normal attrition in the work force.

g. Any nondiscrimination requirements that may be imposed by state or federal law and any procedural or substantive requirements that may be imposed on state or federal law, including any statement or specification of the reasons or grounds for the layoff if and to the extent required by the Alabama Teacher Tenure Law or the Alabama Fair Dismissal Act.
Recall

Tenured or non-probationary employees who have been laid off under the terms of this policy will be given priority in filling positions which are restored after their elimination, provided that:

a. The nature of the position and qualifications therefore has not materially changed;

b. The laid-off employee remains properly qualified, licensed, and certified; and

c. The laid off employee confirms in writing his or her availability for and interest in reemployment to the Board’s Human Resources Division with thirty days of receipt of notice of layoff from the Board.

The recall provisions of this policy apply only to tenured or non-probationary employees and to no other class of employee. Selection of employees for recall will be based on the criteria applied to layoffs where there are more employees eligible for recall than positions available to fill.

When layoffs occur over a period of time, the Board will take relative length of separation from service into consideration in assigning recall priority, other factors being equal. In no case will any right to be recalled to employment extend beyond one year from the effective date of the instructor's layoff. Recalled instructors will be credited with tenure, years of service, and the pay and benefit status which they enjoyed on the effective date of their layoff. No pay, benefits, status, or additional rights will accrue or be credited to the recalled instructor for the time he or she was not employed.

Notice

Notification of layoff and recall shall be by United States certified or registered mail, hand delivery, or such other means as are permitted for notification of proposed contract cancellation by the Alabama Teacher Tenure Law. Upon receipt of notification of recall, a laid-off employee shall have fourteen (14) days from the receipt of said notice within which to respond affirmatively to the notice of recall in
accordance with such specific directions or instructions as may be contained therein. Any laid-off employee who does not so respond or who otherwise declines an offer of reemployment by the Board will be deemed to have waived any right to be recalled under the terms of this policy as required by the Alabama Teacher Tenure Law or the Alabama Fair Dismissal Act.

Nothing in this policy shall be deemed to create a property interest in continued employment, or to create an expectation of further or continued employment beyond that provided by, whether applicable, the Alabama Fair Dismissal Act, Section 36-26-100, et.seq., Ala. Code (1975).

(Board Approved: February 19, 2009)

#846 BOARD EMPLOYEES AND DRUGS

In order to protect the health, welfare and safety of students, no employee will dispense or in any way transfer possession of alcohol or any illegal drug while on school premises, including school vehicles, or at any school-planned activity. Further, no school employee will be under the influence of alcohol or possess or be under the influence of any illegal drug while on school premises, including school vehicles, or at any school-planned activity. Violation of this policy provision will result in suspension or dismissal of the employee.

#847 PROHIBITING HARASSMENT AND VIOLENCE

I. GENERAL STATEMENT OF POLICY

It is the policy of the Baldwin County Board of Education (the “Board”) to maintain a learning and working environment that is free from religious, racial or sexual harassment and violence. The Board prohibits any form of religious, racial or sexual harassment or violence.

It shall be a violation of this policy for any student, teacher, administrator or other school personnel of the Board to harass a student, teacher, administrator or
other school personnel through conduct or communication of a sexual nature or regarding race or religion as defined by this policy. (For purposes of this policy, school personnel include school board members, Board employees, agents, volunteers, contractors or persons subject to the supervision and control of the Board.)

It shall be a violation of this policy for any student, teacher, administrator or other school personnel of the Board to inflict, threaten to inflict, or attempt to inflict religious, racial or sexual violence upon any student, teacher administrator or other school personnel.

The Board will act to investigate all complaints, either formal or informal, verbal or written, of religious, racial or sexual harassment or violence, and to discipline or take appropriate action against any student, teacher, administrator or other school personnel who is found to have violated this policy. Disciplinary action may include: a warning, a verbal reprimand, a written reprimand, counseling, reassignment, suspension or termination.

II. RELIGIOUS, RACIAL AND SEXUAL HARASSMENT AND VIOLENCE DEFINED

A. Sexual Harassment Definition. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct of communication of a sexual nature when:

(1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education;

(2) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or

(3) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual’s employment
or education, or creating an intimidating, hostile or offensive employment or educational environment.

Sexual harassment may include but is not limited to:

(1) unwelcome verbal harassment or abuse, such as derogatory comments, jokes or slurs;

(2) unwelcome pressure for sexual activity;

(3) unwelcome, sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of student(s) by teachers, administrators or other school personnel to avoid physical harm to persons or property;

(4) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual’s employment or educational status;

(5) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual’s employment or educational status;

(6) unwelcome behavior or words directed at an individual because of gender; or

(7) derogatory or offensive posters, cards, cartoons, graffiti, drawings or gestures.

A. Racial Harassment Definition. Racial Harassment consists of physical or verbal conduct relating to an individual’s race when the conduct:

(1) has the purpose or effect of creating an intimidating, hostile or offensive working academic environment;
(2) has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or

(3) otherwise adversely affects an individual’s employment or academic opportunities.

B. Religious Harassment Definition. Religious harassment consists of physical or verbal conduct which is related to an individual’s religion when the conduct:

(1) has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;

(2) has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or

(3) otherwise adversely affects an individual’s employment or academic opportunities.

C. Sexual Violence Definition. Sexual violence is a physical act, use of force, which involves the touching of another’s intimate parts or forcing a person to touch any person’s intimate parts. Intimate parts, include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas.

Sexual violence may include, but is not limited to:

(1) touching, patting, grabbing or pinching another person’s intimate parts, whether that person is of the same sex or the opposite sex;

(2) coercing, forcing or attempting to coerce or force the touching of anyone’s intimate parts;

(3) coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or
threatening to force or coerce sexual acts, including the touching of
intimate parts or intercourse, on another.

E. **Racial Violence Definition.** Racial violence is a physical act or assault
upon another because of, or in a manner reasonably related to, race.

F. **Religious Violence Definition.** Religious violence is a physical act or
assault upon another because of, or in a manner reasonably related to, religion.

G. **Assault Definition.** Assault is:

1. an act done with intent to cause fear in another of immediate bodily
   harm or death;

2. the intentional infliction of or attempt to inflict bodily harm upon
   another; or

3. the threat to do bodily harm to another with present ability to carry
   out the threat.

**III. REPORTING PROCEDURES**

Any person who believes he or she has been the victim of religious, racial or
sexual harassment or violence by a student, teacher, administrator or other school
personnel of the Board, or any person with knowledge of conduct which may
constitute religious, racial or sexual harassment or violence toward a student,
teacher, administrator or other school personnel should report the alleged acts
immediately to an appropriate Board official designated by this policy. The Board
courages the reporting party or complainant to reduce all complaints to writing,
but oral reports shall be considered complaints as well.

A. **On Each Campus.** The school principal or designee, is the person
responsible for receiving oral or written reports of religious, racial or sexual
harassment or violence at the campus level. In the event a principal appoints a
designee, such designation should be conspicuously posted. Any adult Board
personnel who receives a report of religious, racial or sexual harassment or violence shall inform the campus principal/designee immediately.

The principal/designee may request, but may not insist upon, a written complaint. If the complainant or reporting party refuses to make or sign a written complaint, the principal/designee should carefully document the allegations in writing and record the date and circumstances of the interview. Failure to forward any harassment or violence report or complaint as provided herein, may result in disciplinary action against the principal/designee. If the complaint involves the campus principal/designee, the complaint shall be made or filed directly with the Superintendent or his/her designee by the reporting party or complainant. In the event the Superintendent appoints a designee, such designation should be conspicuously posted.

B. Submission of a good faith complaint or report of religious, racial or sexual harassment or violence will not affect the complainant or reporter’s future employment, grades or work assignments.

C. Use of formal reporting forms is not mandatory.

D. The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board’s legal obligations to investigate, to take appropriate action and to conform with any disclosure obligations.

IV. INVESTIGATION

A. By authority of the Board, the campus principal/designee, upon receipt of a report of complaint alleging religious, racial or sexual harassment or violence, shall immediately undertake or authorize an investigation. The investigation may be conducted by Board officials or by a third party as deemed appropriate under the circumstances.

B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who
may have knowledge of the alleged incident(s) or circumstances giving rise to the
complaint. The investigation may also consist of any other methods deemed
pertinent by the investigator.

C. In determining whether alleged conduct constitutes a violation of this policy,
consideration should be given to the surrounding circumstances, the nature
of the behavior, past incidents or past or continuing patterns of behavior, the
relationships between the parties involved and the context in which the alleged
incidents occurred. Whether a particular action or incident constitutes a violation
of this policy requires a determination based on all the facts and surrounding
circumstances.

D. The investigation will be completed as soon as practicable. The investigator
shall make a written report to the principal/designee upon completion of the
investigation. If the complaint involves the principal/designee, the report may be
filed directly with the Superintendent/designee. If the complaint involves the
Superintendent/designee, the report may be filed directly with the School Board
President. The report shall include a determination of whether the allegations have
been substantiated as factual and whether they appear to be violations of this policy.

E. Upon receipt of a report, the recipient will take appropriate action or
make an appropriate recommendation. Such action or recommendation may
include, but is not limited to: a warning, a verbal reprimand, a written reprimand,
counseling, reassignment, suspension or termination.

F. The result of the investigation of each complaint filed under these
procedures will be reported in writing to the complainant in accordance with state
and federal law regarding data or records privacy.

V. REPRISAL

The Board will discipline or take appropriate action against any student,
teacher, administrator or other school personnel who retaliates against any person
who reports alleged religious, racial or sexual harassment or violence or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

**VI. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the Federal Office of Civil Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law.

**VII. HARASSMENT OR VIOLENCE AS ABUSE**

Under certain circumstances, alleged harassment or violence may also be possible abuse under Alabama Law. If so, duties of mandatory reporting under Alabama Code Sections 16-1-24 and 26-14-1 may be applicable.

**VIII. DISSEMINATION OF POLICY AND TRAINING**

A. This policy shall be conspicuously posted in each school building in areas accessible to students and staff members.

B. This policy shall appear in the student handbook.

C. The School District will develop a method of discussing this policy with students and employees.

D. A copy of this policy shall be provided to every student, teacher, administrator or other school personnel of the Board. Each recipient, or their parent or guardian, shall sign an acknowledgement providing that they have received a copy of the Baldwin County Board of Education’s Policy Prohibiting Harassment and Violence and that they have read and understand the policy.

(Revised Policy Board Approved: June 19, 2003)
The Baldwin County Board of Education intends for its employees to have fair, just and humane treatment. It also desires faithful and efficient service and a demonstrated spirit of teamwork on the part of all its employees. In the event, however, complaints and grievances arise, the following shall govern:

(1) **Complaints.** A careful investigation shall be made of complaints registered against school board employees if such complaints appear to be valid and significant. Employees against whom charges are made shall have full opportunity to understand the charges made against them and to present pertinent facts bearing on same before official action is taken. Persons making serious charges shall be required, before any action is taken, to submit complaints in writing or to sign prepared statements summarizing charges.

(2) **Grievances.** Before taking grievances to a higher level, employees shall be encouraged to discuss them with their immediate supervisors. Employees should exhaust all means of remedying their grievances prior to contacting the board. The board has no obligation and, furthermore, believes it unwise to study and analyze problems of aggrieved persons until they have first been brought to the attention of the administrators and the superintendent. This interpretation of functions is based on the assumption that administrators at all levels will be patient, careful and understanding in the consideration of problems and grievances experienced by employees working under their supervision. Employees shall familiarize themselves with the board adopted process to be observed in airing grievances. The superintendent shall cause to be prepared a procedure for the implementation of this policy.

#849 **HOMEBOUND SERVICES**

Homebound services shall be made available to students who qualify under the guidelines promulgated by the Alabama Department of Education.
#850 EMPLOYEE ORGANIZATIONS

All personnel in the Baldwin County Public School System shall respect each other’s rights to choose for themselves the organizations with which they affiliate. Pressure tactics, including intimidation, coercion and threats shall not be employed to influence decisions of personnel in regard to such matters.

Attendance at all meetings to deal with matter pertaining to organizations in which personnel are affiliated shall be voluntary and shall be separate from meetings sponsored by the school system.

The school system shall deal with all organization on an equal basis from the standpoint of extended services and accommodations.

#851 CONFLICTS OF INTEREST

An employee shall not use the influence of his position for personal gain.

#852 PUBLIC USE OF PERSONNEL RECORDS

All employees’ personnel folders shall be considered confidential and shall not be available for public review.

#853 SUBSTITUTE TEACHERS

The Baldwin County Board of Education supports the need for continuity of subject matter and a high level of instructional in the classroom. Simultaneously, it recognizes that from time to time the usual instructor/teacher may be absent, thereby necessitating the need for a substitute. The board charges the Director of Business Services to maintain a list of those individuals who are qualified, certified and generally able to fulfill the expectations of the educational community. Further
the board will pay for such temporary services of substitute teachers in accordance with an adopted pay salary schedule. It shall be the responsibility of the principal and classroom teacher to ensure that the substitute teacher has the necessary instructions and materials to teach effectively, including textbooks, lesson plans, class rolls, schedules and an outline of local school procedures and policies.

Assignment should be made in close accordance with the subject matter and areas of endorsement of the applicant whenever possible. This procedure applies for all day-to-day substitute teachers. For extended periods in excess of ten days, i.e., maternity leave, it is requested assignments be made through the Human Resources office in accordance with all other criteria. Further, for a continuous single assignment in the same classroom, remuneration for the first 20 consecutive days (no absences) will be in accordance with the adopted salary schedule for substitute teachers. Certified substitute teachers working 21 consecutive days for the same teacher will be paid at the professional rate of pay starting on the 21st day.

(Board Approved January 22, 2004)

# 854 POLITICAL ACTIVITY

It shall be the policy of the Baldwin County School System to maintain a nonpartisan position regarding political parties.

The board encourages all employees to vote for the political candidate of his/her choice.

No one connected with the Board of Education or the administration shall, during school hours in any way, suggest that teachers or other employees vote for or contribute monies to any specific party or candidate.

Under no circumstances shall school material and equipment, assemblies, school classes, or students be used in support of political candidate during the school day.
No pressure is to be exerted on students, teachers, administrators, or any other employee, to vote for any specific candidate or party.

The Board of Education also recognizes the rights of teachers to work within their professional organization just as it recognizes similar rights of supervisors and administrators. Nevertheless, no political activity associated with said organizations in support of or against a candidate or party shall be carried on during the school day.

Any employee may engage in political activity on his/her own time away from the school day.

Employee meetings conducted on school campus after school hours which are based on views of professional organizations or similar political activity shall be permitted with the knowledge and consist of the building principal.

# 855  CLASSIFIED QUALIFICATIONS AND DUTIES

Classified personnel form an integral part of the Baldwin County Board of Education’s system of organization and, as such, should have an understanding of the importance of their role in the ongoing operation of the system.

Classified personnel shall be qualified and competent in the performance of duties expected of them as required by job descriptions. Each shall be paid commensurate with placement on the salary schedule adopted by the Board of Education.
RECRUITMENT

The board shall maintain a nondiscriminatory policy in seeking to employ the best qualified personnel to fill vacancies. The Division Superintendent of Personnel shall establish and maintain a continuous plan to actively recruiting classified personnel for employment.

EMPLOYMENT

Persons employed to fill classified positions shall be recommended by the administrator who gives supervision to job performance and the Division Superintendent of Personnel. The board shall approve the employment of classified personnel upon the written recommendation of the Superintendent.

ASSIGNMENT

The assignment of classified personnel shall be made in accordance with the personnel allocation formulas approved by the Superintendent. Exceptions to the personnel allocation formulas must be authorized by the Superintendent.

SELECTION (Also # 805)

COMPENSATION GUIDES

The Superintendent shall prepare or cause to be prepared salary or hourly wage schedules for all classified personnel employed by the school system. The salary and hourly wage schedules shall be presented to the Board of approval. Salary and/or hourly wage schedules shall in conformity with applicable wage rules and regulations.
# 861  ORIENTATION

Classified personnel at the school unit level shall receive orientation from the unit administrator or his designee which shall include familiarization with policies and procedures of the board.

At divisional levels, other than schools, the employee’s immediate supervisor shall be responsible for their orientation. Appropriate central office personnel shall assist in the orientation of classified personnel as required and where deemed necessary.

# 862  STAFF CONDUCT AND RESPONSIBILITIES

All staff members have a responsibility to make themselves familiar with, and abide by, state laws as these affect their work and board policies and the administrative regulations designed to implement them. In the area of personal conduct, the board expects all staff members to conduct themselves in a manner that not only reflects credit to the school system, but that sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of school operations and the instructional program are the following specific responsibilities which will be required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Submission or required reports promptly at the times specified.
3. Care and protection of school property.
4. Concern and attention toward their own legal responsibility and the school system’s legal responsibility for the safety and welfare of students and employees.
#863  SUPERVISION

All classified personnel shall be assigned duties and responsibilities in accordance with job descriptions. In all cases, said employees shall be placed under the direct supervision of an immediate supervisor.

#864  EVALUATION

The purpose of evaluation shall be to bring about improvement in job performance in skills development. The Superintendent shall devise a plan and procedure whereby classified personnel will be evaluated on a regular basis.

#865  PROMOTION

Employees will be considered for promotion based upon job performance and other objective criteria as documented by the immediate supervisor’s evaluation reports. No person can be promoted until a vacancy and/or need exist for an employee in a higher-level employment position.

Although one’s promotion will be construed as an upward promotion, the Board of Education retains its prerogative to pay in accordance with the established salary schedule and not necessarily the same salary as paid to the previously employed person.

The board believes that serious consideration should always be given initially to local system candidates since promotion from within the ranks is usually preferable when qualifications comparable to those possessed by outside candidates are assured.
#866 SUSPENSION

Suspension of classified personnel shall be in accordance to the Fair Dismissal procedures, Act 83-644.

#867 TRANSFER

Transfer of classified personnel shall be in accordance to the Fair Dismissal procedures, Act 83-644.

#868 PROBATION

Classified personnel shall serve a probationary period in accordance to conditions as specified in the Fair Dismissal procedures, Act 83-644.

#869 NON-PROBATIONARY STATUS

Classified personnel shall obtain non-probationary status in accordance to conditions specified in the Fair Dismissal procedures, Act 83-644.

#870 SEPARATION

Termination of classified personnel shall be in accordance to the Fair Dismissal procedures, Act 83-644.

#871 RESIGNATION

A classified employee who wishes to terminate his services with the Board shall notify his immediate supervisor at least two weeks prior to date of termination. The
Superintendent may accept resignations on behalf of the Board of Education and will, in turn, provide a list of resignations as part of the information provided to the Board at each meeting. Upon acceptance of a resignation, the superintendent will immediately forward the resignation to the Personnel Department.

(Board approved February 18, 1999)

#872 RETIREMENT (also #842)

#873 BOARD EMPLOYEES AND TOBACCO (also #823)

#874 PART-TIME EMPLOYMENT (also #827)

#875 (Also #839) ADMINISTRATIVE OR PROFESSIONAL LEAVE

The Superintendent is authorized to grant professional leave with pay to Board employees to engage in educational activities which, in the judgment of the Superintendent, serve the needs and interests of the school system. The number of days approved for such leave will be at the discretion of the Superintendent. These activities may include, but are not limited to:

- Accompanying students on school approved activities
- Participation in professional development, conferences, seminars, etc.
- Attendance at conventions or meetings for professional education associations if employee is an officer or delegate

(Board Approved: January 16, 2014)

#876 (Also #839-A) MILITARY LEAVE

Military leave is available to all employees in accordance with state and federal law.

(Board Approved: January 16, 2014)
PERSONNEL DEVELOPMENT

Personnel employed by the Baldwin County Board of Education are encouraged to develop and grow in job performance beyond minimum requirements. All classified employees are encouraged to actively participate in inservice education which will promote personal growth.

HEALTH EXAMINATION (also #810)

BOARD EMPLOYEES AND WEAPONS (also #826)

TIME SCHEDULES

Time schedules for classified personnel may be designated by the Superintendent or the immediate supervisor of said personnel. In all cases, the Superintendent and/or supervisor in charge shall have the right to establish time schedules to encompass the work day (six hour, seven hour and eight hour work day) excluding lunch.

WORKLOAD

Workloads for classified personnel shall consist of duties and responsibilities outlined in respective job descriptions.

PAID SICK LEAVE

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

Earning and Accumulation of Paid Sick Leave – All eligible employees earn sick leave days at the rate provided for in state law. Nine or ten month employees who work during summer school earn one sick day for the entire summer session. Eligible employees may accumulate sick leave as provided by state law.

Use of Sick Leave – Eligible employees may only use paid sick leave for absences caused by the following:
1. Personal illness;
2. Incapacitating personal injury;
3. Attendance upon an ill member of the employee’s immediate family, defined as a spouse, parent, child, sibling or any person with a close personal tie;
4. Death of a family member, including a spouse, parent, child, sibling, mother or father-in-law, son or daughter-in-law, brother or sister-in-law, nephew or niece, grandparent, grandchild, aunt or uncle;
5. Death or care of an individual with whom unusually strong personal ties exist because of a relationship other than those listed above.

_Certification_ – Employees must certify that sick leave was used for one of the reasons provided in state law and specify the reason. If the employee’s principal or department head has reasonable suspicion to believe that an employee has abused or misused sick leave, a physician’s statement verifying the existence and nature of the illness or medical condition may be required by the Board. Abuse of sick leave may subject the employee to disciplinary action.

[Reference: Alabama Code Section 16-1-18.1 (1975)]

(Board Approved: January 16, 2014)

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#883 (Also#431) **EMPLOYEE WAGE AND HOUR**

In compliance with the Fair Labor Standards Act ("FLSA"), the Board will pay required minimum hourly wages and overtime to all employees who are non-exempt employees under the FLSA. For purposes of determining overtime, the workweek begins at 12:01a.m. on Sunday and ends at midnight on the succeeding Saturday. Hours representing holidays, annual leave, sick leave, or other leave types do not count as hours worked for the purposes of calculating overtime. All non-exempt employees who work more than forty (40) hours in a work week will be paid overtime. Employees must accurately report all time worked for the Board in the manner prescribed by the Superintendent or his designee. Non-exempt employees are not authorized to work additional hours in a work week without specific direction or authorization to do so by the Superintendent, the employee’s supervisor, or the supervising school principal.

(Board Approved: January 16, 2014)
On an annual basis, by and through its Salary Schedule, the Baldwin County Board of Education establishes specific positions that are entitled to a salary or salary supplements in exchange for the performance of certain specified duties. The Board acknowledges that certain Outside Organizations, as defined herein, have requested that the Board create a mechanism to allow Outside Organizations to further supplement the salary of employees with additional finds constituting “Salary Enhancement.” In order to facilitate such requests, the Board establishes the instant policy governing Salary Enhancements.

For purposes of this policy, Outside Organizations shall mean governmental or quasi-governmental organizations (collectively “Governmental Organizations”) located within Baldwin County or booster clubs/organizations, PTOs or PTAs associated with a public school(s) located in Baldwin County. In order to be eligible to participate in the provision of Salary Enhancements, Outside Organizations must remain in compliance with all applicable policies and procedures of the Board. Additionally, non-governmental Outside Organizations must fully comply with Section 7 of the Board’s Guidelines for School Related Organizations.

Salary Enhancements can be initiated annually by Outside Organizations by submission of a written request on a form provided by the Board. Upon approval by the Superintendent, the funding of Salary Enhancements may be commenced and shall thereafter be the sole responsibility of the sponsoring Outside Organization. Payment of Salary Enhancements to employees shall be conditioned on receipt of funding by the Board from the Outside Organization of the gross enhancement amount plus all employer fringe benefits.

In order to be eligible for a Salary Enhancement, employees shall enter into a written employment agreement (“Enhancement Agreement”) with the Board, in form as provided by the Board. Enhancement Agreements shall be for a term not to exceed 12-months. The Superintendent is authorized to execute all such Enhancement Agreements on behalf of the Board. The Board shall have no obligation to make or continue Salary Enhancement payments to any employee on the absence of funding, in full, by the sponsoring Outside Organization.
Eligible Employees – Twelve-month, full-time employees are eligible for paid annual leave.

Annual Leave Benefits – Eligible employees will earn annual leave benefits as follows for each month in which the employee works or receives pay for a minimum of half of the applicable work-days during said month:

<table>
<thead>
<tr>
<th>Months of Service</th>
<th>Annual Leave Benefits</th>
</tr>
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<tbody>
<tr>
<td>Less than 96 months</td>
<td>One (1) day per month</td>
</tr>
<tr>
<td>96 months or more</td>
<td>One and a half (1.5) days per month</td>
</tr>
</tbody>
</table>

Only consecutive service with the Board will be considered in establishing length of service for purposes of determining annual leave benefits.

Accrual and Accumulation of Annual Leave – Annual leave shall be earned monthly and must be earned before it can be used. Annual leave may be accumulated up to but not to exceed forty-five (45) days. Accumulated Annual Leave in excess of forty-five (45) days shall be converted annually to sick leave days and may be used as sick leave or accumulated for purposes of retirement, subject to the Retirement System of Alabama (RSA) rules at the time of retirement. Accumulated, unused annual leave will be paid at the employee’s daily rate of pay upon resignation, retirement, or death.

Scheduling – Annual leave must be scheduled with the knowledge and approval of the employee’s supervisor.

(Board Approved: January 16, 2014)

#884-B  NONCOMPLIANCE WITH BOARD LEAVE POLICIES

An employee who fails to return to work after the expiration of any period of approved leave shall be considered to have abandoned his or her position with the Board and may be recommended for termination.

(Board Approved: May 26, 2005)
Except as otherwise authorized by Board policy, employees may be absent from work only in the following circumstances:

- Illness, injury or other qualifying reason for sick leave or on-the-job injury leave under state law or the Family Medical Leave Act;
- Personal Leave;
- Annual Leave;
- Administrative or Professional Leave;
- Military Leave;
- Court Leave;
- Other unpaid leave that is specifically approved by the Board, in its sole discretion, upon showing of substantial hardship or extraordinary circumstances.
Employees who know in advance that they will be absent from work must notify the Board of the expected absence in accordance with procedures specified by the Superintendent or the Board.

Leaves of absence shall be approved on a case by case basis. No employee is guaranteed or entitled to a leave of absence. In the event of an emergency or incapacity that makes advance notice impractical, employees must notify the Board of their absence as early as possible. Employees who have a foreseeable absence of two weeks or longer are required to request an official leave of absence to be submitted for Board consideration. Leaves of absence, paid or unpaid, may be approved for up to one year. Periods of approved leave in excess of one (1) year may result in the employee’s position being vacated with no guarantee to return to the original position. In the event an employee’s position is vacated, upon return to active employment, the employee shall be placed in a position for which he/she is qualified. The Board reserves the right to require additional supporting information, including, but not limited to, a medical doctor’s written statement in the event the requested leave is the result of a medical necessity. Nothing contained herein shall operate to impair applicable employee tenure rights, if any.

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

(Board Approved: January 16, 2014)
Permanent and full-time employees are entitled to regular compensation while performing jury duty (Alabama Code Section 12-16-8) or when the employee is summoned under subpoena or other legal requirement to testify at trial in a court of law or in an administrative proceeding constituted under the statutory authority of the agency conducting the proceedings. Paid leave is not authorized for employees to meet with attorneys, to attend depositions, or to otherwise prepare for legal proceedings unless the presence of the employee is requested or required by the Board.

(Board Approved: January 16, 2014)

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

Calculation of 12-month period – The Board uses a rolling 12-month period which is measured backward from the date an employee uses any FMLA leave. Under the rolling 12-month period, each time an employee takes FMLA leave, the remaining leave entitled is the balance of the 12-weeks which has not been used during the immediately preceding 12-months.

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

a. The birth and first year care of a newborn child;
b. The placement of a foster child or adoption;
c. The care of an immediate family member, defined as a spouse, child or parent, with a serious health condition;
d. The taking of medical leave because of the employee’s own serious health condition.
For the birth, adoption, or foster placement of a child, the entitlement to leave for child care expires at the end of the twelve (12) month period beginning on the date of birth, adoption, or placement. Leave associated with the illness of a child will only be provided if the child is under eighteen (18) years of age or is incapable of self care due to physical or mental disability.

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

a. The birth and first year care of a newborn child;

b. The placement of a foster child or adoption;

c. The care of an immediate family member, defined as a spouse, child or parent, with a serious health condition;

d. The taking of medical leave because of the employee’s own serious health condition.

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

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

a. Any period of incapacity in connection with or following inpatient care in a hospital, hospice, or residential medical care facility.

b. Continuing treatment by a health-care provider, to include any period of incapacity due to:

   1. A health condition, including treatment and recovery, lasting more than three (3) consecutive days, and any subsequent treatment or period of incapacity relating to the same condition;
   2. Pregnancy or prenatal care;
3. A chronic, serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve episodes of incapacity (e.g., asthma and diabetes);

4. A permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer’s, severe stroke) and for which supervision of a health-care provider is required;

5. Multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three (3) days if not treated.

Military Family Leave Provided by the Act –

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

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

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

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

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

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

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

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

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

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

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

Instructional Employees – Medical leave taken by eligible instructional employees is subject to further limitations and provisions established by the FMLA. The Superintendent or his designee is authorized to develop additional information and guidelines concerning Instructional Employees.

(Board Approved: January 16, 2014)
PERSONAL LEAVE

All regular, full-time employees are eligible for two (2) non-cumulative personal leave days each scholastic year without loss of pay. Personal leave must be requested in writing in accordance with such procedures as may be established by the Superintendent or the Board. Teachers may choose to be compensated for unused personal leave at the end of the school year at the same daily rate of pay used for substitute teachers. For full-time employees, unused personal leave days will be converted to sick leave days at the end of the school year.

[Reference: Alabama Code Section 16-8-26 (1975)]

(Board Approved: January 16, 2014)

POLITICAL ACTIVITY (Also #854)

ON-THE-JOB INJURY

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

a. The employee submits a signed written account of the accident attested by a principal or department head within twenty-four (24) hours after the injury occurred. If the injured employee is not able to notify the Board, another person reasonably knowledgeable about the employee’s condition and circumstances leading to the injury may provide the required notification.

b. The injured employee submits written medical certification from the attending licensed physician within ten (10) days of the injury, stating that the employee was injured and cannot return to work due to a specified
injury, if there is a reasonable expectation that the employee will return to work and, if so, the expected date of that return. The Board may require a second opinion from a Board specified physician, at its expense.

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

[Reference: Alabama Code Section 16-1-18.1 (1975)]

(Board Approved: January 16, 2014)

#899a WORK ATTENDANCE AN ESSENTIAL JOB FUNCTION

Punctual, regular attendance is an essential job function of every job and position, and employees are expected to report to work when scheduled and to remain at work each working day.

(Board Approved: January 16, 2014)

# 899b PERSONNEL AIDS/HIV POLICY (Certificated & Classified)

The Baldwin County Board of Education (“Board”) does not discriminate on the basis of an employee’s human immunodeficiency virus (“HIV”) or acquired immunodeficiency syndrome (“AIDS”) status or the association with another person with HIV/AIDS. In accordance with the Americans With Disabilities Act of 1990, an employee with HIV/AIDS may continue to work as long as he or she is able to perform the essential functions of the position with reasonable accommodations, if necessary.

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Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV/AIDS status of a student or any employee of the Board. 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 person with HIV/AIDS (or the parent or guardian of a minor).

All health records, noted and other documents that reference the person’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 person (or parent or guardian) and to emergency medical personnel. Information regarding HIV/AIDS status will not be added to an employee’s personnel file without written consent of the employee.

Employees are required to follow infection control guidelines in all settings and at times. Schools will operate according to the standards set forth by the National Association 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.

(Board Approved: March 15, 2007)
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PUPIL PERSONNEL.

# 900  GOALS

The Baldwin County Board of Education shall be committed to providing an environment for learning which will permit them to function within the full range of their capabilities. This includes the establishment of an atmosphere conductive 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 principal or other members of the professional staff whenever the general welfare of the student is concerned.
# 901  COMPULSORY ATTENDANCE

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.

Legal Reference: Laws of Alabama Relating to Education, Title 16-28-3

(Board Approved: June 20, 2013)

# 902  ENTRANCE AGE

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, 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.

Legal Reference: Laws of Alabama Relating to Education, Title 16-28-4

(Board Approved: June 20, 2013)

# 905  ABSENCES AND EXCUSES

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)
#903  
**Dispute Resolution Policy**  
**Regarding the Enrollment of Homeless Children and Youth**

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.

*(Board Approved: January 18, 2007)*
SCHOOL ENROLLMENT DISPUTE FORM

School Name ____________________________________________________________
School Address _________________________________________________________
________________________________________________________________________
School Telephone Number     School Fax Number

Student’s Name __________________________________________________________
Current Address __________________________________________________________
________________________________________________________________________
E-911 (Street Address)  City State Zip
Current Telephone Number___________________________________________________

Complainant Information
Name________________________________ Relationship to Student___________________
Pleas Print

Current Address __________________________________________________________
________________________________________________________________________
E-911 (Street Address)  City State Zip

Note: Student information regarding address, telephone number, information protected by everyday School
Records Act can be released only to parent, guardian, the student, or a person specifically designated as a
representative of the parent or guardian.

Name of school that complainant chooses the student to be immediately enrolled in and/or transported
to/from until dispute is resolved: ________________________________________________

Is this the school of origin? _____________________________________________
If no, from which school was the student transferred? ____________________________

Reason for complaint ______________________________________________________
________________________________________________________________________

Complainant Signature ___________________________   Date ______________________

School Use Only
Principal’s Action on the Complaint: __________________________________________
Taken within _____ School day(s) after receiving notice of the complaint.
Date central office contact person was notified of the dispute: ________________
Action taken by the principal to resolve the dispute: ___________________________
Was the dispute resolved? _________________________________________________

Fax this form to the central office contact person on the day of the complaint
(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 ruled to ensure compliance with this regulation.

(Board Approved – March 21, 1996)

# 906 TARDINESS

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.
# 907 EARLY DISMISSAL

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 check-out will determine whether the absence from any part of the school day will be excused.

Only an excused check-out permits work to be made up.

# 908 TRUANCY

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.

Legal Reference: Laws of Alabama Relating to Education, Title 16-28-14, 16-28-15, 16-24-17

(Board Approved – March 21, 1996)
SCHOOL GUARDIANSHIP

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 may 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.

(Board Approved: June 16, 2005)

#911 ATTENDANCE ZONES

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.
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. Absent a zone variance granted in accordance with Policy #911, students attending public school in Baldwin County shall attend school in the zone in which they are domiciled.

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 Southern Association of Colleges and Schools.

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.

(Board Approved: October 20, 2011)
#912 COMMUNICABLE DISEASES

The policy of the Baldwin County Board of Education is to observe the regulation 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.

Legal Reference: Laws of Alabama Relating to Education, Title 16-29-1

#913 STUDENT AIDS/HIV POLICY

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 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.

(Board Approved: March 15, 2007)

#914  MANDATORY UNIFORM DRESS CODE POLICY

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. The Baldwin County Board of Education recognizes that in some instances there are acceptable differences in attire for younger children and high school students. Those exceptions will be noted in this policy.

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 decreed are covered; fashions which simulate or suggest nudity are to be avoided. Clothing so skin-tight 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. High school students may wear open toe footwear. As necessary, footwear shall conform to special class requirements (physical education, career/technical, agricultural, ROTC, science, etc.).

3. Clothing must be of appropriate length and fit. Excessively baggy or excessively tight fitting clothing is prohibited. This includes, but is not limited to “yoga” pants, “tights” and “jeggings”.

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. 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)


Legal Reference: Bivens by Green, 899 F. Supp. at 561; Corley, 312 F. Supp. at 817; and Fowler, 39 N.C. App. at 720, 251, S.E. 2d at 893

(Revised: July 24, 2014)
### Baldwin County Public Schools Uniform Policy and Compliance Code 2011 – 2012

<table>
<thead>
<tr>
<th>Elementary Grades K - 6</th>
<th>Secondary Grades 7-12</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1st infraction</strong></td>
<td><strong>1st infraction</strong></td>
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<tr>
<td>Warning and parent notified</td>
<td>Warning and parent notified</td>
</tr>
<tr>
<td><strong>2nd infraction</strong></td>
<td><strong>2nd infraction</strong></td>
</tr>
<tr>
<td>Referral to the office and parent notified</td>
<td>Half day of Saturday School or full day of OCS</td>
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<tr>
<td><strong>3rd infraction</strong></td>
<td><strong>3rd infraction</strong></td>
</tr>
<tr>
<td>Detention</td>
<td>Full day of Saturday School or full day of OCS</td>
</tr>
<tr>
<td><strong>4th infraction &amp; subsequent</strong></td>
<td>One day suspension and parent</td>
</tr>
<tr>
<td><strong>5th infraction</strong></td>
<td><strong>6th infraction &amp; subsequent</strong></td>
</tr>
<tr>
<td>One day suspension and parent</td>
<td>Two days of suspension</td>
</tr>
<tr>
<td><strong>6th infraction &amp; subsequent</strong></td>
<td>Three days of suspension and subject to expulsion</td>
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#### TOP

<table>
<thead>
<tr>
<th><strong>WHITE OR NAVY</strong></th>
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<tbody>
<tr>
<td>Collared shirt with sleeves or turtleneck. School color polo as approved by the principal. Small unobtrusive logo is permitted</td>
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<tr>
<th><strong>BOYS</strong></th>
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<tbody>
<tr>
<td><strong>Khaki or Navy Blue</strong></td>
</tr>
<tr>
<td>Pants or Shorts (corduroy fabric permitted) Blue denim - High school only</td>
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</tbody>
</table>

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<tr>
<th><strong>GIRLS</strong></th>
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<tbody>
<tr>
<td><strong>Khaki or Navy Blue</strong></td>
</tr>
<tr>
<td>Pants, Skirts, Capris, Skorts, Jumpers, or Dresses (corduroy fabric permitted) Blue denim-High school only</td>
</tr>
</tbody>
</table>

#### BOTTOM

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<thead>
<tr>
<th><strong>UNDERGARMENTS</strong></th>
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<tbody>
<tr>
<td>Undergarments, excluding the neckline of an undershirt, must not be visible at any time. Pajamas are prohibited</td>
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<tr>
<th><strong>FOOTWEAR</strong></th>
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<tbody>
<tr>
<td>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.). Open-toe footwear - High school only</td>
</tr>
</tbody>
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<thead>
<tr>
<th><strong>SWEATSHIRTS AND SWEATERS</strong></th>
</tr>
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<tbody>
<tr>
<td>Must be solid: <strong>Black, Brown, Navy, Tan, Gray, White</strong> or school colors as published by the principal</td>
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<thead>
<tr>
<th><strong>COATS AND JACKETS</strong></th>
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<tbody>
<tr>
<td>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</td>
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</tbody>
</table>

**ITEMS NOT ALLOWED**

Wind Pants/Sweatpants, velour pants, tights, yoga pants, leggings, over-sized clothing, overalls, bellbottoms, un-hemmed clothing, clothing with cuts, slits, holes or slashes in inappropriate places, denim or jean fabric (except high school), 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.

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**ADDENDUM**

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: July 24, 2014)
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, (con’t)
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 authorized 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. (cont’d)
(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.

Students using or having in their possession any artificial E-cigarette, water vapor cigarette or nicotine delivery device will be considered to be in violation of this policy.

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 or students or assembly of students which disrupts the educational process is prohibited.

(Board Approved Revision: November 19, 2013)

# 916 CORPORAL PUNISHMENT

Corporal punishment (spanking) shall not be administered by school personnel.

(Board Revised: May 19, 2011)
# 917    SUSPENSION AND EXPULSION

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.

(Revised: May 19, 2011)

# 917a  CLASSIFICATION OF VIOLATIONS AND SANCTIONS

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.

*(Board Approved: May 19, 2011)*
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.
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ON-CAMPUS SUSPENSION PROGRAM (OCS)

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

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.

(Revised: May 19, 2011)

# 925 SEARCH OF PROPERTY AND INDIVIDUAL

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. Then 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. (con’td)
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.


(Board Approved – February 15, 1996)

# 926      INTERROGATIONS

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.

Legal Reference:  Ala. Supreme Court Case #89-0863

(Board Approved – February 15, 1996)

# 930      MARRIED STUDENTS

Married pupils are subject to all board policies relating to students.
# 931 HEALTH RELATED CONDITIONS, INCLUDING PREGNANCY

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.

# 932 USE OF AUDIO-TAPE RECORDERS

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.

# 933 SEXUAL HARASSMENT

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.

(cont’d)
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 impending or blocking movement; and
3. derogatory or offensive posters, cards, cartoons, graffiti, drawing or gestures.

#934 **ANTI-HARASSMENT POLICY**

**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 and 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.

Following Exhibits:

Exhibit “A” - Harassment Complaint Form

Exhibit “B” – Harassment Witness Statement Form

Exhibit “C” – Student Harassment Referral Form

(Board Approved: June 17, 2010)
Harassment Complaint Form

This report **MUST** be completed to file a complaint relating to an incident of alleged harassment. *(For the purpose of this form, harassment also includes violence, threats of violence, or intimidation by another student.)* This form should be submitted to the principal or the principal’s designee either by mail or personal delivery.

<table>
<thead>
<tr>
<th>COMPLAINANT’S NAME (Last, First, Middle)</th>
<th>SEX</th>
<th>GRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>VICTIM’S NAME (Last, First, Middle)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACCUSED’S NAME (Last, First, Middle)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SITE WHERE INCIDENT OCCURRED (i.e., locker room, playground, cafeteria, classroom, etc.)</td>
<td>School Name</td>
<td></td>
</tr>
<tr>
<td>PRINCIPAL’S NAME</td>
<td>Date of Incident</td>
<td></td>
</tr>
</tbody>
</table>

Describe the incident:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Describe the location where the incident took place:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
List all witness names and grades:


I agree that all of the information on this form is accurate and true to the best of my knowledge.

__________________________________________  __________________________
Signature of Complainant                        Date

__________________________________________  __________________________
Name of Person Receiving Harassment Complaint Form Date

Thank you. If you fear a student is in IMMEDIATE danger, please contact the police immediately!
Harassment Witness Statement Form

This report **MUST** be completed when there is a witness to an incident of alleged harassment. *(For the purpose of this form, harassment also includes violence, threats of violence, or intimidation by another student.)* This form should be submitted to the principal or the principal’s designee either by mail or personal delivery.

<table>
<thead>
<tr>
<th>WITNESS’ NAME (Last, First)</th>
<th>WITNESS’ TITLE (ex: Parent, Student, Teacher)</th>
<th>INTERVIEW DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>VICTIM’S NAME (Last, First)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACCUSED’D NAME (Last, First)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHOOL SITE WHERE INCIDENT OCCURRED (i.e., locker room, playground, cafeteria, classroom, etc.)</td>
<td>SCHOOL TELEPHONE NUMBER</td>
<td></td>
</tr>
<tr>
<td>PRINCIPAL’S NAME</td>
<td>DATE OF INCIDENT</td>
<td></td>
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</tbody>
</table>

Describe the incident witnessed:

__________________________________________________________________________________________________________________________________________________

__________________________________________________________________________________________________________________________________________________

__________________________________________________________________________________________________________________________________________________

__________________________________________________________________________________________________________________________________________________

__________________________________________________________________________________________________________________________________________________

Describe the location where the incident took place:

__________________________________________________________________________________________________________________________________________________

__________________________________________________________________________________________________________________________________________________

__________________________________________________________________________________________________________________________________________________

__________________________________________________________________________________________________________________________________________________
List any other witness’ names and grades:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

List evidence of harassment (i.e., letters, pictures, etc.) Attach all listed evidence, if possible:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

I agree that all of the information on this form is accurate and true to the best of my knowledge.

________________________________________________________________________

Signature of Witness

Date

________________________________________________________________________

Name of Person Receiving Harassment Complaint Form

Date
## YOUR SCHOOL NAME HERE
### STUDENT HARASSMENT REFERRAL ACTION

### GENERAL INFORMATION
<table>
<thead>
<tr>
<th>Last Name:</th>
<th>First:</th>
<th>Grade:</th>
<th>Time of Incident:</th>
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<tbody>
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<tr>
<th>Date of Incident:</th>
<th>Date of Referral:</th>
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<table>
<thead>
<tr>
<th>Reported by:</th>
<th>Title of Reporter:</th>
<th>Location of Infraction:</th>
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### HARASSMENT REFERRAL ACTION

<table>
<thead>
<tr>
<th>Harassment:</th>
<th>Other Infraction: (Explain)</th>
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<tbody>
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</table>

### Description of Infraction:

### ACTION(S) TAKEN BY TEACHER

**NOTE: PARENT MUST BE CONTACTED IN REGARD TO THIS INCIDENT BEFORE REFERRAL WILL BE PROCESSED.**

<table>
<thead>
<tr>
<th>Parent Notification by phone: Date(s)</th>
<th>Parent Notification Letter: Date(s)</th>
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<tbody>
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<table>
<thead>
<tr>
<th>Previous Parental Notification(s) by Phone</th>
<th>Date/Time</th>
<th>Date/Time</th>
<th>Date/Time</th>
<th>Parental Notification on this Incident</th>
<th>Date/Time</th>
<th>Phone Number</th>
<th>Name of Parent Contacted</th>
</tr>
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<tbody>
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<thead>
<tr>
<th>Verbal Warning: Date(s)</th>
<th>Conference with Student: Date(s)</th>
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<tr>
<th>Silent Lunch: Date(s)</th>
<th>In-Class Displacement: Date(s)</th>
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<thead>
<tr>
<th>Conference with Parents: Date(s)</th>
<th>After-School Detention: Date(s)</th>
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### ADMINISTRATIVE ACTION

Consultation with Student in Office
Cod of Conduct (C.O.C.) Information Given: Y N

---

Warning Issued for Offense: Method: [ ] Verbal [ ] Written

<table>
<thead>
<tr>
<th>Parent Notification Method</th>
<th>Phone</th>
<th>Phone #:</th>
<th>Date:</th>
<th>Copy of Referral</th>
<th>Letter</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Time:</td>
<td>Contact:</td>
<td></td>
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<thead>
<tr>
<th>In-School Suspension (ISS)</th>
<th>No. of Days:</th>
<th>Inclusive Dates:</th>
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<tr>
<th>Out-of-School Suspension (OSS)</th>
<th>No. of Days:</th>
<th>Inclusive Dates:</th>
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<tr>
<th>After-School Detention (ASD)</th>
<th>No. of Days:</th>
<th>Inclusive Dates:</th>
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<thead>
<tr>
<th>Saturday School (SS)</th>
<th>Date:</th>
<th>Inclusive Dates:</th>
<th>NOTE: CC: Referral to SS Coordinator</th>
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<tr>
<th>Guidance Counselor Referral (GCR)</th>
<th>Name of Counselor:</th>
<th>NOTE: CC: Referral to Counselor</th>
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<tr>
<th>Campus Police Referral</th>
<th>Officer #:</th>
<th>NOTE: See C.O.C for Requirements</th>
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</table>

Other Action (Explain):

Harassment Consequences, reprisals, retaliation, or false accusations actions explained

### STUDENT SIGNATURE: ___________________________ DATE: __________________

### ADMINISTRATOR SIGNATURE: ______________________ DATE: __________________ PARENT

### SIGNATURE: ___________________________ DATE: ____________
SCHOOL VISITORS

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 ad 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 of have been expelled.

SEX OFFENDERS

15-20A-17(b). Adult sex offender-Entering the Property of a K-12 School or Attending a K-12 School Activity.

(b)(1) No adult sex offender, after having been convicted of a sex offense involving a minor, shall enter onto the property of a K-12 school while school is in session or attend any K-12 school activity unless the adult sex offender does all of the following:

(a) Notifies the principal of the school, or his or her designee, before entering onto the property or attending the K-12 school activity;
(b) Immediately reports to the principal of the school, or his or her designee, upon entering the property or arriving at the K-12 school activity; and
(c) Complies with any procedures established by the school to monitor the whereabouts of the sex offender for the duration of his or her presence on the school property or attendance at the K-12 school activity. For a public K-12 school, the local board shall adopt a policy to effectuate this section.

(2) Procedures established to effectuate this subsection are limited to rules that allow the principal of the school, or his or her designee, to discreetly monitor the adult sex offender.
(3) For the purpose of this section, a K-12 school activity is an activity sponsored by a school in which students in grades K-12 are the primary intended participants or for whom students in grades K-12 are the primary intended audience including, but not limited to, school instructional time, after school care, after school tutoring, athletic events, field trips, school plays, or assemblies.

Principals or designees shall require registered sex offenders to adhere to the following:

1. The sex offender must notify the principal via telephone, email, or standard mail of their intent to enter onto school grounds at least two days prior to their arrival.
2. During regular school hours, upon the sex offender’s arrival, he or she must sign-in at the front office and meet with the principal or designee.
3. During before or after school events, the sex offender will not sign-in at the front office but must notify the principal or designee of his or her arrival.
4. The principal or designee shall require the sex offender to present current photo identification/driver’s license and verify the intent of the visit. (i.e., to have lunch with child, watch child play basketball, parent teacher conference, etc.)
5. The sex offender must report only to the location where the event is taking place. (i.e., cafeteria, gym, classroom, etc.)
6. The principal or designee shall monitor the sex offender’s whereabouts to verify he or she reports to and remains in the appropriate location.
7. During regular school hours, the sex offender must sign-out and the office staff shall notify the principal or designee of the sex offender’s departure from campus.
8. During before or after school events, the sex offender will not sign-out at the front office but must notify the principal or designee of his or her departure.
9. If the sex offender does not comply with the protocol in place or loiters, the principal or designee may ask him or her to leave campus and notify the local authorities if he or she refuses.
   a. Loiter means to enter or remain on property while having no legitimate purpose or, if a legitimate purpose exits, remaining on that property beyond the time necessary to fulfill the purpose.

(Board Approved: November 20, 2014)
INSPECTION OF SCHOOL PROPERTY

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.
# 938  CARE OF PROPERTY
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.
(Board Approved – February 15, 1996)

# 939  TEXTBOOK ACCOUNTABILITY
The selection and adoption of textbooks for use in the schools of Baldwin County shall conform to the State Textbook Law as well as those policies and resolutions adopted by the State Department of Education.

The Superintendent or his designee shall appoint special committees composed of teachers, principals, supervisors and lay citizens to make recommendations relating to local adoptions of all basal and supplemental textbooks.

Implementation of newly-adopted textbooks shall conform to the provisions of the State Textbook Law in terms of determining and filling textbook needs beginning at the lowest grade level and progressing, as funds permit, to the highest grade level served. (con’t)
The Division of Instructional Support shall be responsible for the logistics of textbook adoption, budgeting, acquisitions, storage, distribution to local schools and student accountability.

#940       HAZARDOUS AND DISRUPTIVE ITEMS (Refer to #970)

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

#941       AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)

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.

(Board Approved: December 14, 2006)

#942       MEDICATION

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

#943       ACCIDENTS

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

INCIDENTS
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
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. (cont’d)
(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.

# 950 DISTRIBUTION OF MATERIALS (INCLUDES SURVEYS) 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.

# 952 FUND RAISING
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.
# 954 SOLICITING FUNDS
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.

# 955 STUDENT RECORDS
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.

# 956 INSPECTION OF STUDENT RECORDS
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.
# 956-A  
**TYPES, LOCATIONS, AND CUSTODIANS OF STUDENT RECORDS**

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

<table>
<thead>
<tr>
<th>Types</th>
<th>Locations</th>
<th>Custodian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cumulative School Records</td>
<td>School Office</td>
<td>School Prin./ Prin. Designee</td>
</tr>
<tr>
<td>Health Records</td>
<td>School Office</td>
<td>School Prin./ Prin. Designee</td>
</tr>
<tr>
<td>Psych. And Section 504 Records</td>
<td>Special Services Office</td>
<td>Div. Supt./ Sch. Psych.</td>
</tr>
<tr>
<td>School Transportation Records</td>
<td>School Bus Garage</td>
<td>Director of Trans.</td>
</tr>
<tr>
<td>System wide Test Program Records</td>
<td>School Office</td>
<td>School Prin./ Prin. Designee</td>
</tr>
<tr>
<td>Discipline Records</td>
<td>School Office</td>
<td>School Prin./ Prin. Designee</td>
</tr>
<tr>
<td>Grades, Student Test Papers or Work Samples</td>
<td>School</td>
<td>Principal or Teacher</td>
</tr>
</tbody>
</table>
# 957

**DISCLOSURE OF EDUCATION RECORDS**

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 of 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.

# 957-A RECORD OF REQUESTS FOR DISCLOSURE

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 (con’t)
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.

# 958  CORRECTION OF EDUCATION RECORDS

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.
# 959  REFUSAL TO PROVIDE COPIES

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.

# 959-A  FEES FOR COPIES OF RECORDS

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

Legal Reference:  Title 34, Part 99, Code of Federal Regulations (Family Educational Rights and Privacy Act)
(#955 - # 959-A)

# 960  SCHOOL FOOD SERVICE MANAGEMENT

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

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.

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

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

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

Introduction

Baldwin County Board of Education (hereafter 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. Conversely, less-than-adequate consumption of specific foods including fruits, vegetables, and dairy products, is associated with lower grades among students. 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.

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.

I. **Wellness Committee**  
**Committee Role and Membership**

The District will convene a representative District Wellness Committee (hereto referred to as the DWC) that meets as necessary 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 Superintendent
- 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.

II. Wellness Policy Implementation, Monitoring, Accountability, and Community Engagement

Implementation Plan

The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions, and timelines specific to each school, and includes information about who will be responsible to make what change, by how much, where, and when, as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education, and other school-based activities that promote student wellness. It is recommended that the school use the Healthy Schools Program online tools to complete a school level assessment based on the Centers for Disease Control and Prevention’s School Health Index, create an action plan that fosters implementation, and generate an annual progress report.

This wellness policy and the progress reports can be found at www.bcbe.org.

Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy in the Child Nutrition Central Office. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating compliance with community involvement requirements, including (1) Efforts to actively solicit DWC membership from the required stakeholder groups; and (2) These groups’ participation in the development, implementation, and periodic review and update of the wellness policy;
- Documentation of annual policy progress reports for each school under its jurisdiction; and
- Documentation of the triennial assessment* of the policy for each school under its jurisdiction;
- Documentation demonstrating compliance with public notification requirements, including: (1) Methods by which the wellness policy, annual progress reports, and triennial assessments are made available to the public; and (2) Efforts to actively notify families about the availability of wellness policy.
Annual Progress Reports

The District will compile and publish an annual report to share basic information about the wellness policy and report on the progress of the schools within the district in meeting wellness goals. This annual report will be published around the same time each year (February), and will include information from each school within the District. This report will include, but is not limited to:

- The website address for the wellness policy and/or how the public can receive/access a copy of the wellness policy;
- A description of each school’s progress in meeting the wellness policy goals;
- A summary of each school's events or activities related to wellness policy implementation;
- The name, position title, and contact information of the designated District policy leader(s) identified in Section I; and
- Information on how individuals and the public can get involved with the DWC or SWC.

The DWC, will establish and monitor goals and objectives for the District’s schools, specific and appropriate for each instructional unit (elementary, middle, and high school, as appropriate), for each of the content-specific components listed in Sections III-V of this policy.

Triennial Progress Assessments

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
- A description of the progress made in attaining the goals of the District’s wellness policy.

The persons responsible for managing the triennial assessment and contact information are Hope Zeanah, Assistant Superintendent and Erin Miller, Child Nutrition Coordinator.

The DWC, in collaboration with individual schools, will monitor schools’ compliance with this wellness policy.

The District will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The DWC will update or modify the wellness policy based on the results of the annual progress reports and triennial assessments, and/or as District priorities
change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

Community Involvement, Outreach, and Communications

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of DWC and others can participate in the development, implementation, and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the district’s website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the district and individual schools are communicating other important school information with parents.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

III. Nutrition

School Meals

Our school district is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; moderate in sodium, low in saturated fat, and zero grams trans fat per serving (nutrition label or manufacturer’s specification); and to meet the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns, and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP) and the School Breakfast

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Program (SBP). All schools within the District are committed to offering school meals that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The District offers reimbursable school meals that meet USDA nutrition standards.)
- Promote healthy food and beverage choices using at least ten of the following Smarter Lunchroom techniques:
  - Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans)
  - Sliced or cut fruit is available daily
  - Daily fruit options are displayed in a location in the line of sight and reach of students
  - All available vegetable options have been given creative or descriptive names
  - Daily vegetable options are bundled into all grab and go meals available to students
  - All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal
  - White milk is placed in front of other beverages in all coolers
  - Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas
  - A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.)
  - Student surveys and taste testing opportunities are used to inform menu development, dining space decor, and promotional ideas
  - Student artwork is displayed in the service and/or dining areas
  - Daily announcements are used to promote and market menu options

- Menus will be posted on the District website or individual school websites, and will include nutrient content and ingredients as available

- Menus will be created/reviewed by Erin Miller, CNP Coordinator and Registered Dietitian.

- School meals are administered by a team of Child Nutrition professionals.

- The District child nutrition program will accommodate students with special dietary needs.
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**Staff Qualifications and Professional Development**

All school nutrition program directors, managers, and staff will meet or exceed hiring and annual continuing education/training requirements in the [USDA professional standards for child nutrition professionals](https://www.fns.usda.gov/nutritionprofessionalstandards). These school nutrition personnel will refer to [USDA’s Professional Standards website](https://www.fns.usda.gov/nutritionprofessionalstandards) to search for training that meets their learning needs.

**Water**

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day* and throughout every school campus* (“school campus” and “school day” are defined in the glossary). The District will make drinking water available where school meals are served during mealtimes. In addition, students will be allowed to bring and carry (approved) water bottles filled with only water with them throughout the day.

- Water cups/jugs will be available in the cafeteria if a drinking fountain is not present.

**Competitive Foods and Beverages**

The District is committed to ensuring that all foods and beverages available to students on the school campus* during the school day* support healthy eating. The foods and beverages sold and served outside of the school meal programs (i.e., “competitive” foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information are available at: [http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks](http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks). The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at [www.healthiergeneration.org/smartsnacks](http://www.healthiergeneration.org/smartsnacks).

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, a la carte options in cafeterias, vending machines, school stores, and snack or food carts.
Celebrations and Rewards

All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards (or state standards) to include:

1. Celebrations and Parties. The district will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas from the Alliance for a Healthier Generation and from the USDA. Because of the increase in food allergies and intolerances, it is recommended that parents provide non-food items for birthday celebrations instead of cupcakes or food items.

2. Classroom snacks brought by parents. The District will provide to parents a list of foods and beverages that meet Smart Snacks nutrition standards; and

3. Rewards and incentive. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus* during the school day*.

Schools should aim to have non-food fundraisers, and encourage those promoting physical activity (such as walk-a-thons, jump rope for heart, fun runs, etc.).

- Fundraising outside school hours (evenings) may sell foods and beverage items that do not meet the Smart Snacks nutrition standards. This may include but is not limited to, donation nights at restaurants, cookie dough, candy sales, etc.

Exempt Fundraiser Definition
An exempt food fundraiser is defined as the sale of food items that do not meet the USDA Smart Snacks in Schools standards and are sold during the school day. A school may sponsor up to and not exceed 30 exempt fundraisers per year, for no more than one (1) day each in length. Exempt fundraiser food is prohibited from being sold as a la carte item, in vending machines or school stores, or before school on school campus.

Foods sold as part of exempt fundraisers may not be sold one (1) hour before or after meal periods. Example: If lunch ends at 12:30 pm, then the fundraiser could not start until 1:30 pm.

Exempt Fundraiser Procedure:
- School Principal:
  1. Complete Alabama’s Implementation of USDA Smart Snacks in School and Exempt Fundraisers Form.
2. Provide copy to CNP Coordinator

3. Provide documentation of approval upon request by Alabama State Department of Education (ALSDE) for audit review.
   • Superintendant:
     1. Complete and sign the Attestation of Compliance with Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities
     2. Provide to CNP Coordinator to support the annual online application renewal.
   • CNP Coordinator:
     1. Place a copy of the Alabama’s Implementation of USDA Smart Snacks in School Exempt Fundraisers Form (signed by school principal) in the wellness plan file.
     2. Provide documentation of approval upon request by ALSDE.

*Nutrition Promotion*

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff and teachers, parents, students, and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:

- Implementing evidence-based healthy food promotion techniques through the school meal programs using [Smarter Lunchroom techniques](https://www.healthiergeneration.org/smartsnacks);
- Promoting foods and beverages that meet the USDA Smart Snacks in School nutrition standards. Additional possible promotion techniques that the District and individual schools may use are available at [www.healthiergeneration.org/smartsnacks](http://www.healthiergeneration.org/smartsnacks).

*Nutrition Education*

The District aims to teach, model, encourage, and support healthy eating by students. Schools will provide nutrition education and engage in nutrition promotion that:
• Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
• Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences, and elective subjects;
• Include enjoyable, developmentally-appropriate, culturally-relevant, and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits, and school gardens;
• Promote fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, and healthy food preparation methods;
• Emphasize caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
• Link with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods, and nutrition-related community services;
• Teach media literacy with an emphasis on food and beverage marketing; and

**Essential Healthy Eating Topics in Health Education**

The District will include in the health education curriculum the following essential topics on healthy eating:

• The relationship between healthy eating and personal health and disease prevention
• Food guidance from [MyPlate](https://www.choosemyplate.gov)
• Reading and using USDA's food labels
• Eating a variety of foods every day
• Balancing food intake and physical activity
• Eating more fruits, vegetables, and whole grain products
• Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain *trans* fat
• Choosing foods and beverages with little added sugars
• Eating more calcium-rich foods
• Preparing healthy meals and snacks
• Risks of unhealthy weight control practices
• Accepting body size differences
• Food safety
• Importance of water consumption
• Importance of eating breakfast
• Making healthy choices when eating at restaurants
- Eating disorders
- The Dietary Guidelines for Americans
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers, and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others’ healthy dietary behavior

**USDA’s Team Nutrition** provides free nutrition education and promotion materials, including standards-based nutrition education curricula and lesson plans, posters, interactive games, menu graphics, and more.

*Food and Beverage Marketing in Schools*

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student’s health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District’s wellness policy.

Any foods and beverages marketed or promoted to students on the school campus* during the school day* will meet or exceed the USDA Smart Snacks in School nutrition standards or state standards such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food advertising and marketing is defined as an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name, or trademark on school equipment, such as marquees, message boards, scoreboards, or backboards (Note: immediate replacement of these items are not required; however, districts will consider replacing or updating scoreboards or other durable equipment over time so that decisions about the replacement include compliance with the marketing policy.)

- Corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment; as well as on posters, book covers, pupil assignment books, or school supplies displayed, distributed, offered, or sold by the District.

- Advertisements in school publications or school mailings.

- Free product samples, taste tests, or coupons of a product, or free samples displaying advertising of a product.

IV. **Physical Activity**

Children and adolescents should participate in 60 minutes of physical activity every day. A substantial percentage of students’ physical activity can be provided through a comprehensive, school-based physical activity program (CSPAP) that includes these components: physical education, recess, classroom-based physical activity, walk and bicycle to school, and out-of-school time activities and the district is committed to providing these opportunities. Schools will ensure that these varied opportunities are in addition to, and not as a substitute for, physical education (addressed in “Physical Education” subsection). All schools in the district will be encouraged to participate in *Let’s Move! Active Schools* ([www.letsmoveschools.org](http://www.letsmoveschools.org)) in order to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, physical activity breaks, or physical education) will not be withheld as punishment for any reason.

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

*Physical Education*

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the “Essential Physical Activity Topics in Health Education” subsection).
All students will be provided equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

All District elementary students in each grade will receive physical education for at least 60-89 minutes per week throughout the school year. All secondary students (middle and high school) are required to take the equivalent of one academic year of physical education.

The District physical education program will promote student physical fitness through individualized fitness and activity assessments (via the Presidential Youth Fitness Program or other appropriate assessment tool) and will use criterion-based reporting for each student.

*Essential Physical Activity Topics in Health Education*

The District will include in the health education curriculum the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
  - How physical activity can contribute to a healthy weight
  - How physical activity can contribute to the academic learning process
  - How an inactive lifestyle contributes to chronic disease
  - Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
  - Differences between physical activity, exercise, and fitness
  - Phases of an exercise session, that is, warm up, workout, and cool down
  - Overcoming barriers to physical activity
  - Decreasing sedentary activities, such as TV watching
  - Opportunities for physical activity in the community
  - Preventing injury during physical activity
  - Weather-related safety, for example, avoiding heat stroke, hypothermia, and sunburn while being physically active
  - How much physical activity is enough, that is, determining frequency, intensity, time, and type of physical activity
  - Developing an individualized physical activity and fitness plan
  - Monitoring progress toward reaching goals in an individualized physical activity plan
  - Dangers of using performance-enhancing drugs, such as steroids
  - Social influences on physical activity, including media, family, peers, and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity

**Recess (Elementary)**

All elementary schools will offer at least 15 minutes of recess on all or most days during the school year. If recess is offered before lunch, schools will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather is feasible for outdoor play.

In the event that the school or district must conduct indoor recess, teachers and staff will follow the indoor recess guidelines that promote physical activity for students, to the extent practicable.

Recess will complement, not substitute, physical education class. Recess monitors or teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible.

**Physical Activity Breaks (Elementary and Secondary)**

The District recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, it is encouraged for students to be offered periodic opportunities to be active or to stretch throughout the day on all or most days during a typical school week. The District recommends teachers provide short (3-5 minute) physical activity breaks to students during and between classroom time. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

**Before and After School Activities**

The District offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The District will encourage students to be physically active before and after school by joining athletic teams or clubs, participating in walks/runs, and promoting exercise at home.
V. **Other Activities that Promote Student Wellness**

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues, and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition, and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development, and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District’s curriculum experts.

All efforts related to obtaining federal, state, or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the DWC/SWC.

All school-sponsored events will adhere to the wellness policy. All school-sponsored wellness events will include physical activity opportunities.

*Community Partnerships*

The District will develop or continue relationships with community partners (i.e. hospitals, universities/colleges, local businesses, etc.) in support of this wellness policy’s implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

*Community Health Promotion and Engagement*

The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the “Community Involvement, Outreach, and Communications” subsection, the District will use electronic mechanisms (such as email or displaying notices on the district’s website), as well as non-electronic mechanisms, (such as newsletters, presentations to parents, or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.
Staff Wellness and Health Promotion

The DWC will promote staff wellness and perform other functions that support staff wellness in coordination with human resources staff.

Schools will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Glossary:

Extended School Day - time during before and afterschool activities that include clubs, intramural sports, band and choir practice, drama rehearsals, etc.

School Campus - areas that are owned or leased by the school and used at any time for school-related activities such as the school building or on the school campus, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields, and stadiums (e.g. on scoreboards, coolers, cups, and water bottles), or parking lots.

School Day - midnight the night before to 30 minutes after the end of the instructional day.

Triennial – recurring every three years.


*(Board Revised: February 18, 2016)*
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 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 and non-public funds if parents have not resolved the matter within the proper time frame.

(Board Revised: October 23, 2014)
The Child Nutrition Program offers lunch to all children in Baldwin County Public Schools and breakfast at select schools. Offer versus Serve (OVS) is a system for reimbursable meals that allows students to decline a certain number of food items in the meal in order to reduce waste. For lunch, students may decline 2 of the 5 food items offered and still be considered a reimbursable lunch. Beginning school year 2012-2013, to be considered a reimbursable meal, students must choose at least ½ cup fruit or vegetable. For breakfast, students may decline 1 of the 4 food items offered and still be considered a reimbursable breakfast as long as one of the components taken is a fruit or vegetable. A reimbursable meal consists of 3 different food components (one being a fruit or vegetable) 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.

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.

For lunch, the food items students choose from are:

- Meat or Meat Alternate
- Vegetable
- Fruit
- Grains
- 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 breads or bread and a meat.)

(Board Approved: July 18, 2013)

#969  CHILD NUTRITION PROGRAM DIET PRESCRIPTION POLICY FOR STUDENTS WITH SPECIAL DIETARY NEEDS

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.

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. Therefore, it will be the policy of the Baldwin County Board of Education to require a yearly diet prescription for students with special dietary needs. 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.

(Board Approved: July 18, 2013)
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 principal in conjunction with the faculty and administration of the school, or required by a student’s Individualized Education Program.

Students in grades 6 through 12 shall be allowed to possess electronic devices 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 the device up.

**Third Offense:** The student will receive up to one day of suspension. The student’s Parent/Guardian will be allowed to pick the device up.

**Fourth Offense:** The student will 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 the faculty and administration of the school.

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.

*(Board Revised: July 24, 2014)*
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.

VI. 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

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):

<table>
<thead>
<tr>
<th>Violations</th>
<th>Interventions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>First Violation:</strong></td>
<td><strong>Level I Interventions:</strong></td>
</tr>
<tr>
<td>• Activity student suspended from extra curricular activities for 30 days.</td>
<td>• Parent and student must attend conference with a school drug coordinator.</td>
</tr>
<tr>
<td>• Student may not participate in extra-curricular activities or park on</td>
<td>• Student and parent must attend prevention counseling session with a prevention</td>
</tr>
<tr>
<td>campus during the suspension.</td>
<td>counselor.</td>
</tr>
<tr>
<td>• Parking student suspended from parking on campus for 30 days.</td>
<td>• Student and parent must attend one AA/NA meeting.</td>
</tr>
<tr>
<td>• Reinstatement requires a negative test.</td>
<td>• Student must report to a designated school counselor each week for four weeks.</td>
</tr>
<tr>
<td>• Reinstatement requires a completion of Level I interventions.</td>
<td></td>
</tr>
<tr>
<td><strong>Second Violation:</strong></td>
<td><strong>Level II Interventions:</strong></td>
</tr>
<tr>
<td>• Activity student suspended from extra curricular activities for 40 days.</td>
<td>• Parent and student must attend conference with a school drug coordinator.</td>
</tr>
<tr>
<td>• Student may not participate in extra-curricular activities or park on</td>
<td>• Student must attend one of the prevention programs indicated on the list of</td>
</tr>
<tr>
<td>campus during the suspension.</td>
<td>approved programs. Parents are responsible for tuition for programs that</td>
</tr>
<tr>
<td>• Parking student suspended from parking on campus for 40 days.</td>
<td>require tuition.</td>
</tr>
<tr>
<td>• Reinstatement requires a negative test.</td>
<td>• Student must report to a designated school counselor each week for six weeks.</td>
</tr>
<tr>
<td>• Reinstatement requires a completion of Level II interventions.</td>
<td></td>
</tr>
<tr>
<td><strong>Third Violation:</strong></td>
<td><strong>Level III Interventions</strong></td>
</tr>
<tr>
<td>• Activity student suspended from extra curricular activities for 365 days.</td>
<td>• Parent and student must attend conference with a school drug coordinator.</td>
</tr>
<tr>
<td>• Student may not participate in extra-curricular activities or park on</td>
<td>• Student will be required to attend a prevention program indicated or a</td>
</tr>
<tr>
<td>campus during the suspension.</td>
<td>program approved by the school system.</td>
</tr>
<tr>
<td>• Parking student suspended from parking on campus for 365 days.</td>
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<tr>
<td>• Reinstatement requires a negative test.</td>
<td></td>
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<tr>
<td>• Reinstatement requires a completion of Level III interventions.</td>
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</tbody>
</table>
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 (initials) condition of my initial or 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).

Level III

All Programs at Level III are at parent expense.

1. Teen Program – 18 weeks
2. Programs approved by the school system
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
Final Draft Board Approved 09/22/2005
# 980 Baldwin County Board of Education Drug Free School Policy

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.

<table>
<thead>
<tr>
<th>Drug/Alcohol Use</th>
<th>Pride National</th>
<th>Alabama</th>
<th>Baldwin County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Alcohol</td>
<td>62.3</td>
<td>59.0</td>
<td>69.3</td>
</tr>
<tr>
<td>Any Illicit Drug</td>
<td>31.4</td>
<td>28.3</td>
<td>36.6</td>
</tr>
</tbody>
</table>

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.

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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.

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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. These individuals will be trained by the designated drug testing company.

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.

*(Board Approved: September 22, 2005)*
# ATTENDANCE POLICY

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 school work missed due to absences that can reasonably be considered unavoidable.

All persons between the ages of six and seventeen years of age are required by state law to attend school for the minimum number of scholastic days prescribed by the State Board of Education. 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. Such physical or mental incapacities must be certified by the county health officer or a licensed, practicing physician.

2. A person 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) Any subject passed in Grades 9-12 that meets for a minimum of 140 clock hours of instruction shall count as one (1) credit toward graduation, either required or elective. 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.

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**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 (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. Student or parents/guardians will use the appeal form available in the counselors 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.

*(Board Approved: March 15, 2007)*
The Baldwin County Board of Education requires that all schools and programs within the school district comply with the State Board of Education Rule 290-3-1-.02(1)(f) regarding the use of “seclusion” or “restraint,” as those terms are defined within the rule.

Seclusion, Mechanical Restraint, Chemical Restraint
The Board prohibits the use of seclusion, mechanical restraint and chemical restraint as those terms are defined in State Board of Education Rule 290-3-1-.02(1)(f).

Physical Restraint
This policy is not intended to prevent the use of physical restraint in limited circumstances where a student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. Physical restraint is prohibited as a form of discipline or punishment.

The Board of Education recognizes that in determining when and how to implement this policy and procedures related to it, educators will be required to exercise their professional judgment and discretion. Therefore, this policy is not intended to be construed as imposing ministerial duties on individual employees. Further, it is not intended to interfere with the duties of law enforcement or emergency medical personnel.

For schools and programs within the school district that use physical restraint as defined within the State Board of Education rule, the Superintendent or designee shall develop and implement written procedures governing its use, which shall include, at a minimum, the following:

1. Staff and faculty training on the use of physical restraint and the Board’s policy and procedures related thereto;
2. Documentation in written or electronic form of staff and faculty training on the use of physical restraint, including a list of participants in each training, which list must be made available to the Alabama Department of Education or any member of the public upon request;

3. Written parental notification of the use of physical restraint within a reasonable time, not to exceed one school day from the date of the incident;

4. Documentation of the use of physical restraint and a debriefing session held by staff or faculty participating in or supervising the restraint for each student in each instance in which the students are restrained;

5. Periodic review of the use of restraint and the documentation described in paragraph 4 above;

6. Annual reporting to the Board of the use of restraint and the accompanying documentation, as well as any prohibited use of seclusion and chemical, mechanical or physical restraint;

7. Annual submission to the Alabama Department of Education of the documentation submitted to the Board in accordance with paragraph 6; and

8. Inclusion of the procedures in the Board’s Code of Conduct and/or the student handbooks.

(Board Approved: November 20, 2014)
The Baldwin County Board of education has adopted the Alabama Department of Education Prevention and Support, Health Services Medication Curriculum titled, *Teach Unlicensed School Personnel How to Assist with Medication in the School Setting*. The Medication Curriculum is available for review in the Health Services Administrative Office and in all School Health Rooms.

*(Board Approved: November 19, 2013)*
Anaphylaxis Preparedness Program
Epinephrine Auto Injector Standing Order

Policy Statement
Anaphylaxis is severe allergic reaction that has a rapid onset and may be fatal. Food and insect allergies that may result in anaphylaxis have been diagnosed with increased intensification over the last few years. School staff must not only be aware, but also prepared to prevent or respond to an anaphylactic reaction in order to be effective in supporting a student with such a life-threatening illness. This policy is intended to serve as Medical Authorization for administration of undesignated Epinephrine Auto Injector for potentially life-threatening allergic reactions pursuant to the State of Alabama Act, 2014-405, HB-156, “Anaphylaxis in Schools”.

Policy
The epinephrine auto-injector may be administered or provided to a student who is experiencing a potentially life-threatening allergic reaction by the licensed school nurse’s or trained unlicensed personnel, who have completed an anaphylaxis training program. The unlicensed individual is accountable to the registered nurse or licensed practical nurse, pursuant to Nurse Practice Act, Chapter 610-X-2-06. For the purpose of this policy only, the school nurse (hereafter refers to the registered nurse, licensed practical nurse and trained unlicensed personnel).

Procedure:

1. The possibility of an allergic anaphylactic reaction will be considered when individuals present with any of the following symptoms, or any combination thereof: The sudden onset of shortness of breath, wheezing, repetitive cough, difficulty swallowing, obstructive swelling of the tongue or throat, hoarse voice, confusion, pallor, cyanosis, syncope, skin symptoms such as diffuse or patchy itching and/or wheals, or intestinal symptoms such as cramping abdominal pain and/or vomiting, or any combinations of possible allergic symptoms arising from other parts of the body, in the absence of what a health professional would consider to be a probable alternative cause.

2. The school nurse will assess the student’s symptoms and history. If, in the reasonable opinion of the school nurse, a potentially life-threatening allergic reaction is likely, the school nurse will obtain the undesignated epinephrine auto-injector.

Developed July 2015
3. The school nurse will ask or estimate the student's body weight and administer 0.15mg epinephrine via auto-injector for body weight less than 55 lbs (25kg) or 0.3mg epinephrine via auto-injector for body weight greater than 55 lbs (25kg). The epinephrine auto-injector will be injected intramuscularly in the lateral thigh; the time of injection will be noted and the anatomical site of the injection shall be marked with a permanent marker or tape to alert emergency services personnel of its location.

4. In every case, emergency services will (call 911 immediately) be contacted as soon as possible. The student's emergency contacts will be called.

5. The school nurse will monitor the student for changes in his or her symptoms and will attempt to make the person as comfortable as possible.

6. If the student's symptoms are not substantially relieved in 3-5 minutes, or if they recur, the school nurse may administer a second dose of epinephrine.

7. The school nurse will advise the emergency services personnel of the symptoms that required the use of epinephrine, the dose of epinephrine, the anatomical site of the injection, the time administered, and any change in the symptoms or condition of the student. The used epinephrine auto-injector will be given to the emergency services personnel.

8. The school nurse or other school personnel will accompany the student in the ambulance as dictated by the school policy and as permitted by the local Emergency Medical Services System protocol.

**Quality Assurance:**

1. The assigned health room nurse, in conjunction with the unlicensed personnel, will complete a written report detailing the name of the student, all of his/her observations, physical assessments, interventions (together with the results of such interventions), the number and dosage of epinephrine administrations, the anatomical injection sites, and times for each. The completed written report shall be signed by the school nurse and submitted to the health service supervisor and physician signing this order and the student's primary care physician, within 48 hours.

2. The assigned health room nurse shall check the undesignated epinephrine auto-injectors monthly to ensure proper storage. The nurse shall check the expiration date located on auto injector and notify the Team Leader or Health Services Supervisor to obtain a new prescription for a replacement auto-injector prior to that expiration date.

3. The health room nurse shall dispose of an expired unused epinephrine auto-injector in a manner consistent with current school medication policies or return to the issuing pharmacy for disposal. An inventory log shall be kept by the school nurse indicating the date of receipt of an undesignated epinephrine auto-injector and the date of administration or disposal of the auto-injector.

(Board Approved: November 19, 2015)

Developed July 2015
Standing order for the Administration of School Supplied (undesignated) Epinephrine Auto Injector:

Issued To: Baldwin County Public Schools
2600 North Hand Avenue
Bay Minette Alabama 36507

Medication Order:

Effective Date: ___________________________

Renewal Date: ___________________________
(One year from effective date):

Physician Name (Printed):

Physician Signature & License #

Physician Contact Number: ___________________________

Reference:
National Association for School Nurses, June, 2012, Allergy/Anaphylaxis Management in School Setting, Position Paper

Developed July 2015
Quality Assurance EpiPen Administration Debriefing Form

Location of Event: ________________________________

Date of Event: _______________ Time of Event: _______________

Student's Name: ___________________________ Age: ______________

Please attach: Medication Administration form (for specifics of occurrence)

Meeting Date: _______________ Time: ______________

Location of Meeting: ________________________________

Members in Attendance: _______________ 

__________________________________________________________________________

Recommendations from Meeting: 

__________________________________________________________________________

__________________________________________________________________________

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Please forward this form and the Medication Administration form to the Health Services Supervisor.
Anaphylaxis Preparedness Guidelines

Introduction

Anaphylaxis is a life-threatening allergic reaction that may involve multiple body systems. Food allergies are the leading cause of anaphylaxis in children.

Children who have asthma and food allergies are at greater risk for anaphylaxis and may often react more quickly, requiring aggressive and prompt treatment.

Anaphylaxis is a medical emergency that requires immediate intervention and treatment. Not everyone affected by anaphylaxis will experience the same thing, but common symptoms include hives, itching, flushing and swelling of the lips, tongue and roof of the mouth.

Epinephrine is the emergency drug of choice for treatment of an anaphylactic reaction and must be given immediately. EpiPen®, (epinephrine) 0.3 mg and EpiPen Jr® (epinephrine) 0.15 mg Auto-Injectors are for the emergency treatment of life-threatening allergic reactions (anaphylaxis) caused by allergens, exercise, or unknown triggers; and for people who are at increased risk for these reactions. EpiPen and EpiPen Jr are intended for immediate self-administration as emergency supportive therapy only. Seek immediate emergency medical treatment after use. Auvi-Q™ (epinephrine injection, USP) is used to treat life-threatening allergic reactions (anaphylaxis) in people who are at risk for or have a history of these reactions.

Law

Alabama Act No. 2014-405, Anaphylaxis Preparedness Program, passed in the regular legislative session. The Anaphylaxis Preparedness Program shall incorporate the following three levels of prevention initiated by licensed public school nurses as a part of the health services programs:

(1) Level I – Primary Prevention: Education programs that address food allergies and anaphylaxis through both classroom and individual instruction for staff and students.
(2) Level II – Secondary Prevention: Identification and management of chronic illness.
(3) Level III – Tertiary Prevention: The development of a planned response to anaphylaxis-related emergencies in the school setting.

Each local board of education may collaborate with a physician to develop and maintain a protocol for emergency response that shall include a supply of premeasured, auto-injectable epinephrine on each public school campus to treat potentially life-threatening allergic reactions. Single-dose auto-injectable epinephrine may be administered or provided to school children by the school nurse OR UNLICENSED SCHOOL PERSONNEL WHO HAVE COMPLETED AN ANAPHYLAXIS TRAINING PROGRAM conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or other
medication administration programs approved by the Alabama State Department of Education (ALSDE) and Alabama Board of Nursing (ABN).

The learning objectives for each school are shown below.

- Common causes of emergency allergic reaction.
- How to recognize specific warning signs of a possible emergency allergic reaction.
- Correct use of epinephrine for emergency allergic reactions.

Responsibilities of Personnel

Section 1: School System Superintendent

- Provide leadership and designate school district resources to implement the school district’s approach to managing severe allergies.
- Promote, disseminate and communicate anaphylaxis allergy-related policy to all school staff, families and the community.
- Ensure that each school has a team that is responsible for allergy management.
- Be familiar with federal and state laws, including regulations, and policies relevant to the obligations of schools to students with severe allergies, and make sure district policies and practices follow these laws.
- Support professional development on anaphylaxis for employees.

Section 2: School Administrator (Principal or Assistant Principal)

- Coordinate planning and implementation of a comprehensive Anaphylaxis Allergy Management and Prevention Plan for the school in conjunction with school nurse and school improvement team.
- Communicate school district policy for managing severe allergies to all school staff, substitute teachers, classroom volunteers and families.
- Share information about students with severe allergies with all staff members who need to know, provided the exchange of information occurs in accordance with FERPA and any other federal and state laws that protect the confidentiality or privacy of student information.
- Support professional development on anaphylaxis for employees.

Section 3: School Nurse

- Take the lead in planning and implementing the school’s Anaphylaxis Allergy Management Prevention Plan.
- Support partnerships among school staff and the parents and doctors (e.g., pediatricians or allergists) of students with severe allergies.
- Make sure that students with severe allergies are identified and share information with other staff who need to know in accordance with FERPA and any other federal and state laws that protect the confidentiality or privacy of student information.
• Develop an Individual/Emergency Care Plan for each student with a severe allergy and share with appropriate staff.
• Have the epinephrine kept in a secure place that staff can get to quickly and easily.
• Regularly inspect the expiration date on all stored epinephrine auto-injectors.
• Annually train staff members how to administer an epinephrine auto-injector and recognize the signs and symptoms of food allergy reactions and anaphylaxis.
• Make sure that food service staff are aware of what actions must be taken as written in ECP if a food allergy emergency occurs in the cafeteria.
• Make sure that staff plan for the needs of students with food/latex/insect allergies during class field trip and during other extracurricular activities.
• Work with other school staff and parents to create a safe environment for students with severe allergies.

Section 4: Medical Director

• Serve as a Medical Director on a consultation basis in the school system, supporting the coordinated approach to managing severe allergies and anaphylaxis and the use of epinephrine in the schools, and having prescriptive authority.
• Support partnerships among school staff and the parents and doctors (e.g., pediatricians or allergists) of students with severe allergies.
• Guide and support the allergy management practices of school nurses in accordance with the Nurse Practice Act and federal or state legislation.

Section 5: Food Service Staff

• Identify, with the assistance of the school nurse, students with severe allergies in a way that does not compromise students’ privacy or confidentiality rights.
• Make sure to have and understand dietary orders or the doctor’s statement and other relevant medical information that is needed to make meal accommodations for students with food allergies.
• Follow policies and procedures to prevent allergic reactions and cross-contact of potential food allergens during food preparation and service.
• Manage food substitutions for students with food allergies.
• Complete annual training to help recognize following:
  ✓ Signs and symptoms of allergic reactions and how they are communicated by students.
  ✓ How to read food labels and identify allergens.
  ✓ How to use an epinephrine auto-injector (if delegated and trained to do so).
  ✓ How to deal with emergencies in the school in ways that are consistent with a student’s ECP.
  ✓ When and how to call EMS and parents.
  ✓ How FERPA, USDA, and other federal and state laws that protect the privacy and confidentiality of student information apply to students with food allergies and food allergy disabilities.
  ✓ General strategies for reducing or preventing exposure to food allergens in the classroom, such as cleaning surfaces, using nonfood items for celebrations, and getting rid of nonfood items that contain food allergens (e.g., clay, paste).
✔ Policies on bullying and discrimination against all students, including those with food allergies.

Section 6: Transportation Staff

- Understand information provided by the school nurse on emergency care plan for managing students with severe allergies being transported to or from school.
- Understand and complete annual training to help you recognize the following:
  ✔ Signs and symptoms of severe allergy and how they are communicated by students.
  ✔ How to respond to a severe allergy emergency while transporting children to and from school.
  ✔ How to use an epinephrine auto-injector (if delegated and trained to do so).
  ✔ How to deal with emergencies in a way that is consistent with a student’s ECP or transportation emergency protocol.
  ✔ FERPA, USDA, and other federal and state laws that protect the privacy or confidentiality of student information and other legal rights of students with severe allergies.
  ✔ Policies that prohibit discrimination and bullying against all students, including those with food/latex/insect allergies.

Section 7: Teachers and Other Unlicensed Personnel

- Receive emergency care plan from school nurse and understand the essential actions needed to be taken to help manage severe allergy reactions under your supervision, including when meals or snacks are served in the classroom, on field trips, or during extracurricular activities.
- Work with parents and the school nurse and other appropriate school personnel to determine if any classroom modifications are needed.
- Share information and responsibilities with substitute teachers and other adults who regularly help in the classroom (para educators, aides, instructional specialists) if permitted by the parents.
- Complete training to help you recognize and understand the following:
  ✔ Signs and symptoms of severe allergies and how they are manifested in and communicated by students.
  ✔ How to read food labels and identify allergens.
  ✔ How to use an epinephrine auto-injector (if delegated and trained to do so).
  ✔ How to respond to food allergy emergencies in ways that are consistent with a student’s ECP, if appropriate; a Section 504 Plan; or IEP, if appropriate.
  ✔ When and how to call EMS and parents.

Background

The Local Education Agency (LEA) recognizes the growing concern with severe life-threatening allergic reactions, especially with regard to food items. Other common causes of anaphylaxis include allergies to latex, medications, and insect stings.
Pathophysiology and Treatment

Anaphylaxis can affect almost any part of the body and cause various symptoms. The most dangerous symptoms include breathing difficulties and a drop in blood pressure or shock, which are potentially fatal.

Medications used for treatment include:
- Epinephrine
- Antihistamines

Treatment of anaphylaxis is centered on treating the rapidly progressing effects of the histamine release in the body with epinephrine. The allergen should also be removed immediately.

Creating an Allergen-Safe School Environment

The LEA supports the three levels of prevention through its methods of creating an allergen-safe environment.

Level I - Primary Prevention - Promotes health and protects against threats before problems occur with food allergy and anaphylaxis awareness and training.
Level II - Secondary Prevention - Detects and treats problems early, as in a first-time reaction at school with staff or students. Early treatment of anaphylaxis saves lives.
Level III - Tertiary Prevention -
- Protecting a student from exposure to offending allergens is the most important way to prevent life-threatening anaphylaxis.
- Avoidance of exposure to allergens is the key to preventing a reaction.
- The risk of exposure to allergens for a student is reduced when the school personnel, medical provider and parent/guardian work together to develop a management plan for the student.
- Educating the entire school community about life-threatening allergies is important in keeping students with life-threatening allergies safe.

Identifying the School Team

School System Administration - School administrators will support the Anaphylaxis Preparedness Program by helping to monitor the medication supply for availability and by keeping it in a secure but accessible location. It is recommended that it be stored inside the alarmed wall cabinets in each school office. These cabinets are clearly marked and are the location where the Automated External Defibrillators (AEDs) are stored. Support will also be provided to ensure that school staff are trained and retrained as deemed necessary.

- School Nurse - School nurses will be the Anaphylaxis Preparedness Program site coordinator for each campus. Each school nurse will work with the principal to ensure staff are trained and retrained as deemed necessary. The school nurses will also monitor the safety and security of the medication by checking the expiration date and inspecting the medication to see if any tampering has occurred. The school nurse will respond to emergencies when possible and continue to function in the role as school nurse with other duties.

- School Medical Director - Dr. ______________ has agreed to serve as the medical director providing authorization for this program. He will assist with program oversight and strive to
meet practices offered through research on the topic of anaphylaxis, offering his guidance for the nursing protocols and prescriptive authority.

- Teachers – Teachers will be provided information each year on the school program, the signs and symptoms of anaphylaxis, the location of the medication and the forms. Teachers will be offered training each year to recognize and respond to anaphylactic emergencies.

- Food Service Personnel – Food service personnel will be provided information each year on the school program, the signs and symptoms of anaphylaxis, the location of the medication, and the forms. The food service personnel will be offered training each year to recognize and respond to anaphylactic emergencies.

- Coaches, Athletic Directors, and After-School Volunteers – These people will be provided information each year on the school program, the signs and symptoms of anaphylaxis, the location of the medication, and the forms. Coaches will be offered training each year to recognize and respond to anaphylactic emergencies.

- Transportation Personnel – These people will be provided information each year on the school program, the signs and symptoms of anaphylaxis, the location of the medication, and the forms. Bus drivers will be offered training each year to recognize and respond to anaphylactic emergencies.

**Action Steps for Anaphylaxis Management**

- Providing necessary precautions and general training for staff in transportation, classrooms, the cafeteria, or the gymnasium.

- Training by licensed registered professional nurses for all adults in a supervisory role in the recognition and emergency management of a specific medical condition for specific students.

- Creating Individual Health Care Plans (IHP), Emergency Care Plans (ECP), 504 Plans, or Individualized Educational Plans (IEP) as indicated.

- Having standing emergency medical protocols for nursing staff.

- Maintaining stock supplies of life-saving emergency medications, such as EpiPens, in all health offices for use in first-time emergencies.

- Following specific legal documents duly executed in accordance with the regulations and laws with medical orders regarding the care of specific students with severe life-threatening conditions.

- Allowing self-directed students as assessed by the school nurse to carry life-saving medication with prior approval by the medical provider and according to health practice and procedures as long as duplicate life-saving medication is also maintained in the health office in the event the self-carrying student misplaces his/her medicines.

- Assuring appropriate and reasonable building accommodations are in place within a reasonable degree of medical certainty.

**Medication Safety**

Epinephrine auto-injectors will be maintained by the school system to include resupplying as necessary. (Required forms in Appendices A - D)
Epinephrine Auto-injector Delivery Verification

SCHOOL NAME ___________________________ DATE _________

Label number __________________________ Lot number, __________ Exp. Date __________

Label number __________________________ Lot number __________ Exp. Date __________

Location to be stored ____________________________________________

Administrator:

Printed Name __________________________ Signature _________________ Date __________

School Nurse

Printed Name __________________________ Signature _________________ Date __________
**Skills Checklist: Epinephrine Auto-Injector**

**Name of Trainee**

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<th>Step</th>
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**Procedure**

1. Review universal precautions
2. Identify location of medication
3. Position student in lying position
4. Identify possible problems and symptoms
5. Knows to call 911 when epinephrine auto-injector is used

**Identifies supplies**

1. Gloves
2. Right medications

**Procedures**

1. Adjust gloves
2. Remove end cap from auto-injector
3. Places tip of auto-injector on either side of outer thigh
4. Presses hard into thigh until the mechanism goes
5. Hold firm pressure for 10 seconds
6. Removes auto-injector with caution to avoid accidental needle stick
7. Massage injection site for 10 seconds to help absorption
8. Elevate feet of victim and maintain breathing
9. Notes time of injection

**Follow up**

1. Contact parent and school nurse
2. Give 911 report auto-injector
3. Discard used needle
4. Document the incident and give report to the school nurse

---

**Signature of Trainee** ____________________________ **Date** __________

**Signature of School Nurse** ______________________ __ **Date** __________
Protocol

Please refer to the Baldwin County Board of Education policy as listed below:

"Baldwin County Public Schools Anaphylaxis Preparedness Program, Epinephrine Auto Injector Standing Order"
Medication Administration

Student Demographics and Health History

1. School District ___________________________ Name of School ___________________________

2. Age ___ Type of Person: Student ___ Staff ___ Visitor ___ Gender M ___ F ___
   Ethnicity: Spanish/Hispanic/Latino Yes ___ No ___

3. Race: American Indian/Alaskan Native ___ African American ___ Asian ___ White ___ Other ___
   Native Hawaiian/other Pacific Islander ___

4. History of Allergy: Yes ___ No ___ Unknown ___ If yes, was allergy plan available? Yes ___ No ___ Unknown ___
   If known, specific type of allergy: ____________________________
   History of anaphylaxis Yes ___ No ___ Unknown ___
   Previous epinephrine use: Yes ___ No ___ Unknown ___

School Plans and Medical Orders

5. Individual Health Care Plan (HCP) in place? Yes ___ No ___ Unknown ___

6. Written school district policy on management of life-threatening allergies in place? Yes ___ No ___ Unknown ___

7. Does the student have a specific order for epinephrine? Yes ___ No ___ Unknown ___

8. Expiration of epinephrine ___________________________ Unknown ___

Epinephrine Administration Incident Reporting

9. Date/Time of Occurrence __________________________ Vital Signs: BP ___ Temp ___ Pulse ___ Respiration ___

10. If known, specific trigger that precipitated this allergic episode:
    Food ___ Insect Sting ___ Exercise ___ Medication ___ Latex ___ Other ___ Unknown ___
    If food was a trigger, please specify which food
    Please check: Ingested ___ Touched ___ Inhaled ___ Other ___ Specify __________________________

11. Did reaction begin prior to school? Yes ___ No ___ Unknown ___

12. Location where symptoms developed: Classroom ___ Cafeteria ___ Health Office ___ Playground ___
    Bus ___ Other ___ Specify __________________________

13. How did exposure occur? __________________________

14. Symptoms: (Check all that apply)

   Respiratory ___
   Cough ___ Difficulty Breathing ___ Hoarse voice ___ Nasal congestion/rhinitis ___
   Swollen throat, tongue ___ Sneezing ___ Shortness of breath ___ Stridor (a harsh or grating sound when breathing)
   Tightness (chest, throat) ___ Wheezing ___

   GI ___
   Abdominal discomfort ___ Diarrhea ___ Difficulty swallowing ___ Oral pruritus (itching)
   Nausea ___ Vomiting ___

   Skin ___
   Lip Swelling ___ Cyanosis ___ Flushing ___ General pruritus ___ General rash ___
   Hives ___ Localized rash ___ Paleness ___

   Cardiac/Vascular ___
   Chest discomfort ___ Hypotension ___ Tachycardia (fast heart rate) ___
   Headache ___ Other ___

   Other ___
   Irritability ___ Dizziness ___ Red eyes ___ Metallic taste ___
   Hypotension ___ Faint/weak pulse ___
   Uterine cramping ___ Loss of consciousness ___ Angioedema (rapid swelling of the skin) ___
   Diaphoresis (excessive sweating) ___

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Medication Administration

15. Location where epinephrine administered: Health Office __ Other ___ Specify ____________________________
16. Location of epinephrine storage: Health Office __ Other ___ Specify ____________________________
17. Epinephrine administered by: RN ___ Self ___ Other ___
   Epinephrine was ___ student-prescribed or ___ school stock
   If epinephrine was self-administered by a student at a school sponsored function, was the student formally trained?
     Yes ___ If known, date of training ____________ No ___
   Did the student follow school protocols to notify school personnel and activate EMS? Yes ___ No ___ NA ___
   If epinephrine was administered by other, please specify ____________________________
   Was this person formally trained? Yes ___ If known, date of training ____________ No ___ Don't know ___
18. Time elapsed between onset of symptoms and communication of symptoms: ____________ minutes
19. Time elapsed between communication of symptoms and administration of epinephrine: ____________ minutes
   Time parent notified of epinephrine administration ____________________________
   Was a second dose required? Yes ___ No ___ Unknown ___
   If yes, was that dose administered at the school prior to arrival of EMS? Yes ___ No ___ Unknown ___
   Approximate time between first and second dose ____________________________
   Biphasic reaction: Yes ___ No ___ Don't know ____________________________

Disposition

21. Time EMS notified: ____________________________ Transferred to ER: Yes ___ No ___ Unknown ___
   If yes, transferred via ambulance ___ Parent/Guardian ___ Other ___ Discharged after ___ hours
   Parent: At school ___ Will come to school ___ Will meet student at hospital ___ Other ____________________________
22. Hospitalized: Yes ___ If yes, discharged after ___ days No ___ Name of hospital ____________________________
23. Student/Staff/Visitor outcome: ____________________________

If first occurrence of allergic reaction:
   a. Was the individual prescribed epinephrine auto-injector at the ER? Yes ___ No ___ Unknown ___
   b. If yes, who provided epinephrine auto-injector training? ER ___ PCP ___ School Nurse ___ Other ___
      Don't know ____________________________
   Did the ER refer the individual to PCP and/or allergist for follow up? Yes ___ No ___ Don't know
   School: Follow-Up ____________________________

24. Did a debriefing meeting occur? Yes ___ No ___ Did family notify prescribing MD? Yes ___ No ___ Unknown ___

25. Recommendation for changes: Protocol change ___ Policy change ___ Educational change ___
   Information sharing ___ None ___

26. Form completed by: ____________________________ Phone number: (___) __ Ext: ______
   Email: ____________________________

For Office Use: Original report to school nurse on campus where incident occurred; school nurse ill forward a copy to Health Services Supervisor
References

National Association of School Nurses (2013) Food allergy and anaphylaxis
http://www.nasn.org/ToolsResources/FoodAllergyandAnaphylaxis

Many thanks to Dr. Darrell Cooper, Superintendent, Alexander City Schools, and Mrs. Melanie Sharpton, MSN, RN, for being leaders in anaphylaxis preparedness. www.alexcityschools.net

(Board Approved: November 19, 2015)
#990 SERVICE ANIMALS

**Introduction**

Persons with disabilities have the same right as those without disabilities to the use and enjoyment of facilities in the Baldwin County Public School System. As required by federal and state law, an individual with a disability is permitted to be accompanied by his/her service animal on school property, subject to the conditions of this policy.

Furthermore, individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity’s facilities where members of the public, participants in services, programs, or activities, or invitees, as relevant, are allowed to go.

The Baldwin County Public School System shall also give the individual with a disability the opportunity to participate in the service, program, or activity without the service animal on the premises if the school system has excluded the service animal in accordance with this policy and applicable law.

**Definition of Service Animal**

This policy applies to any dog, or—in limited circumstances—a miniature horse individually trained to do work or to perform tasks for the benefit of an individual with a disability, including, but not limited to, the following: guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, fetching dropped items, or other tasks that are directly related to the individual’s disability or necessary to mitigate a disability.

No other type of service and/or facility animal will be permitted. Animals whose sole function is to provide emotional support, comfort, therapy, companionship or therapeutic benefits, to promote emotional well-being, or to act as a deterrent to crime are not service animals.

An animal must meet this definition to be considered a service animal for purposes of this policy, regardless of whether or not it has or has not been licensed or certified by a state or local government, or by a private agency.
Use of Service Animals by Visitors on School Campuses or at School-Sponsored Events

The Baldwin County Public School System adheres to the Americans with Disabilities Act and state laws permitting the use of service animals by individuals with disabilities. When not readily apparent, school officials may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. School visitors shall not be asked about the nature or extent of their disability or for documentary proof of certification or licensing of a service animal’s training.

Service Dogs in Training

Experienced trainers of service animals may be accompanied on school property by a dog that is in training to become a service animal. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons conducting continuing training of a service animal may be accompanied by a service animal while on school property for the purpose of school business.

Persons who are a part of a three-unit service dog team may be accompanied by a service dog while on school property provided that the person is conducting continuing training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

A dog that is in training to become a guide dog, or a currently trained guide dog that is undergoing continuing training, must be in a harness.

A dog that is in training to become a hearing dog, or a currently trained hearing dog that is undergoing continuing training, must be on a blaze orange leash.

A dog that is in training to become a service dog, or a currently trained service dog that is undergoing continuing training, must be in a harness, backpack, or a vest identifying the dog as a trained service dog.

The training cannot disrupt or interfere with a school’s educational process. It is expected that training would not normally take place in the classroom during instructional time.
All requirements of this policy which apply to service animals, such as health certificates, annual written requests, supervision, care and damages, also apply to dogs in training.

**Procedures/Requirements for Use of a Service Animal by Students or School System Employee**

Use of service animals by students or a school system employee with a disability is subject to the following procedures and requirements:

A. **Application**

1. Applications for the use of service animals on school system property during the school day must be in writing and must be submitted no less than ten (10) business days prior to the proposed use of the service animal.

2. Applications for use of a service animal by an employee shall be submitted to the Director of Human Resources and/or the school principal.

3. Applications for use of a service animal by a student shall be submitted to each school’s Section 504 Coordinator and/or the school’s principal.

4. All such applications must state whether the animal is required because of a disability and must identify what work or task the animal is trained to perform that is directly related to the individual’s disability.

5. A service animal will not be permitted on school system property without the prior approval of the Section 504 team or the IEP team.

6. All applications for use of a service animal on school system property will be considered on a case-by-case basis. Approval of the use of a service animal on school system property is subject to periodic review, revision, or revocation by the school system. At a minimum, requests for the use of a service animal must be renewed annually—prior to the start of each subsequent school year. In addition, the request must be renewed whenever the student changes schools or the employee changes his/her place of assignment, or when the individual accompanied by the service animal desires to use a different service animal.
B. Use of Service Animal by Student or Employee

1. Service animals must be housebroken; must wear proper identification; must have received all vaccinations as required by state law; must wear a rabies tag; must be free of parasites and otherwise in good health; must be under the control of its handler; and must be on a harness, leash or other tether, unless the service animal is required to perform a task that it could not accomplish while on a leash/lead, or the handler is otherwise unable to maintain the animal on a leash/lead due to a disability. In such a case, the handler must still be able to maintain control over the animal.

2. The service animal must be immunized against diseases common to that type of animal.

3. The service animal must be in good health. The owner or handler of the animal must submit to the principal each school year documentation from a licensed veterinarian of the following: a current veterinary health certificate and proof of the service animal’s current vaccinations and immunizations.

4. All costs related to the handling and care of the service animal are the responsibility of the parent/guardian of the student or the school system employee who uses the service animal.

5. The school system is not responsible for the care or supervision of a service animal. A student or employee with a service animal is expected to care for and supervise the animal. In the case of a young child or a student with a disability who is unable to care for or supervise his service animal, the parent may be responsible for providing care and supervision to the service animal. In the case of a student with a disability under the IDEA or Section 504 who is unable to care for or supervise his service animal, the student’s IEP team or Section 504 team will meet to determine what, if any, accommodations may be needed to assist the student in handling his or her service animal. In addition, in accordance with state law, in the case of a child with a disability, any aide assigned to assist the child shall be trained with the service animal in basic commands in order to assist the child as a team.
6. The use of a service animal on a school campus by a student or an employee will be subject to a plan which introduces the service animal to the school environment, any appropriate training for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by the Baldwin County Public School System.

7. Service animals may be permitted on school district transportation vehicles if necessary to access educational services and programs and if consistent with safety requirements. Requests for transportation will be considered on an individual basis and may include review by the student’s IEP team and/or Section 504 team, if appropriate. A representative from the Transportation Department may meet with the animal’s owner to determine whether and under what conditions the service animal can be transported safely.

Additional Considerations for Schools

Should it be determined that a service animal will be allowed with a student (or an employee) on a school campus, the following considerations should be so noted in regards to the service animal:

- Establish a resting place for the animal.
- Establish a rest time for the animal. Gym, lunch, and break may be especially difficult school periods for the service animal to successfully endure.
- Identify an alternate accommodation/plan in the event the animal’s primary handler (if not the student) is unable to accompany the student with a disability to school.
- Establish an emergency evacuation plan for the animal.
- Establish protocol for the animal’s participation in school safety drills, i.e., fire drill, tornado drill, lockdown drill, etc.

Extra Charges

The owner or handler of a service animal shall not be required to pay an admissions fee or a charge for the service animal to attend events for which a fee is charged.

Removal of Service Animal From School System Property

Any animal that causes injury to students or school system employees or that behaves aggressively will be immediately isolated and removed from the school premises. In addition, school system representatives retain the discretion of removing or excluding a service animal for any of the following reasons:
• The animal is out of control and/or the animal’s handler does not take effective action to control the animal’s behavior;
• The animal is not housebroken.
• The presence of the animal poses a direct threat to the health or safety of others.
• The presence of the animal would require a fundamental alteration to the service, program, or activity of the school system.

Liability

The owner or handler of a service animal may be liable for any damage to school system or personal property to the same extent required by other board policy or regulations that impose liability for property damage. The owner or handler of a service animal may also be liable for any physical damage or injuries caused by the service animal. The student and parent/guardian of a student who uses a service animal on school system property will hold the Baldwin County Public School System harmless and indemnify the Board from any such damages.

Miniature Horses

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

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features.
2. Whether the handler has sufficient control of the miniature horse.
3. Whether the miniature horse is housebroken.
4. Whether the miniature horse’s presence in a specific facility comprises legitimate safety requirements that are necessary for safe operation.

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

If a request for use of a service animal or dog in training is denied, the student’s parent/guardian may file a written grievance with the school system’s Section 504 Coordinator or the school system’s Special Services Coordinator. Likewise, school system employees may file a grievance by following the grievance process as outlined in Policy #848 and #889: Complaints and Grievances.

(Board Approved: October 20, 2016)
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Tab 1000 SPECIAL SERVICES

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The Division of Special Services shall assume responsibility for the development, implementation and evaluation of the special services program for the Baldwin County Public School System.

Special Services shall be defined to include special academic and related services, outside the scope of the regular curriculum, to facilitate the unique needs of exceptional individuals and/or populations and to foster a socially and psychologically healthy learning environment.
Teachers and parents shall be assisted in identifying strategies, resources and programs to help students become responsible, self-directed individuals.

Intervention teams shall exist in each school to act as a support system for teachers who request collaborative planning in their efforts to meet the unique needs of students.

Provisions shall be made to assist teachers in identifying students who are in need of special services programs.
Appropriate school psychological services shall be provided to ensure effective identification of and response to the psycho-educational needs of children and youth.

Procedures relative to child identification, referral and evaluation shall be developed, published, and implemented throughout the school system.

Evaluations shall be conducted in compliance with the procedures outlined in the Alabama Administrative Code, Special Programs I, Chapter 290-080-090.
Provisions shall be made to provide special services to those students who are eligible to receive services under the Individuals with Disabilities Education Act (IDEA). Alabama Administrative Code, Special Programs I, Chapter 290-080-090.

Multidisciplinary Eligibility Determination Committees (MEDC) shall function in each school to determine eligibility and decide upon appropriate programs for identified students.

Individualized Education Program (IEP) committees shall determine the least restrictive environment and develop individualized education plans for students determined eligible for special services.
Each student with disabilities shall be given the opportunity, consistent with the decision of the IEP committee, to participate in the school system’s graduation activities and diploma procedures as outlined in the Alabama Administrative Code, Special Programs I, Chapter 290-080-090.12(23).

It is the policy of the Baldwin County Public School System to provide a free and appropriate public education to each student within its jurisdiction, including students with disabilities, regardless of the nature or severity of the disability.

It is the intent of the Baldwin County Public School System to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled under this policy even though they may not be eligible for services pursuant to the Individuals With Disabilities Education (IDEA).

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law which protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the US Department of Education. A child is a “qualified disabled person” under Section 504 if he or she (1) has a physical or mental impairment that substantially limits one or more major life activities (such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, etc.); has a record of such an impairment; or is regarded as having such an impairment.

(Revised: June 18, 2015)
HOMEBOUND SERVICES

Homebound services shall be made available to students who qualify under the guidelines promulgated by the Individuals with Disabilities Education Act (IDEA) and/or Section 504 of the Rehabilitation Act, 1973.

STUDENT RECORDS FOR DISABLED STUDENTS

Provisions shall be made to assure that information collected as part of the education records shall be stored, retrieved and utilized for the benefit of students with disabilities in a manner that will ensure confidentiality and the student’s privacy rights and shall be in compliance with specifications contained within the Alabama Administrative Code, Special Programs I, Chapter 290-080-090-.10(2).

TYPES, LOCATIONS, AND CUSTODIANS OF STUDENT RECORDS (ALSO # 956-A)
Helping students to appreciate the value of an education, to make wise choices in the
selection of their course work, to adjust to the changes in the demands of
elementary, middle and secondary education and to cope with the pressures
inherent in the academic setting is a joint responsibility of all professional personnel
to the schools of Baldwin County. Guidance counselors shall be assigned to schools
on an approved allocation formula as funds become available to assist in this service.

Counseling/guidance programs within the schools of Baldwin County shall be in
compliance with the Minimum Standards for School Counseling Programs in
Alabama (effective with the 90-91 school year).

Provision shall be made to ensure that counseling programs relative to sex education
issues shall be in compliance with state law. Any programs, outside of those
approved for use, shall require a review by the Division Superintendent for Special
Services and approval of the Superintendent.
# 1041  DRUG FREE SCHOOLS PROGRAM

Provisions shall be made to provide substance abuse information, materials and programs to assist in prevention and intervention efforts in accordance with the Drug Free Schools and Community Act. PL100-297, Title V, Part B.

# 1045  GIFTED EDUCATION PROGRAM

Gifted education services shall be provided to those students who qualify under State Act 106.

Screening procedures, eligibility committees, IEP committees, and evaluations shall follow guidelines set forth in the Baldwin County Gifted Education Program in compliance with Alabama Administrative Code, Special Programs I, Chapter 290-080-090-.17 for Exceptional Children and Youth Policies and Procedures Manual.

Resource services shall be provided to all K-5 students through the Project Jubilee Program as outlined in the Gifted Education Program Handbook.

Gifted education services shall be provided to non-identified gifted students, grades K-12, who qualify under procedures outlined in the Gifted Education Program Handbook.
# 1049  GRANTS FACILITATION

Provisions shall be made to research and disseminate information regarding opportunities for obtaining resources which enable the school system to upgrade and improve its effectiveness in meeting the educational needs of each individual student.

School personnel shall be assisted in developing proposals and requests for these resources when needed.

Training programs in the area of grant writing and implementation shall be provided.

# 1053  STUDENT ASSESSMENT PROGRAM

Provisions shall be made to provide a system-wide student assessment program in compliance with the guidelines established for the Alabama State Testing Program.

System-wide test results shall be analyzed and interpreted in an effort to facilitate ongoing system improvement in relevant areas.
ESL (English as a Second Language services shall be provided to students for whom English is a second language and who have been identified as being LEP (Limited English Proficient).

Board Approved: January 23, 1997