

## CHAPTER 5: STUDENTS

### EQUAL EDUCATIONAL OPPORTUNITES

5.01

- I. It shall be the policy of the Board that the school system shall provide on nondiscriminatory basis educational opportunities for children. No person shall be denied the benefits of any education program or activity on the basis of race, color, religion, gender, age, ethnicity, marital status, disability, political or religious beliefs, national origin, or social and family background. All programs offered by schools within the school system shall be open to all students in compliance with statutory and judicial requirements.
  
- II. The Superintendent shall designate a member of the staff to investigate complaints, which may be brought against the system in regard to any alleged discriminatory action. The name, address, and telephone number of the designee shall be publicized accordingly.

STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:  
ALABAMA ADMINISTRATIVE PROCEDURE ACT:  
HISTORY:

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

ADOPTED: 03/08/07  
REVISION DATE(S): 03/08/07  
FORMERLY: JAA

LEGAL REF:

42 USC 2000d (1-6), 42 USC 2000C (1-9),  
20 USC 1681 et seq., 20 USC 1401 et seq.,  
42 USC 1983, 29 USC 794, 29 USC 621 et seq.

## CHAPTER 5: STUDENTS

### RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS (PPRA) AND (FERPA) 5.02

#### **Rights Under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)-

1. Political affiliation or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility;

Receive notice and an opportunity to opt a student out of-

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use

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

The Attalla City School System developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales or other distribution purposes. **{Attalla City Schools System will directly notify parents and eligible students of these policies at least annually at the start of each school year}** and after any substantive changes.

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The Attalla City School System will also directly notify parents and eligible students, such as through U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out a student of participating in:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED
- Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605

### **Rights Under FERPA for Elementary and Secondary Schools**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

- 1. The right to inspect and review the student’s education records within 45 days of the day the school receives a request for access.**

Parents or eligible students should submit to the school principal or his/her designee a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- 2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate.**

Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal {or appropriate school official}, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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- 3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.**

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate education interest, if the official needs to review educational records in order to fulfill his or her professional responsibility.

Upon request, the Schools or the Attalla City School System disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.

- 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Attalla City School System to comply with the requirements of FERPA.**

The name and address of the office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:  
ALABAMA ADMINISTRATIVE PROCEDURE ACT:  
HISTORY:

CODE OF ALABAMA

ADOPTED:  
REVISION DATE(S):  
NEW POLICY: 03/08/2012 BOARD MEETING

## CHAPTER 5: STUDENTS

### ADMITTANCE/ENROLLMENT REQUIREMENTS

5.10

- I. Any student who initially enrolls in the Attalla City School System shall be required to presents the following documents:
  - A. An official birth certificate;
  - B. Social Security number; (OPTIONAL)
  - C. Immunization as required for the prevention of those communicable diseases designated by the State Health Officer;
  - D. Proof of residency (copy pf power bill, telephone bill, rent receipt, etc.) of the parent(s), legal custodian(s), and/or legal guardian(s); and,
  - E. Proof of guardianship or custody when warranted.

Exception may be granted as provided in Alabama statutes and federal law.

- II. The school principal shall determine grade placement of students from a private or non-public school or from home education based on state regulations and Attalla City Board of Education rules regarding transfer of credit as well as other factors including test data age, and previous school records.
- III. Admission may be denied a resident student who is over seventeen (17) years of age and who has been dismissed from previous school for violation of the rules of the school with the exception of students who have current IEP's.
- IV. When a student facing some type of disciplinary actions is withdrawn from school prior to receiving the punishment, said student (and his/her parent/legal guardian) should be informed that prior to admission/readmission to any Attalla City School, the disciplinary action would have to be completed. This includes any suspension, work assignment, or referral to the Superintendent or Board of Education for a hearing.
- V. Resident Students
  - A. The Board defines resident students as students whose parents or legal guardians live within the jurisdiction of the Attalla City School System. All resident students of the school system shall be entitled to be admitted, subject to policy limitations and judicial constraints, to the Attalla City Schools.

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- B. Children of employees of the Attalla City Board of Education shall be allowed admission as resident students as long as their parents remain employed by the Attalla City Schools. Children of employees may attend the school in the zone of their residence or in the zone in which their parent is employed.
- VI. Hardship Letters and Request to Transfer
- Students who do not reside with the jurisdiction of the Attalla City School System or within the attendance zone of a particular school may be considered for admittance to a school with the approval of the superintendent/designee. Admission /enrollment of non-resident or out-of-zone students must be based on fair and objective criteria approved by the Superintendent or designee. Factors that are considered when reviewing the request to transfer may include but are not limited to family and space availability at the school of request.
- A. To request admission as a non-resident student or to transfer to a school for which a student is not zoned, the parent must request in writing, a letter to the principal, asking for a “request to transfer”. After this is completed, the letter will be given to the superintendent/designee for his approval. Once admitted, the student has the same rights of attendance/participation as students residing within the school attendance zone unless prohibited by athletic eligibility requirements of the Alabama High School Athletics Association.
  - B. Upon completion of the school year during which the non-resident or out of zone student was admitted, permission to continue enrollment for the next school year may be requested by submitting the required documentation. The request to continue will be considered and evaluated by the receiving school’s principal, using fair and objective criteria and considering space available. The request requires approval of the Superintendent.
  - C. If false information is provided by the student, parent, or guardian in order to secure enrollment of a non-resident or out -of-zone student, the principal may immediately withdraw the student upon discovery of the false information.
  - D. The Attalla City School System will not accept responsibility for transportation of any student(s) attending a school other than the one for which they are zoned within the Attalla City School System.
- VII. All homeless, foster, migratory, immigrant, and limited English Proficient children shall have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth. Such children will be provided the opportunity to participate in the same state educational programs and to meet the same state student performance standards as all other children without being isolated or stigmatized.

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Students who live in the attendance areas of Attalla City School System and who are homeless, foster, migratory, immigrant and/or limited English proficient shall not be prohibited from school attendance due to any of the following:

- A. Residency requirements
  - B. Lack of social security number
  - C. Lack of birth certificate
  - D. Lack of school records or transcripts
  - E. Lack of immunizations
  - F. Legal custody requirements
  - G. Transposition
  - H. Language barriers
  - I. Disabilities
- VIII. If a student-desiring enrollment is identified as a foster student or a homeless student (according to the definition as described as Title VII B of the McKinney-Vento homeless Assistance Act), the foster student, the homeless student shall be enrolled immediately, eligible for free meals, and transportation needs will be determined. Enrollment of a homeless, foster student shall not be denied or delayed due to any reason related to their homelessness.
- IX. The options for the placement of homelessness, foster students are (1) continued enrollment in the school attended prior to homelessness, foster care; or, (2) enrollment in any school that non-homeless, non-foster students who live in the attendance area where the homeless, foster student is presently living are eligible to attend. The placement of decision shall be made according to the best interest of the homeless, foster student. Factors to be considered include family plans, educational services available, special programs, transportation, and length of stay in the shelter facility. In the best interest of the child or youth, school administrators shall comply with any placement request made by a parent or guardian. A homeless, foster student enrolled pursuant to these provisions shall not be denied services offered to other students in the school system.
- X. **Resolution of Disputes:** Enrollment of a homeless, foster student shall not be denied pending resolution of a dispute. Any dispute concerning the Attalla City Schools providing a public education to a homeless, foster individual, who may be eligible or designated as a homeless, foster student, shall follow the following procedure:

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- A. Upon receipt of a written complaint regarding eligibility, placement, or transportation, the parent or guardian shall be given notice of their right to review. The Homeless, foster Liaison shall be notified of the dispute by the Director of Attendance and/or the Transportation Department. A resolution of the dispute will be facilitated by the Homeless, foster Liaison in accordance with McKinney-Vento At requirements as expeditiously as possible, but no later than five (5) school days. A written explanation of the decision shall be provided to the parent, guardian or unaccompanied youth by the Homeless foster Liaison, including a statement regarding the right to appeal to the Superintendent or Superintendent’s designee. In the event the dispute cannot be resolved at the school system level, the parent, guardian, or unaccompanied youth may request a review or the dispute by an Assistant State Superintendent or other designee of the State Superintendent, or other designee, will address the issues in the dispute with ten (10) days from the receipt of a written request for resolution.
- B. The Assistant State Superintendent or other designee may, if the issue is not resolved in the written review, assign members of the Alabama Department of Education to make an on-site visit to further clarify and resolve the issue. All complaints must be resolved within 60 days unless given written explanation.

**REFERENCE(S):**

CODE OF ALABAMA  
16-28-4, 16-30-1 TO 4  
NO CHILD LEFT BEHIND ACT OF 2001, TITLE VII-B OF  
THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT  
OF 2001  
ADOPTED: 2007  
REVISION DATE(S): 03/08/07  
10/12/17  
FORMERLY: JBC, JBCCB, JBCDB, JBCDG, JGCB

**HISTORY:**



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<b>ADMISSION OF HOMELESS, MIGRATORY, IMMIGRANT, LIMITED ENGLISH PROFICIENT STUDENTS AND STUDENTS IN FOSTER CARE</b>	<b>5.10.1</b>
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- I. All homeless, migratory, immigrant, limited English proficient students and students in foster care shall have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth. Such children will be provided the opportunity to participate in the same state educational programs and to meet the same state student performance standards as all other children without being isolated or stigmatized.
  
- II. Students who live in attendance areas of Attalla City Schools and who are homeless, migratory, immigrant and/or limited English proficient shall not be prohibited from school attendance due to any of the following:
  - A. Residency requirements
  - B. Lack of social security number
  - C. Lack of birth certificate
  - D. Lack of school records or transcripts
  - E. Lack of immunizations
  - F. Legal custody requirements
  - G. Language barriers
  - H. Disabilities

**STATUTORY AUTHORITY:**

**LAW(S) IMPLEMENTED:**

**CODE OF ALABAMA 16-1-30,  
16-8-8, 16-11-9, 16-12-3, 16-30-1  
16-60-3, 16-30-4**

**NO CHILD LEFT BEHIND ACT OF 2001, TITLE VII-B OF  
THE MCKINNEY-VENTO HOMELESS ASSISTANT ACT OF  
2001 (42 USC1 1432 ET SEQ.)**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**

**HISTORY:**

**290-3-1-02  
ADOPTED: 03/08/07  
REVISION DATE(S): 12/13/16  
FORMERLY: NEW**

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### OUT OF SCHOOL READINESS PRE-K CLASSROOM GRANT REGISTRATION 5.10.2

Resident Pre-k Students-school age children who reside within the Attalla City School District as well as those parent or legal guardian is employed by the Attalla City Board of Education may be registered for the random selection drawing for the school in which they are zoned to attend. The Attalla City students will be considered first for available spots in Pre-K registration. After the random selection is held, Pre-K students living outside the Attalla City School District may register for any available student slots.

**STATUTORY AUTHORITY:**

**LAW(S) IMPLEMENTED:**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**

**HISTORY:**

**ADOPTED: 02/14/19**

**REVISION DATE(S):**

**FORMERLY: NEW**

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### KINDERGARTEN ADMISSION

5.11

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

- I. The child's date of birth documented in the manner provided by Alabama statutes;
- II. An up-to-date immunization record and;
- III. Social Security Card.

A child for whom the lack of evidence requested for entry into kindergarten is related to his/her residential, immigrant, or English-speaking status may be granted thirty (30) school days to provide the required documentation.

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

STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:  
ALABAMA ADMINISTRATIVE PROCEDURE ACT:  
HISTORY:

CODE OF ALABAMA 16-1-30  
16-11-16, 16-28-4

ADOPTED: 03/08/07  
REVISION DATE(S): 03/08/07  
FORMERLY: JBB

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### FIRST GRADE ADMISSION

5.12

For admission to first grade, a student shall be six (6) years old on or before September 1 of the school year.\*

Previous attendance in an out-of-state school into which a student was admitted on the basis of age requirement established by the state of residency shall be accepted as meeting the age requirement.

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

STATUTORY AUTHORITY:  
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HISTORY:

CODE OF ALABAMA 16-1-30  
16-11-16, 16-28-4

ADOPTED: 03/08/07  
REVISION DATE(S): 03/08/07  
FORMERLY: JBB, JBA

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### STUDENT ASSIGNMENT

5.20+

The School Board shall serve students residing in the Attalla Corporate City. A student's residence is defined as the residence of his/her parent(s), legal guardian, legal custodian, or other such person as defined by any order issued by a court of competent jurisdiction of The State of Alabama.

- I. A student residing with a person who is not the student's parent(s), legal guardian, legal custodian, or other such person designated by any order issued by a court of competent jurisdiction of the state of Alabama to be responsible for the student shall be allowed to attend a system school under these conditions:
  - A. The person with whom the student resides shall complete a notarized statement as required by the Superintendent.
  - B. No student shall be permitted to transfer, enroll, or be admitted to a school when he/she has been expelled from another school system. This prohibition shall be effective for the period of time in which the student was expelled from another system.
- II. A student may be permitted to attend a school in another residential attendance zone pursuant to guidelines adopted by the School Board.
- III. Any student whose legal residence is outside the boundaries of the system may not be enrolled in any system school without the approval of the School Board except, under the provisions of Alabama statutes.

**STATUTORY AUTHORITY:**

**LAW(S) IMPLEMENTED:**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**

**HISTORY:**

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

**10-10-6, 16-8-8, 16-11-9, 16-28-3**

**16-28-6, 16-28-12, 16-28-19**

**ADOPTED: 03/08/07**

**REVISION DATE(S): 03/08/07**

**FORMERLY: AD, JBCA, JBCB**

## CHAPTER 5: STUDENTS

### STUDENT HARASSMENT PREVENTION (ANTI-BULLYING)

5.28

- I. No student shall be engaged in or be subjected to harassment/bullying, 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 Attalla City Board of Education in this policy. Students who violate this policy are subject to disciplinary sanctions.
- II. Definitions
  - A. The term “harassment” (bullying) as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the characteristics set forth in Section III B below. To constitute harassment (bullying), a pattern of behavior may so any of the following:
    - Place a student in reasonable fear of harm 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 effects 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, o abusive educational environment for a student.
  - B. The term “violence” as used in this policy means the infliction of physical force be a student with the intent to cause injury to another student or damage to the property of another student.

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- 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 “student” as used in this policy means a student who is enrolled in the Attalla City School System.
- III. Description of Behavior Expected of Students
- A. Student are expected to treat other students with courtesy, respect, and dignity and to comply with the rules governing student behavior. Students are 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 motivated by any personal characteristic of the student that is identified in this policy.
- B. Violence, threats of violence, harassment (bullying) and intimidations are prohibited and will be subject to disciplinary consequences and sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the victim of such conduct.
- The student’s race;
  - The student’s sex;
  - The student’s religion
  - The student’s national origin; or
  - The student’s disability
- IV. Violations of the policy will be dealt with according the Code of Student Conduct
- V. Reporting, Investigation, and Complaint Resolution Procedures

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- A. Complaints alleging violations of this policy must be made on complaint forms made available at the principal's or counselor's office. The complaint must be signed by the student alleging the violation or by the student's parent or legal guardian and delivered to the principal or the principal's designee either by mail or personal delivery. At the request of the complaining student or the student's parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.
  - B. Upon receipt of the complaint, the principal or the principal's designee will, in his/her sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or principal's designee determines that the complaint alleges a serious violation, the principal or the designee will undertake an investigation of the complaint within a reasonably prompt time period, taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate actions will be taken or 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 consequences that is available to school officials under the rules governing student behavior. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy is subject to disciplinary sanctions as outlined in Code of Student Conduct.
  - D. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the designee will inform the student's parent or guardian of the report.
- VI. This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication on the Attalla City School System web site.

**STATUTORY AUTHORITY:**  
**LAW(S) IMPLEMENTED:**

**CODE OF ALABAMA**  
**16-11-19; LEGISLATIVE ACT 2009-571**

**HISTORY:**

**ADOPTED: 06/10/10**  
**REVISION DATE(S): 01/10/19**  
**FORMERLY: NEW**



## CHAPTER 5: STUDENTS

### STUDENT CONDUCT AND SUPERVISION

5.30\*+

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

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

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- V. The Code of Student Conduct shall be discussed with students and parent/teacher associations at the beginning of each year. Students who enroll after the beginning of the school year shall be given an orientation of the Code of Student Conduct upon enrollment.
- VI. The principal shall use the Code of Student Conduct to familiarize students with school board rules relating to students' rights, responsibilities, and conduct at the beginning of each school year and whenever he or she deems it necessary.

**STATUTORY AUTHORITY:**

**LAW(S) IMPLEMENTED:**

**CODE OF ALABAMA 16-1-30  
16-1-14, 16-1-24, 1, 16-6b-5, 16-8-8  
16-11-9, 16-12-J(a),(b),16-28A-2, 16-28A-2, 16-28A3,  
16-28A-12 to 16-28A-16**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**

**HISTORY:**

**ADOPTED: 03/08/07  
REVISION DATE(S): 03/08/07  
FORMERLY: EDC, JC, JCAA, JCD, JCDA, JCDB, JD**

## CHAPTER 5: STUDENTS

### CORPORAL PUNISHMENT

5.30.1

- I. In order to establish and maintain an educational climate conducive to learning, the Board permits reasonable corporal punishment of students in the school of the School System.
- II. Teachers shall be supported by the Board administration in their efforts to teach good citizenship by requiring proper conduct. While teachers shall be reasonable in student-related demands, they need not tolerate disrespectful, boisterous, rough, and violent outbursts of language and temper on the part of students.
- III. In all cases, corporal punishment shall be administered in accordance with the following guidelines:
  - A. In case where a student maintains innocence of the offense, a brief by adequate statement of the reasons and supporting evidence shall be given orally to the student with an opportunity for the student to explain his/her sides of the situation. Based upon all facts, if the situation warrants it, corporal punishment may then be administered without delay (see Due Process policy).
  - B. The use of corporal punishment should follow specific failures of other corrective measures to improve student behavior; Teachers should be prepared to provide information concerning alternate corrective measures used.
  - C. A teacher, principal, or assistant principal may punish corporally; but, only in the presence of a principal or assistant principal (preferably the same sex as the offender), who should be informed beforehand of the reasons for the punishment. Principals or assistant principals may administer corporal punishment in the presence of either or a member of the certified staff.
  - D. The instrument used to corporally punish should be wisely selected and approved by the principal.
  - E. Corporal punishment should not include more than three (3) licks administered to the buttocks. Other forms of corporal punishment are not permitted in the schools of the School System.

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- F. Utmost care, tact, and judgement shall be exercised; and all cases corporal punishment shall be documented by both the person administering the punishment and the witness and delivered to the principal. Such documentation shall be submitted by the end of the day the incident occurred.
- G. School principals, assistant principals, or teachers who have administered corporal punishment shall provide the student's parents or guardians, upon request, a written explanation of the reason(s) and the name of the witness.
- H. Corporal punishment shall not be administered in the visual presence of another student.
- I. Those administering corporal punishment shall consider the age, size, sex, and overall physical condition of the student.

#### IV. Special Education Students

Prior to administering corporal punishment to a special education student, said student's IEP committee shall be convened to determine if the student's behavior warranting such punishment is related to the handicap or to determine if the proposed discipline measure is appropriate based on the IEP. In the event it is determined that the student's behavior is not related to the handicap, or if the IEP specifies corporal punishment as an appropriate disciplinary measure, the student shall be treated as any other student and corporal punishment may be administered. However, upon convening the IEP Committee, should it be determined that the handicapping condition is related to the student's behavior or the IEP does not specify corporal punishment as an appropriate disciplinary measure, corporal punishment shall not be administered to the student.

**STATUTORY AUTHORITY:**  
**LAW(S) IMPLEMENTED:**

**CODE OF ALABAMA 16-1-30**  
**16-28A-1, 16-28A-2 16-28A-3,**  
**16-28A-5**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**  
**HISTORY:**

**ADOPTED: 03/08/07**  
**REVISION DATE(S): 03/08/07**  
**FORMERLY: NEW**

## CHAPTER 5: STUDENTS

### PHYSICAL RESTRAINT AND SECLUSION

5.30.2

#### I. Policy Purpose

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

#### II. Definitions

- A. **Physical restraint** is a direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to a student in order to promote safety or to prevent self-injurious behavior; providing physical guidance or prompting to student when teaching a skill; redirecting attention; providing guidance to a location; providing comfort; or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.
- B. **Chemical restraint** is any medication that is used to control violent physical behavior or to restrict the student's freedom of movement that is not a prescribed treatment for a medical or psychiatric condition of the student.

## CHAPTER 5: STUDENTS

- C. **Mechanical restraint** is the use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior . The term also does not include seatbelts and other safety equipment when used to secure students during transportation.
  
- D. **Seclusion** is a procedure that isolates and confines the student in a separate, locked area until he or she no longer an immediate danger to himself/herself or others. Seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student; time-out as defined herein; in-school suspension; detention; or a student-requested break in a different location in the room or in a separate room .
  
- E. **Time –out** is a behavioral intervention is which the student is temporarily removed from the learning activity. Time-out is appropriately used and is not seclusion when:
  - 1. The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.
  
  - 2. The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however , each time-out should not exceed 45 minutes.
  
  - 3. The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student and has sight of the student while in time-out.
  
  - 4. The time-out space is free of objects that unreasonably expose the student or others to harm.

### III. Prohibitions

## CHAPTER 5: STUDENTS

- A. The use of physical restraint is prohibited in the Attalla City School System and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. Physical restraint is prohibited when used as a form of discipline or punishment.
  - B. All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress during the restraint. Any method of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs is prohibited in the Attalla City School System and its educational programs.
  - C. The use of chemical restraint is prohibited in the Attalla City School System and its educational programs.
  - D. The use of mechanical restraint is prohibited in the Attalla City School System and its educational programs.
- IV. Requirements
- A. Each local school's principal or his/her designee and each educational program that utilize physical restraint under the policy will provide staff with guidelines and procedural information regarding physical restraint and will arrange for the appropriate training of those designated staff members that may be called upon to physical restrain a student. This training of designed any member of the public upon request.
  - B. Each local school's principal or his/her designee and each educational program that utilize physical restraint is responsible for generating and maintaining incident and debriefing reports of the use of restraint as well as reports of any prohibited use of seclusion and chemical, mechanical, or physical restraint at the local school and for gathering/reporting data to the Attalla City Board of Education and to the Alabama Department of Education annually. The use of physical restraint will be monitored by each local school's principal or his/her designee or program's coordinator on an on-going basis to ensure fidelity of implementation. Follow-up training will be provided following any situations in which procedures are not being followed.

## CHAPTER 5: STUDENTS

- C. Each local school's principal or his/her designee and each educational program that utilize physical restraint shall ensure that following an incident of restraint or seclusion of an student, all school personnel involved in the incident and appropriate administrative staff participate in a debriefing session for the purpose of planning to prevent or reduce the re-occurrence of the use of restraint. A student's parent or legal guardian will be provided notification of this debriefing session and afforded the opportunity to attend or to request that the debriefing session be rescheduled. The debriefing session shall occur no later than five school days following the imposition of physical restraint or seclusion, unless the debriefing session is delayed, at the request of a student's parent or legal guardian, so that the parent or legal guardian may attend.
- D. Each local school's principal or his/her designee and each educational program that utilize physical restraint will provide written notification to a student's parent or legal guardian when physical restraint is used on a student within a reasonable time following the restraint not to exceed one school day from the use of restraint.
- E. Each local school's principal or his/her designee and each educational program will provide written notification of this debriefing session and afforded the opportunity to attend or to request that the debriefing session be rescheduled. The debriefing session shall occur no later than five school days. Each student's parent or legal guardian will be provided information regarding the school or program's policies governing the use of physical restraint. This information will be provided to parents at the beginning of each school year or upon the student's enrollment if the student enrolls after school has started. To effectuate this requirement, the school system's website and student handbook/code of conduct will contain the following statement:

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

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

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



## CHAPTER 5: STUDENTS

### V. Clarifications

- A. Nothing in this policy shall be construed to interfere with the school system's or school personnel's authority to utilize time-out as defined herein or to utilize any other classroom management technique or approach, including a student's removal from the classroom that is not specifically addressed as part of this policy.
- B. Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28-12.
- C. Nothing in this policy shall be construed to prohibit the school system's or school personnel's right to take reasonable action to diffuse or break up a student fight or altercation.
- D. Nothing in this policy shall be construed to prohibit the school system or school personnel from taking responsible action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student.
- E. Nothing in this policy shall be construed to eliminate or restrict the ability of school personnel to use his or her discretion in the use of physical restraint as provided in this policy to protect students or others from imminent harm or bodily injury.
- F. Nothing in this policy shall be construed to create a criminal offense or a private cause of action against any local board of education or program or its agents or employees.
- G. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel or to interfere with the rights of the school system or school personnel from seeking assistance from law enforcement and/or emergency medical personnel.

**STATUTORY AUTHORITY:**

**LAW(S) IMPLEMENTED:**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**

**HISTORY:**

**CODE OF ALABAMA**  
**16-28-12, 16-1-14,**  
**AAC §290-3-1-02(I)(F)**

**ADOPTED: 11/11/14**  
**REVISION DATE(S):**  
**FORMERLY:**

## CHAPTER 5: STUDENTS

### DETENTION, SEARCH, AND SEIZURE

5.31+

- I. Any instructional or administrative staff member shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that such student has committed, is committing, or is about to commit a violation of Alabama statutes, School Board rules, or a school's Code of Student Conduct. For further information, refer to the system's Code of Student Conduct.
- II. Desks, lockers and other equipment at school belong to the School Board and although assigned to particular students for use, may be entered and searched by school officials whenever said school officials have reasonable belief that some substance or other material, which is illegal, harmful to the safety of the student himself or the student body as a whole, or significantly disruptive or dangerous to the overall discipline of the school, is contained therein.
- III. The Board authorizes teachers and administrative personnel who have reasonable belief that a student or students are in possession of weapons, illegal drugs or other items harmful to the student or students or to the welfare of the student body to search the person of said student(s) under the following conditions:
  - A. Any such action shall not be taken unless there is a reasonable belief or violation of law or policy, which can be substantiated if necessary.
  - B. Any such action not deliberately be intended to embarrass, harass, or intimidate the student(s);
  - C. An attempt to contact the parents/guardian will be made of all such searches of a student's person.

The above search shall be with the knowledge and under the supervision of the principal or designee.

Any search of a student's person shall be done privately by a teacher or administrator of the same sex as the student to be searched. At least one witness who is an administrator or teacher, also of the same sex as said student, shall be present throughout the search. A record of the search shall be made. One copy shall be filed in the principal's office. One copy shall be sent to the Superintendent. Students shall be given a receipt for all items impounded.

## CHAPTER 5: STUDENTS

- IV. The Board authorizes law enforcement agencies to make periodic, unannounced visits to any of its schools for the purpose of detecting the presence of illegal drugs.

**STATUTORY AUTHORITY:**  
**LAW(S) IMPLEMENTED:**  
**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**  
**HISTORY:**

**CODE OF ALABAMA 16-1-30**  
**16-8-8, 16-11-9, 16-12-3**  
**290-03-010-06**  
**ADOPTED: 03/08/07**  
**REVISION DATE(S): 03/08/07**  
**10/12/17**  
**FORMERLY: JCAB, JCABF, JCAC, JCAF, JGGB**

## CHAPTER 5: STUDENTS

### USE OF VIDEO SURVEILLANCE EQUIPMENT

5.31.1

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

Equipment shall not be used where there is an expectation of privacy, i.e. bathrooms, gym/locker rooms dressing areas. Training shall be provided for authorized persons in the use, maintenance and storage of equipment and recorded evidence and on applicable laws related to the use of surveillance equipment. Equipment may be used in classrooms with the written request of the teacher.

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

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

**STATUTORY AUTHORITY:**

**LAW(S) IMPLEMENTED:**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**

**HISTORY:**

**CODE OF ALABAMA**

**16-8-8 16-11-9, 16-1-24.1**

**ADOPTED: 01/14/16**

**REVISION DATE(S):**

**FORMERLY: NEW**

## CHAPTER 5: STUDENTS

### SAFE AND ORDERLY ENVIRONMENT

5.32\*

It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement.

- I. Students found to have committed the following offenses on school property, school-sponsored transportation or during a school-sponsored activity shall be brought before the Board for expulsion or alternative placement:
  - A. homicide (murder, manslaughter);
  - B. sexual battery;
  - C. armed robbery
  - D. aggravated battery;
  - E. battery, aggravated battery or threats to a teacher or other school personnel;
  - F. kidnapping or abduction;
  - G. arson;
  - H. possession, use or sale of any firearms or weapon;
  - I. possession, use or sale of any explosive device;
  - J. possession, use or sale of controlled substances;
  - K. threat or false report to do harm related to bombs or explosive devices.

The expulsion time is a minimum mandatory one (1) full year. (See section II. In reference to procedures for Students with Disabilities.)

- II. Prior to taking such action against any student, the School Board shall ensure that appropriate due process procedures are followed. If a student, committing one of the offenses outlined in section I. of this rule is identified as disabled and participating in a program for exceptional students, then the system shall follow procedures as outlined in the *Code of Student Conduct* pursuant to Alabama statute and applicable State Board of Education rules.

## CHAPTER 5: STUDENTS

This provision shall not be construed to remove a School Board's discretion in cases where mitigating circumstances may affect decisions on disciplinary action.

- III. Local law enforcement authorities shall be notified immediately when one of the fences listed above is committed on school property, on school-sponsored transportation, or during a school-sponsored activity. Additionally, if the offense involves a victim, school officials shall notify the victim and the victim's parents/legal guardian if the victim is a minor, of the offense and of the victim's rights to press charges against the offender. School personnel shall cooperate in any investigation or other proceedings leading to the victim's exercise of rights as provided by law.
- IV. Upon notification by juvenile authorities that a no contract order has been issued by the court for the purpose of a juvenile offender not attending the same school or riding the same bus as the victim of a crime committee or as the siblings of the victim, the Superintendent or his/her designee will determine the appropriate setting for delivery of educational services to the offender. If the delivery of educational services requires transportation, which is beyond the existing, transportation and which would incur additional costs to the school system, then the offender or the parents/legal guardians if the juvenile offender shall be responsible for arranging and paying for transportation. If it is determined that it is not possible to deliver educational services to the offender at a different school site from the victim or the siblings of the victim, then the school system and the principal will take steps such as the use of in-school suspension of the offender and the scheduling of classes, lunch, or other school activities of the victim and the offender to keep the offender separated from the victim.
- V. The school principal shall monitor the administration of discipline of students to ensure that discipline is administered equitably without regard to race, color, religion, gender, sexual orientation, age, ethnicity, linguistic preference, marital status, disability, political or religious beliefs, national or ethnic origin, or social and family background. Annually, the principal shall review school discipline data with the school advisory council in developing school improvement plans to maintain a safe and healthy school environment that protects the civil rights of all students.

**STATUTORY AUTHORITY:**  
**LAW(S) IMPLEMENTED:**  
**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**  
**HISTORY:**

**CODE OF ALABAMA 16-1-30**  
**16-1-24, 16-1-24-1, 16-1-24-3**  
**16-8-8, 16-16-9, 16-28A-3**  
**ADOPTED: 03/08/07**  
**REVISION DATE(S): 03/08/07**  
**FORMERLY: JCDAF**

## CHAPTER 5: STUDENTS

### SAFETY – CAREER TECH

5.32\*\*

Students participating in a Career Technical Education classroom/lab must be given instructions in safety. Each student is required to practice safety in every activity in which he/she may engage. Safety is included in each course of study as an important phase of training. Disregarding appropriate safety requirements and/or procedures may be grounds for dismissal from the Career Technical Education program.

It is recommended that all students who participate in CTE courses, which include lab activities, be encouraged to maintain an accident insurance policy for his/her protection.

Safe buildings, grounds, and equipment shall be maintained to minimize accidents or injury to students, employees, and other citizens. Protection from such dangers as fire, natural disasters, mechanical, electrical malfunction, and other hazards shall be provided. The director/administrator shall make periodic evaluative reports concerning their adequacy in terms of student care and safety.

The superintendent shall develop a district wide safety and fire prevention program that coordinates the requirements of the fire marshal and civil defense program with appropriate school and community officials. Buildings shall be planned, equipped, and maintained in accordance with appropriate local, state, and federal building codes and safety regulations. Buildings shall be provided with fire and tornado alarm systems and workable extinguishers.

Safety instruction, to include accident prevention, safety drills, and disaster procedures, shall be stressed at all grade levels. Expertise of fire prevention experts, health officials, and other community services shall be incorporated into the total safety program. Special emphasis shall be placed upon supervision within classrooms and on requirements concerning safety precautions in the lab area. Proper supervision of students and others using the buildings shall be required at all times.

THIS POLICY WAS REVIEWED AND ACCEPTED AS WRITTEN, BOARD MEETING OCTOBER 12, 2017.

THIS POLICY WAS REVIEWED AND ACCEPTED AS WRITTEN, BOARD MEETING DECEMBER 10, 2020.

**STATUTORY AUTHORITY:**  
**LAW(S) IMPLEMENTED:**  
**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**  
**HISTORY:**

**CODE OF ALABAMA**

**ADOPTED: 03/08/12**

## CHAPTER 5: STUDENTS

### STUDENT POSSESSION OF DEADLY WEAPONS

5.32.1

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

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

A student determined to have brought to school or have in his/her possession a firearm defined in Section 921 Title 18 of the U.S. Code in a school building, on school grounds, or at other school-sponsored functions shall be expelled for a period of one (1) year. The Board and the Superintendent may extend the expulsion requirement on a case-by-case basis.

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

- The name of the school concerned.
- The number of students expelled.
- The types of weapons concerned.

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

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

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



## **CHAPTER 5: STUDENTS**

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

**STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:**

**CODE OF ALABAMA  
16-1-24.3, 16-28-6, 16-28-40  
LEGISLATIVE ACTS 94-820 and 94 817**

**HISTORY:**

**ADOPTED: 07/23/13  
REVISION DATE(S): 12/10/15  
FORMERLY: JCDAF, JDEAB**

## CHAPTER 5: STUDENTS

### EXPULSION

5.33\*+

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

**STATUTORY AUTHORITY:**

**LAW(S) IMPLEMENTED:**

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**

**HISTORY:**

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

**16-8-8,16-11-9, 16-12-3,16-28A-3**

**ADOPTED: 03/08/07**

**REVISION DATE(S): 10/12/17**

**FORMERLY: JDD, LDE, JDE-R**

## CHAPTER 5: STUDENTS

### STUDENT GRIEVANCES

5.33.1

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

#### I. Definitions

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

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

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

#### IV. Complaint Procedure

- A. Informal Discussion – If a student believes there is a basis for complaint, he/she shall discuss the complaint with his/her principal or the designee of the principal (except in cases of discrimination or harassment involving the principal or the designee), in which case the complainant shall report to the Equity Coordinator or other person designated by the Superintendent within ten (10) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.

## CHAPTER 5: STUDENTS

- B. Level One – If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her principal or designee. The principal or designee shall communicate his/her answer in writing to the complainant within ten (10) days of receiving the written complaint. Class complaints involving more than one (1) principal or designee and complaints involving an administrator above the building level may be filed by the complainant at level two.
- C. Level Two – If the complainant is not satisfied with the resolution at level one, he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.
- D. Board Appeal – If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent’s decision to the Attalla City Board of Education, provided request for placement on Board agenda is filed within ten (10) days. The superintendent will notify the complainant of the next regularly scheduled Board meeting. The superintendent, working the Attalla City Board of Education, will inform the complainant in writing of the final decision with twenty (20) days of the meeting.
- V. Confidentiality will be provided to the extent possible to any student or affected party who alleges discrimination or harassment.

**STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:**

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

**ALABAMA ADMINISTRATIVE PROCEDURE ACT:  
HISTORY:**

**ADOPTED: 10/12/17  
REVISION DATE(S):  
FORMERLY:**

## CHAPTER 5: STUDENTS

### STUDENT CHECK OUT

5.34

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

STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:  
ALABAMA ADMINISTRATIVE PROCEDURE ACT:  
HISTORY:

CODE OF ALABAMA 16-1-30  
6-8-8, 16-11-9

ADOPTED: 03/08/07  
REVISION DATE(S): 03/08/07  
FORMERLY: JBE, JBD-R

## CHAPTER 5: STUDENTS

<b>COOPERATIVE EDUCATION – CAREER TECH RULES AND REGULATIONS</b>	<b>5.35</b>
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Attalla City School District's procedure on cooperative education includes the recognition of the importance of the school/community linkage in training individuals for specific occupations; assisting individuals with transition from school to the world of work; providing an environment for developing proper skills, knowledge, work, safety habits, and pride in achievement. The Cooperative Career/Technical Education Program will operate in compliance with general Career/Technical Education Standards and Policies for Quality Programs in Secondary Schools as long as these standards are not in conflict with Board Policy.

- I. Training Agreement and Training Plans
  - A. A written training agreement between the school and the employer will be on file for each student participating in the Cooperative Career/Technical Education Program. A training plan will be on file for each student.
  - B. A student who is fired from his/her training station will be subject to removal from the program.
  - C. Since training is the primary objective, students are expected to remain in the same training station throughout his/her training period. Students may resign or change jobs only with express permission of the teacher/coordinator.
  - D. All training stations must be left with the student in good standing. Students changing jobs without permission are subject to being dropped from cooperative education.
  - E. Students are responsible for their own transportation to and from the work site.
- II. The Attalla City Board of Education wants our cooperative education students to:
  - A. Be regular in attendance at school and on the job.
  - B. Be on time at school and on the job.
  - C. Notify the employer as soon as the student knows that he/she will be absent from work.

## CHAPTER 5: STUDENTS

- D. Notify the coordinator as early in the day as possible on days that students will be absent from school
- III. The Cooperative Education Program shall provide on-the-job training that:
- A. Is related to existing employment opportunities which offer promotion and advancement.
  - B. Is related to the student's occupational objective.
  - C. Does not displace workers who can perform such work.
  - D. Is conducted in accordance with written training agreements and training plans.
- IV. Selection of Training Stations  
Selection of training stations will be by the coordinator at the cooperative unit. The following criteria will be considered in the selection of training stations:
- A. Employer attitude
  - B. Range and scope of on-the-job experience
  - C. Adequacy of equipment and facilities to provide the training necessary to achieve the student's occupational objective
  - D. The instructional potential
  - E. Location of the training station
  - F. Employer's agreement to employ students for the time specified
  - G. Employer's agreement to comply with all state, federal, and local laws and regulations
- V. Student Visitation and Evaluation  
The teacher/coordinator will have communication, contact or visit the training station of each student a minimum of once per month. More frequent communication, contacts, or visits may be required to monitor students experiencing difficulties.
- VI. Student Organizations  
Students shall have access to the career/technical student organization appropriate for their completed program. The chapter shall be affiliated with the respective state and national organization.

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### VII. Coordination During Summer Months

A written plan of work including objectives and activities for extended contract days will be submitted to and approved by the principal before June 1 of each calendar year.

### VIII. Student Credit

The student must have a minimum of 140 hours of apprenticeship experience or 140 hours of internship experience. The student will be awarded one credit for successful completion of the career experience (example: minimum of 120 hours per period per semester on a block schedule or a minimum of 140 hours per year per period on a 7 period day). A majority of these hours should be worked Monday through Friday.

### IX. General Cooperative Career/Technical Student Policies

1. The student involved in the program should be a representative of the school.
2. The student should realize that the training program is to aid them in future goals.
3. A cooperative education student who is absent from school cannot go to his/her training session without prior permission of the coordinator. A student who is ill enough to be out of school is also too ill to train.

### X. Protocol for Problem Solving

Problems encountered on the training site should first be discussed with the teacher/coordinator. If the coordinator is not able to solve the problem, a meeting will be scheduled with the student, coordinator, and training station supervisor present. The Career/ Technical Director, principal, and/or parents may also be asked to attend a conference if the problem persists.

THIS POLICY WAS REVIEWED AND ACCEPTED WITH NO CHANGES BOARD MEETING  
DECEMBER 10, 2020.

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### STUDENT ATTENDANCE

5.40\*+

- I. Regular attendance is the actual attendance of a pupil during the school day as defined by law and regulations of the State Board of Education. A student who is absent or tardy without the principal's approval shall have his/her parent(s)/legal guardian report such absences or tardies to the school in the manner prescribed by the *Code of Student Conduct*.
  - A. The *Code of Student Conduct* shall prescribe attendance requirements including, but not limited to, provisions for excused and unexcused absences, opportunities to make up work assignments, and reporting absences.
  - B. Students shall be excused from any examination, study, or work assignments for observance of a religious holiday or because the tenets of his/her religion forbid secular activity at such time. The school principal shall implement this provision on an individual basis pursuant to Alabama statutes and State Board of Education rules.
  - C. No adverse or prejudicial effects shall result to any student who avails himself/herself to the provision of this rule.
- II. Student attendance will be monitored on a daily basis and parents contacted as required by law.
- III. A person designated by the Superintendent or his/her designee shall investigate truancy problems. The parent/legal guardian is expected to support regular school attendance and may be subject to punishment bylaws when students are truant.
- IV. Student attendance for driver's license purposes shall be processed as prescribed by law.
- V. Each school and the system shall take appropriate action as required by Alabama statutes when a student has excessive absences or is truant.

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## CHAPTER 5: STUDENTS

### ONLINE EXPERIENCE

5.41

As part of the First Choice Diploma program all students prior to graduation are required to participate in an online course or experience.

#### **290-3-1-.02(8)(d)(4)**

*Distance Learning: Effective for students entering the ninth grade in the 2009-2010 school year, Alabama students will be required to complete one online/technology enhanced course or experience prior to graduation. Exceptions through Individualized Education Plans will be allowed.*

The intent of this policy is to ensure Attalla City School's compliance with the online experience requirements of the State of Alabama, and the Alabama State Department of Education. An online experience for this purpose is defined as a structured learning environment that utilizes technology-consistently and regularly-with Intranet/Internet-based tools and resources as the delivery method for instruction, research, assessment, and communication.

#### **Alabama High School Graduation Requirements:**

A student may satisfy the online requirements for graduation through one or more of the following options:

- A. Take an online course
- B. Participate in online experiences incorporated into courses used to fulfill requirements for graduation.

**For the online experience to be successful and to meet the online graduation requirement, it must meet the following standards:**

- A. Be relevant and address many learning styles appropriate to the task.
- B. Include a synchronous and/or synchronous interaction between teacher and student as well as student and student.
- C. Incorporate resources outside of the classroom.
- D. Incorporate the following:

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1. Use of technology tools for managing and communicating personal information.
2. Apply advanced software features such as built-in thesaurus, templates, and styles to improve the appearance of word processing documents, spreadsheets, and presentations.
3. Identify and describe various telecommunications or online technologies such as desktop conferencing, list serves, blogs, and virtual reality.
4. Incorporate a variety of media and formats to design, develop, publish, and present products.
5. Collaborate in content – related projects that integrate a variety of media.
6. Demonstrate proficiency in the use of emerging technology resources such as podcasting, webcasting, compressed video delivery, online file sharing, graphing calculators, and global positioning software.

### **Essential Characteristics of Quality Online Learning Experiences:**

A quality online learning experience will be a combination of structured, sustained, integrated, and meaningful learning activities accessed via an information technology network, thus preparing students with skills needed for business and industry, continuing education, and lifelong learning.

Quality online learning experiences have common characteristics:

- The online experience is aligned with appropriate content standards and addresses multiple intelligences and various learning styles.
- The online experience advocates, models, and teaches safe, legal, and ethical use of digital information and technology, including respect for copyright and intellectual property and the appropriate documentation of sources.
- All participants abide by the district's Acceptable Use Policy.
- The teacher is involved as a mentor, facilitator, and instructional leader experienced in 21<sup>st</sup> Century Technology Skills.
- Participants engage in collaborative online learning projects, discussions, and assessments beyond the traditional classroom that are goal oriented, focused, project-based, and inquiry-oriented.
- 21<sup>st</sup> Century technologies and resources, a variety of rich media, and advance software features are accessible to all students.
- An online course/learning management system should be utilized to support global learning opportunities and to facilitate management of online experiences.
- The experience provide rigorous lessons and structured learning environments with consistent and regular access to emerging technologies.

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- District comply with the requirements of Section 508 of the Rehabilitation Act of 1973 to ensure accessibility for all students.
- The online experience must be consistent and regular, lasting 20 hours or more.
- The online experience includes a monitoring plan.
- To incorporate the online experience into experience into the computer applications course, it must meet both of the following:
  - a) Be included in a full credit course that also includes all criteria for the online experience
  - b) Be taken in grades 9-12
- An online experience must involve collaboration among students in content-related projects that integrate a variety of media, thus a computer-assisted software program does not meet the definition of an online experience.

### Online Learning Delivery Formats

- I. **Web-Based Instruction** – Teacher led through a virtual environment. An Asynchronous format makes use of Web-based course/learning management systems to create an online learning environment for students. This includes the ACCESS model, online dual credit classes, and other distant learning courses. The online teacher serves as a mentor and instructional leader and actively engages participants in the learning process. They provide feedback in a timely manner, administer assessments, and establish timelines. This format requires participants to have strong computer skills and social networking abilities that include but are not limited to email, chat rooms, webinars, and threaded discussions.
- II. **Blended Enhanced Online Instruction** – Teacher led through both face-to-face and a virtual environment. A traditional online course is aligned with the Alabama Course of study and managed through a virtual environment (course/learning management system) to provide a flexible, interactive platform for the teachers to provide immediate feedback, collaborate with students, and actively engage participates in the learning process. Connecting web-based resources and emerging advanced technologies to the traditional classroom facilitates the development of 21<sup>st</sup> Century learners. Teachers utilizing this type of instruction engage learners in 21<sup>st</sup> century skills with virtual learning opportunities. In order for experience to be meaningful and to develop technological competencies, research has shown that the participant’s experience must be consistent and regular, lasting 20 hours more.

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Blended learning is a mix of synchronous and asynchronous instructor-designed online experiences. The delivery of the synchronous instruction may involve a teacher in the Classroom or a teacher via interactive video conferencing (IVC). Teachers that engage in blended instruction use a web-based course/learning management system as an extension of the classroom. The delivery combines the communication benefits of a traditional classroom and connects it to emerging technology-based tools and resources. This blended format can provide opportunities for student work outside the classroom in virtual teams with students from other schools or classrooms to learn writing, research, teamwork, and technology skills.

### **Guidelines for Online Teachers**

Derived from SREB Guidelines for Online Teachers

The online teacher must hold a valid Alabama Teaching Certificate in the area of the online course content.

The online teacher should also successfully meet one of the following requirements in order to teach an online course or experience:

- ACCESS Distant Learning Training for Online Teachers
- Alabama eLearning for Educators Course Instructor (free course available through the SDE)
- Alabama eLearning for Educators Online Facilitation (for instructors)
- Intel Master Teacher for Essentials Online

### **ACS Compliance with the Online Experience Requirement**

Students who attend an Attalla City Schools High School will meet the online experience requirement in one of three ways. All faculty that are providing the online content will meet the requirements listed above for online teachers. Where applicable, students and faculty will utilize the online learning management program provided by Attalla City Schools.

1. The required computer applications course will meet all the requirements of “Blended Enhanced Online Instruction”. Under normal circumstances, this course is completed during a student’s 9<sup>th</sup> grade year.
2. Students may participate in an online course offered through the ACCESS Distant Learning System.

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3. Students who have not met the online requirement prior to their 11<sup>th</sup> grade year may participate in a blended career education course that utilizes the career forward curriculum offered by the Michigan Virtual School and the Alabama State Department of Education.

Attalla City Schools also encourages its faculty to meet the requirements of the online experience in other courses across the curriculum.

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### LIVE WORK – CAREER TECH PROGRAMS

5.50

#### Live Work Projects for Students

Live work projects consist of work done by career tech students as part of their training program. Work can be done either in school or on a job location and includes service, repair, or production jobs of all types, excluding work done by cooperative education students. Live work will be conducted when, in the opinion of instructor and school administrator, the training program requires the work for acquisition of occupational skills leading to employment. The instructor, as part of the student's training program, will assign live work to individual students or groups of students.

Administration and control of live work in accordance with local school board policies are the responsibilities of the school administrator. All live work performed must be approved by the administrator who shall be responsible for the determination and collection of all charges and maintenance of appropriate records.

Live work can only be performed when tasks are directly related to the knowledge acquired and skills currently being taught in the program as part of the course of study or to reinforce acquired knowledge and skills previously taught. Live work will be performed in specific projects for specific individuals and organizations. The scope and extent of each project will be well defined and documented before acceptance. Live work projects can be conducted for:

1. Students
2. Public employees
3. Tax supported programs and institutions
4. Charitable organizations that are supported by donations
5. Other individuals and organizations it:
  - A. The live work project is not in competition with private enterprise.
  - B. The circumstances involved are unusual and justify the acceptance of the live work project.
  - C. The instructor and the school administrator do not have a family or business relationship with the client.
  - D. The instructor justifies in writing why the live work is necessary for the training program and files a signed copy with the school administrator

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### Liability Waivers

The person, program, institution, or organization for which live work is done shall:

1. Assume responsibility for the results of the work being done by students.
2. Accept responsibility for the total costs of materials and parts involved.
3. Pay a services charge according to the schedule established by the administrator of the school to cover indirect expenses.
4. Sign a form agreeing to the above conditions and specifically stipulating the work to be performed.

### Service charge for Live work Projects

The total charges (cost plus a service charge) for live work will be as follows:

1. Actual cost of parts and materials, plus at least 20% for the service charge
2. Live work projects that do not include parts and materials provided by the school will be assessed a reasonable service charge according to a schedule or pricing sheet approved by the administrator.

Because state laws do not allow a school to extend credit, all charges must be collected at the conclusion of live work project. Deposits and advance payments should be considered if appropriate.

In exception cases such as the construction of a public building, a reduced charge for the live work project may be used provided the administrator and local school superintendent concur in writing and the school recovers all costs expended on the project. However, all construction projects must be approved by the local school superintendent and other public agencies when applicable.

### Work Orders

All live work projects must be documented with a signed liability waiver, authorization for work, and schedule of estimated costs for each customer. The liability waver must be signed by the customer (the individual for whom the work is performed or organization for which the work is done) before the work begins. Customer approval of significant increases in estimated costs must be documented. At the conclusion of the work, the customer must be provided an itemized statement of charges. A receipt must be provided to the customer when payment is made.

The required documents may be separate forms or combined in the form of a work order. A work order should contain the following information:



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1. Work order number
2. Supervising instructor's name
3. Customer name and contact information
4. Liability Waiver
5. Customer's signature and date signed
6. Student(s) assigned to the work project
7. Instructions for the work to be performed
8. Date work begins
9. Date work completed
10. Detailed description of materials and parts purchased for the work
11. Detailed calculation of amount due from customer
12. Receipt number

### **Proceeds from Live projects**

Live work project proceeds are school funds subject to the same financial requirements as other school funds, including receipts, daily deposits, purchase orders and invoices. Live projects must be included in the school budget and are recorded in the school's accounting records with a separate account for each instructor. (An instructor may have additional separate accounts as needed to account for individual classes.) The income from live work projects and the expenditures from live work accounts are public. **Public (class/live work funds) cannot be co-mingled with non-public club funds.** The administrator must approve all expenditures from live work funds. Funds from live work accounts may be transferred to other public fund accounts upon approval of the administrator. The local school superintendent may require the transfer of funds from live work accounts to reimburse the school board for expenditures related to the live work projects.

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### STUDENT INJURY

5.60

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

- I. First aid shall be administered by the nearest person with first-aid training.
- II. The student's parent(s)/legal guardian shall be notified immediately.
- III. When a serious injury occurs, at the discretion of the principal or principal designee, 911 will be called to access and advise.
- IV. A serious injury to a student shall be reported immediately to the principal who shall make a prompt report by telephone to the Superintendent or designee.
- V. An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.
- VI. An insurance report shall be prepared if an injury is covered by insurance.

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## CHAPTER 5: STUDENTS

### STUDENT ILLNESS

5.61

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

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### SERVICE ANIMAL TO ATTEND SCHOOL

5.61.1\*

- I. The Attalla School System will comply with all state and federal laws, regulations and rules regarding the use of service animals by disabled students or employees under appropriate circumstances.
- II. As defined by regulations implemented under the Americans with disabilities Act, these procedures apply to any dog or miniature horse individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal or rescuer work, pulling a wheelchair, or fetching dropped items.

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## CHAPTER 5: STUDENTS

### ADMINISTRATION OF MEDICATION

5.62

- I. Administration of Prescription Medication
  - A. Each school principal shall designate a staff member who has been training by a registered school nurse to administer prescribed medications.
  - B. A Parent/Prescriber Authorization (PPA) form is required for administration of prescription medications during school hours or at approved school events. This is discouraged unless a physician determines that a student's health needs require medication.
  - C. All prescription medications shall be delivered to the school nurse with the following information on the prescription label:
    - 1) Student's name
    - 2) Name of medication
    - 3) Date of prescription and pharmacy
    - 4) Specific instructions on the administration of the medication
    - 5) Approximate duration of medication
    - 6) Prescriber's order and prescription label must match. Example: the doctor's order reads give medicine at noon, and then the prescription label must read give medicine at noon.
  - D. A Parent/Prescriber Authorization form (PPA) signed by the student's parent (s)/legal guardian shall be required. The physician's signature is also required on the PPA form.
  - E. Prescription medication which is kept at school shall be counted and shall be stored in its original container, in a secure location under lock and key as designated by the school nurse. Only staff that have been designated by the principal and who have received training by registered school nurse shall have access to the medication.
  - F. A record shall be maintained on each student who receives a prescription medication during school hours, including the date and time each dose of prescription medication was administered.

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G. No student may carry medication in his/hers pocket, purse or on his/her person during school hours; however, the school nurse/designee may authorize a student to carry an allergic reaction kit or asthma inhaler when a permission form has been signed by the parent/legal guardian and the student's physician has signed the permission form confirming that, because of the student's medical condition, it is necessary that the student retain the allergic reaction kit or asthma inhaler or other necessary prescription medications in his/her possession during school hours. The student also has to complete a competency evaluation with designated school nurse and approved by registered nurse.

### II. Administration of Non-Prescription Medication

A. Over-the-counter (non-prescription medication) may be given at school by the nurse or designated school personnel if there is a medical need provided the following conditions are met:

- 1) School medication Parent/Prescriber Authorization (PPA) form filled out and signed by the parent
- 2) The medication is brought in by the parent/guardian, not the student
- 3) The medication must be brand new and unopened
- 4) The medication must be age appropriate

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## CHAPTER 5: STUDENTS

### STUDENTS WITH AIDS OR HIV DISEASE

5.63

Preamble – The Attalla City Schools shall strive to protect the safety and health of children and youth in our care, as well as their families, our employees, and the general public. Staff members shall cooperate with public health authorities to promote these goals.

The evidence is overwhelming that the risk of transmitting human immunodeficiency virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with acquired immunodeficiency syndrome (AIDS) poses no significant risk to others in school, day care, or school athletic settings.

#### I. School Attendance

A student with HIV 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 infection shall not factor into decisions concerning class assignments, privileges, or participation in any school-sponsored activity.

School authorities will determine the educational placement of a student known to be infected with HIV on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities. Decision makers must consult with the student's physician and parent or guardian; respect the student's and family's privacy rights; and release the placement if there is a change in the student's need for accommodations or services.

School staff members will always strive to maintain a respectful school climate and not allow physical or verbal harassment of any individual or group by another individual or group. This includes taunts directed against a person living with HIV infection, a person perceived as having HIV infection or a person associated with someone with HIV infection.

#### II. Employment

The Attalla City Schools does not discriminate on the basis of HIV infection or association with another person with HIV infection. In accordance with the Americans with Disabilities Act of 1990, an employee with HIV infection is welcomed to continue working as long as he or she is able to perform the essential functions of the position, with reasonable accommodation if necessary.

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### III. Privacy

Pupils or staff members are not required to disclose HIV infection status to anyone in the education system. HIV antibody testing is not required for any purpose.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student or other staff member. Violation of medical privacy is cause for disciplinary action, criminal prosecution, and/or personal liability for a civil suit.

No information regarding a person's HIV status will be divulged to any individual or organization without a court order or the informed, written, signed, and dated consent of the person with HIV infection (or the parent or guardian of a legal minor). The written consent must specify the name of the recipient of the information and the purpose for disclosure.

All health records, notes, and other documents that reference a person's HIV 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 status will not be added to a student's permanent educational or health record without written consent.

### IV. Infection Control

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

A school staff member is expected to alert the person responsible for health and safety issues if a student's health condition or behavior presents a reasonable risk of transmitting an infection.

If a situation occurs at school in which a person might have been exposed to an infectious agent, such as an instance of blood-to-blood contact, school authorities shall counsel that person (or, if a minor, alert a parent or guardian) to seek appropriate medical evaluation.



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### V. HIV and Athletics

The privilege of participating in physical education classes, athletic programs, competitive sports, and recess is not conditional on a person's HIV status. School authorities will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

All employees must consistently adhere to infection control guidelines in locker rooms and all play and athletic settings. First aid kits must be on hand at every athletic event.

All physical education teachers and athletic program staff will complete an approved first aid and injury prevention course that includes implementation of infection control guidelines. Student orientation about safety on the playing field will include guidelines for avoiding HIV infection.

### VI. HIV Prevention Education

The goals of HIV prevention education are to promote healthful living and discourage the behaviors that put people at risk of acquiring HIV. The educational program will:

- A. Be taught at every level, kindergarten through grade twelve;
- B. Use methods demonstrated by sound research to be effective;
- C. Be consistent with community standards;
- D. Follow content guidelines prepared by the Center for Disease Control and Prevention (CDC);
- E. Be appropriate to students' developmental levels, behaviors, and cultural backgrounds;
- F. Build knowledge and skills from year to year;
- G. Stress the benefits of abstinence from sexual activity, alcohol, and other drug use;
- H. Include accurate information on reducing risk of HIV infection;
- I. Address student's own concerns;
- J. Include means for evaluation;
- K. Be an integral part of a coordinated school health program;
- L. Be taught by well-prepared instructors with adequate support; and
- M. Involve parents and families as partners in education.

Parents and guardians will have convenient opportunities to preview all HIV prevention curricula and materials. School staff members shall assist parents or guardians who ask for help in discussing HIV infection with their children. If a parent or guardian submits a written request to a principal that a child not receive instruction in specific HIV prevention topics at school and assures that the topics will be discussed at home or elsewhere, the child shall be excused without penalty.

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The education system will endeavor to cooperate with HIV prevention efforts in the community that address out-of-school youth and youth in situations that put them at high risk of acquiring HIV.

### VII. Related Services

Students will have access to voluntary, confidential, age and developmentally appropriate counseling about matters related to HIV infection. School administrators will maintain confidential linkage and referral mechanisms to facilitate voluntary student access to appropriate HIV counseling and testing programs and to other HIV-related services as needed. Public information about resources in the community will be available for voluntary student use.

### VIII. Staff Development

All school staff members will participate in a planned HIV education program that conveys factual and current information; provides guidance on infection control procedures; informs about current law and state, district, and school policies concerning HIV; assists staff to maintain productive parent and community relations; and includes annual review sessions. Certain employees will also receive additional specialized training as appropriate to their positions and responsibilities.

### IX. General Provisions

On an annual basis, school administrators will notify students, their family members, and school personnel about current policies concerning HIV infection, and provide convenient opportunities to discuss them. Information will be provided in major primary languages of students' families.

This policy is effective immediately upon adoption. In accordance with the established policy review process, or at least every three years, lead RN shall report on the accuracy, relevance, and effectiveness of this policy and, when appropriate, provide recommendations for improving and/or updating this policy.

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## CHAPTER 5: STUDENTS

### EYE PROTECTION DEVICES

5.64

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

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

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## CHAPTER 5: STUDENTS

### STUDENT RECORDS

5.70

School board rules and procedures for maintaining student records shall be consistent with Alabama statutes, State Board of Education rules, and federal laws relating to “Family Educational Rights and Privacy Acts” and “Privacy Rights of Parents and Students.” The Superintendent shall be responsible for interpreting this rule and the school principal shall be responsible for controlling and supervising student records, following all rules on student records, and interpreting rules on student records to the school staff, students, and the community.

Reporting of any student data shall comply with these safeguards:

- I. Data reported to the Alabama Department of Education shall not disclose a student’s name or identify unless required by Alabama statutes;
- II. Data shall not be stored in a single file or released in such a manner that a complete student profile can be reported unless specified by Alabama statutes; and,
- III. Data shall be protected from unauthorized use at all times.

STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:  
ALABAMA ADMINISTRATIVE PROCEDURE ACT:  
HISTORY:

CODE OF ALABAMA  
16-1-30  
20 U.S.C. 1232(B)(G)(H) 16-8-8, 16-11-9  
ADOPTED: 03/08/07  
REVISION DATE(S):03/08/07  
FORMERLY: JR, JEA, JEC

## CHAPTER 5: STUDENTS

### DIRECTORY INFORMATION

5.71\*+

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

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

STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:  
ALABAMA ADMINISTRATIVE PROCEDURE ACT:  
HISTORY:

CODE OF ALABAMA 16-1-30  
FAMILY EDUCATIONAL RIGHTS AND PRIVACY  
ACT OF 1974, SECTION 99.37,16-8-8, 16-11-9  
ADOPTED: 03/08/07  
REVISION DATE(S): 03/08/07  
FORMERLY: NEW

## CHAPTER 5: STUDENTS

### PARENTAL NOTIFICATION

5.72

- I. In compliance with the *Parents' Right to Know* provision of the No Child Left Behind Act, Attalla City School will notify the parents of each student attending any school receiving funds under Title I, Part A, Section 1111(h)(6), Section 1112(g) and Title III, Section 3302, upon request, regarding the professional qualifications of the student's classroom teachers. The information will include at a minimum, the following:
  - A. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - B. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
  - C. The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher;
  - D. The field of discipline of the certification or degree; and
  - E. Whether the child is provided services by paraprofessionals and, if so, their qualifications.
- II. Attalla City School will provide additional information, as prescribed by the regulations, on teacher who do not meet the "highly qualified" provisions of the No Child Left Behind Act by the deadlines prescribed by the state.
- III. The System will provide information to the parents of each child on the child's level of performance on the state assessments.
- IV. This information will be provided in a timely manner, in an understandable and uniform format, and to the extent practicable, in a language that the parents can understand.

**STATUTORY AUTHORITY:**  
**LAW(S) IMPLEMENTED:**  
**ALABAMA ADMINISTRATIVE PROCEDURE ACT:**  
**HISTORY:**

**CODE OF ALABAMA 16-1-30**  
**16-8-8, 16-11-9, 16-12-3**  
**NO CHILD LEFT BEHIND ACT 2001**  
**ADOPTED: 03/08/07**  
**REVISION DATE(S): 03/08/07**  
**FORMERLY: NEW**

## CHAPTER 5: STUDENTS

### EXTRACURRICULAR ACTIVITIES

5.80

All extracurricular activities within a school shall be teacher and school-sponsored. All students shall have the opportunity to participate in worthwhile extracurricular activities provided they are eligible to participate.

- I. Academic eligibility requirements shall be listed in the Alabama Administrative Procedure Act.
- II. An extracurricular activity shall be defined as all activities recognized and sanctioned by the Alabama School Athletic Association and other extracurricular activities that are sanctioned by a public school which are not related to a student's academic requirements or success in a course(s).

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

- III. Extracurricular activities shall be self-supporting when possible. Students shall not be excluded from participating in activities for lack of money for dues, materials, or uniforms. However, this does not apply to charging admission for students who are spectators of extracurricular activities.
- IV. Appropriate adult supervision consistent with Alabama statutes shall be provided for all students.
- V. Students may be suspended from extracurricular activities based on procedures established by the Superintendent. If a student is convicted of an on-or off campus felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities will be suspended for the balance of the school year.

A report of an alleged violation of this standard of conduct shall be submitted to the principal or designee for investigation. If the principal or designee determines that a violation has occurred, the student and his parent(s)/legal guardian shall be notified in writing of the suspension from school-sponsored extracurricular activities.

# CHAPTER 5: STUDENTS

STATUTORY AUTHORITY:  
LAW(S) IMPLEMENTED:  
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HISTORY:

CODE OF ALABAMA 16-1-30  
16-8-8, 16-11-9, 16-12-3  
290-3-1.02(17)  
ADOPTED: 03/08/07  
REVISION DATE(S): 03/08/07  
FORMERLY: JHCA



## CHAPTER 5: STUDENTS

### ATHLETICS

5.81

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

**STATUTORY AUTHORITY:**  
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**CODE OF ALABAMA 16-1-30**  
**16-8-8, 16-11-9, 16-11-5**  
**290-3-1.02(17)**  
**ADOPTED: 03/08/07**  
**REVISION DATE(S): 03/08/07**  
**FORMERLY: JHCAA, IDA, IDF**

## CHAPTER 5: STUDENTS

### CHEERLEADING

5.82

The Board believes the purposes of cheerleading are to promote school spirit and to provide an opportunity for selected students to participate in a leadership development activity. In an effort to protect students who may participate as cheerleaders and to protect the interest of Board employees and the Board, the following procedures are adopted as Board policy.

- I. Cheerleading squads must be under the direction of a certified board employee who serves as the coach or sponsor.
- II. The sponsor or coach must attend and actively direct all cheerleading squad functions, practices, and performances.
- III. Use of mini-trampolines, springboards, or any height-increasing apparatus is prohibited.
- IV. Prior to trying out for membership on a cheerleading squad, each student must present evidence from a properly licensed physician that the student is in appropriate cardiovascular condition to participate in cheerleading activities.
- V. Cheerleading sponsors/coaches should maintain a low-impact, aerobic conditioning program for the cheerleading squad for which they are responsible.
- VI. Aerobic warm-up and stretching exercises, under the direction of the sponsor/coach, should precede all practices and performances.
- VII. All students trying out for and participating in cheerleading squad activities must be insured under a catastrophic student accident policy
- VIII. Cheerleading stunts are limited to those types of activities which involve only a student jumping from ground level under his/her own power. No multi-person or multi-level stunts are permitted. The use of spotters for single person stunts, where appropriate, is encouraged.
- IX. The Board shall establish eligibility requirements for election to the position of cheerleader at the Varsity, Jr. Varsity, and Jr. High levels. These requirements shall be reviewed annually and will be disseminated through the Student Handbooks published by the Attalla City School System. In addition, these requirements will be included in a cheerleading constitution to be approved by the Attalla City Board of Education.

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STATUTORY AUTHORITY:  
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FORMERLY: JHCAB

## CHAPTER 5: STUDENTS

### STUDENT DRUG AND ALCOHOL TESTING

5.83

Substance abuse is a serious threat to the school system, its students, visitors and employees. It is the belief of the Attalla City Board of Education that the benefits derived from the objectives of a student alcohol and drug testing program outweigh the potential inconvenience to the students. The Board earnestly solicits the understanding and cooperation of all school staff, students and parents, in implementing this policy.

#### Statement of Need

The Board expects all students to remain alcohol and drug free. Nevertheless, the Attalla City School System recognizes that students in grades 7-12 unlawfully use alcohol and illicit drugs. The Etowah County Drug Enforcement Unit indicates that law enforcement personnel, the judicial system and mental health professionals have expressed concerns about alcohol and illegal drug use by Attalla City School System students.

Drug use interferes with a student's education, which is the primary goal of the school. Practical experience and research 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

The objectives of this policy are as follows:

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

All students enrolled in Attalla City Secondary Schools (grades 7 through 12) are subject to probable cause/reasonable suspicion alcohol and drug testing. A condition for participation in privileged activities in the Attalla City Board of Education school system shall be an agreement by the student to submit to random suspicion less alcohol and drug testing.

#### Probable Cause (Reasonable Suspicion) Drug Testing

Probable cause (reasonable suspicion) drug testing shall apply to all students enrolled in the Attalla City Schools. Administrators of Attalla City Schools are authorized by the Board to require any student to submit to a chemical test of the student's breath or urine if the administration has

## CHAPTER 5: STUDENTS

“reasonable suspicion” that the student is using or is under the influence of alcohol, marijuana, or any other illegal substance while:

- On school grounds;
- Off school grounds at a school activity, function, event or any other school sponsored activity; and/or;
- When traveling to or from school by bus or other transportation.

Reasonable suspicion may arise from the following:

1. A student’s behavior, in conjunction with physical appearance, actions, and/or odor, indicating the possibility that the student has used or is in possession of alcohol, marijuana, or any other controlled substance.
2. The student possesses drug paraphernalia, alcohol, marijuana, or any controlled substance.
3. Information communicated to an administrator by a teacher, parent, law enforcement personnel, other adult, or a student indicating a student is using, possessing, or under the influence of alcohol, marijuana, or any other illegal substance. Any such report will be investigated by the school’s administration and will be substantiated by other physical indicators or physical appearance, if deemed necessary.

Any substance for which a student has a prescription or written permission from a parent must be brought to the school health office and administered or taken there or it may be considered as an illegal substance unless substantiated in writing as a legal prescription issued to the student by a physician (See Policy 5.62 Administration of Medication).

No student may provide to any other student, by sale or any other means, any substance that is represented to be a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, inhalant, legend drug, depressant, or intoxicant of any kind.

No student may possess, use, or be under the influence of any substance which is, or the student has reason to believe is, or which has been represented to be a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulate, legend drug, depressant, inhalant, or intoxicant of any kind, or any kind that closely resembles, or is represented to be any of the foregoing items. Prescription and non-prescription drugs must be taken to the clinic and stored there by the nurse in the name of the student. Medicines will not be given by anyone but the school nurse or a designated employee (See Policy 5.62 Administration of Medication).

Students are prohibited from possessing, ingesting, transmitting, or selling caffeine- based pills or substances containing pseudoephedrine or other over the counter stimulants while on school property or engaged in a school-related activity. Should a student’s behavior suggest inappropriate or excessive use of these substances, all provisions under the “Reasonable Suspicion” sections of this policy shall apply.

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## Random Suspicionless Drug Testing

The random suspicionless drug testing program shall apply to the following categories of students:

1. Activity Students:
  - a. Student Athletes: Any male or female student in grade 7 through 12 participating in Board-sponsored athletics teams or cheerleading/dance squads.
  - b. Students Participating in Extra-Curricular Activities: Any male or female student in grades 7 through 12 participating in a Board sponsored extra-curricular activity during the school day or after school.
2. Parking Students: Any student operating or parking a motor vehicle on campus or at school.
3. Volunteer Students: Any students in grades 7 through 12 who has been voluntarily added to the random pool with the consent of his or her parents.

## Enforcement

The Board reserves the right to require all students to submit to probable cause / reasonable suspicion drug testing and 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 the random/suspicionless drug testing 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.

## Positive Test Results

Any student with a positive test, including a no-contact positive (as defined herein) for alcohol or drugs which is confirmed by Springs Medical Lab and by the approved certified laboratory service provider will be subject to certain consequences, which include suspension from student activities. Violations will be cumulative and carried forward from year to year during the student's entire academic career in the Attalla City School System. Refusal to submit to testing or to cooperate with the Board in any test investigation will result in immediate suspension from school, participating in extra-curricular activities or parking for 365 calendar days.

No student testing positive, refusing to test, refusing to cooperate with testing or being in violation of this policy will be penalized academically.

## Confidentiality

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:

## CHAPTER 5: STUDENTS

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

Any questions about confidentiality issues related to this policy or its implementation should be directed to the person(s) assigned as the Board's Drug Testing Program Coordinator(s). Any employee responsible for a breach of the confidentiality provisions of this policy shall be subject to appropriate disciplinary measures, including recommendation for termination, if warranted by the circumstances.

### **Clarifications**

This policy neither circumvents nor is intended to be used in place of Board disciplinary policies, Student Code of Conduct, and/or 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.

### **Prohibitions**

All students, athletes, extra-curricular 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 on school property, attending regular classes, participating in extra-curricular activities or while driving or parking at school.

All students, athletes, extra-curricular students, parking students and volunteer students are prohibited from possessing, drinking or being impaired or intoxicated by alcohol while on school property, attending regular classes, participating in extra-curricular activities or while driving or parking at school.

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.

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## 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.

## Testing Procedures

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.

1. **Pre-Participation substance screening for random/suspicionless drug testing:**
  - a. **Athletes and Extra-Curricular Activities Applicants:** Substance screening may be required for all athletes and 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 are not allowed to participate in any athletic or 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.
2. **Procedure for current athletes, extra-curricular students, parking students and volunteer students:**
  - a. **Random Testing:** The Board authorizes random unannounced screening of athletes, extra-curricular 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 athletes, extra-curricular activity students, parking students and volunteer students randomly selected will be required to report to the school-designated collection site for testing.
  - b. **Return to Participation Testing:** All athletes, extra-curricular activity students, parking students and volunteer students referred through administrative channels to undergo a counseling or rehabilitation program or who are suspended from the extra-curricular



## CHAPTER 5: STUDENTS

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 twelve (12) months.

3. **Substances Tested:** All students are subject to probable cause / reasonable suspicion drug testing and along with all athletes, extra-curricular activity students, parking students and volunteer students may regularly be tested for: alcohol, amphetamines, methamphetamines, cocaine, opiates, barbiturates, benzodiazepines, methadone, Ecstasy, Oxy, PCP, Synthetic Cannabis (K2, Spice) and marijuana. 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.
4. **Collection Sites:** The school will designate collection sites where students may provide specimens. Collections primarily will be conducted on-site at the appropriate designated school.
5. **Collection Procedures:** The Attalla City School System and Springs Medical Lab have developed and will maintain a documented procedure for collecting, testing, and when necessary, shipping and accessing specimens. The collection process shall be conducted so as to protect the privacy of the student. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will be used for specimen transportation (if such is necessary). 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. All students selected for testing will also be required to execute a Student Consent and Release Form.
6. **Evaluations and Return of Results to the Board:** Prior to advising the Board of the test result, Springs Medical Lab 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 allow Springs Medical Lab to determine that the test result is not as the result of violation of this policy. The Springs Medical Lab shall then promptly personally inform the school administrator which students had confirmed positive test results that had no legitimate medical explanation. The school administrator will inform the parent of the on-site positive test result. No disciplinary actions will be administered at that time; however, the parent will be responsible for the student's transportation to and from school. The specimen will be sent to an approved laboratory testing service for confirmation of the result. The confirmed results may take 8-10 days. Springs Medical Lab will notify the school district's drug coordinator of the confirmed results. The school district's drug coordinator will immediately inform the school administrator. The administrator will inform the parent of the results. Positive confirmation will result in a conference with school administrator, Parent, student, and school district's drug coordinator. Appropriate interventions and consequences will be discussed.

## CHAPTER 5: STUDENTS

7. **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 random / suspicionless 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.

8. **Consequences**

For any violation of this policy, including testing positive in a confirmation test, testing positive for adulteration of a test, refusing to submit to screening, refusing to execute a release, or refusing to cooperate with an investigation by the administration, the consequences are listed in Table I that follows:

Violations/Consequences		Interventions	
<b>First Violation</b>	Activity student suspended from (may not participate in) extra-curricular activities for 15 days.	<b>Level I</b>	Parent and student must attend a conference with the school principal.
	Parking student suspended from parking on campus (may not park on campus) for 15 days.		Student and parent must attend prevention counseling session with a prevention counselor
	Reinstatement requires a negative test and completion of Level I interventions.		Student must report to a designated school counselor each week for four (3) weeks.
<b>Second Violation</b>	Activity student suspended from (may not participate in) extra-curricular activities for 30 days.	<b>Level II</b>	Parent and student must attend a conference with the school principal.
	Parking student suspended from parking on campus (may not park on campus) for 30 days.		Student must attend one of the approved prevention programs*. Parents are responsible for tuition for programs that require tuition.
	Reinstatement requires a negative test and completion of Level II interventions.		Student must report to a designated school counselor each week for six (6) weeks.
<b>Third Violation</b>	Activity student suspended from (may not participate in) extra-curricular activities for 365 days.	<b>Level III</b>	Parent and student must attend a conference with the school principal.
	Parking student suspended from parking on campus (may not park on campus) for 365 days.		Student must attend an approved prevention program*. Parents are responsible for tuition for programs that require tuition.
	Reinstatement requires a negative test and completion of Level III interventions.		

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### \*Approved Prevention Programs:

**Level I:** Counseling with individual approved by system drug coordinator.

**Level II:** Participation in a school system approved tuition based prevention/rehabilitation program.

**Level III:** Attendance and participation at an eighteen (18) week teen program or other program approved by the school system at parent expense.

### Definitions:

1. **Activity Student:** Any student currently enrolled in the Attalla City School System that participates in any athletic or any extra-curricular activity as defined.
2. **Alcohol:** Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source produced.
3. **At School:** 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:** Springs Medical Lab, which is certified to administer alcohol and drug tests.
8. **Drug Testing Program Coordinator:** An employee(s) of the Attalla City Board of Education appointed by the Superintendent, 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

## CHAPTER 5: STUDENTS

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. **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, and Springs Medical Lab is unable to reach the parent of the student, after diligent effort, to determine whether the drugs present were legally justified.
12. **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.
13. **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.
14. **Parent:** A person standing in parental relation including the custodial parent or a legal guardian or custodian.
15. **Parking Student:** Any student currently enrolled in the Attalla City School System who drives or parks a motor vehicle "at school", as that term is defined herein.
16. **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.
17. **Prescription Medication:** A drug or medication lawfully prescribed by a physician for an individual and taken in accordance with the prescription.
18. **Random Selection:** A mechanism for selecting students for drug tests that (1) results in an equal probability that any student from a group of student's 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.
19. **SAMSHA:** The Federal Substance Abuse and Mental Health Services Administration.

## CHAPTER 5: STUDENTS

20. **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.
21. **Student:** Any student currently enrolled in the Attalla City School System.
22. **Substance:** Drugs or alcohol.
23. **Substance Abuse Test or Test:** Any chemical biological or physical instrumental analysis administered for the purpose of determining the presence or absence of a drug or its metabolites or of alcohol.
24. **Trained Observer:** Employee who is knowledgeable of the school, teachers, students, and the school drug testing policy and procedures.
25. **Volunteer Student:** Any student who is not an activity student or parking student but who chooses voluntarily, along with his or her parent's consent, to participate in the student drug and alcohol testing program.

STATUTORY AUTHORITY:

CODE OF ALABAMA  
16-8-8, 20-2-20 through 32

HISTORY:

ADOPTED: 02/13/2020  
REVISION DATE(S):  
FORMERLY:

## CHAPTER 5: STUDENTS

### SUPERVISION OF LOW – RISK JUVENILE SEX OFFENDERS POLICY

5.86

Pursuant to Annalyn’s Law, the Superintendent shall be notified by local law enforcement when a low risk juvenile sex offender is enrolled or attending school within the board’s jurisdiction for the purpose of appropriate supervision during the school day and during school activities.

#### Section 1. Definitions

In this policy, these terms shall have the following meanings:

- (a) “Plan” refers to the “individualized student safety plan” developed following the Student’s adjudication and/or enrollment in the school to serve as a behavior contract between the Student and the School.
- (b) “School” refers to “all school property and school-sponsored functions including, but not limited to, classroom instructional time, assemblies, athletic events, extracurricular activities, and school bus transportation” related to the Student’s current school of record.
- (c) “Student” refers to “the low-risk juvenile sex offender” designated by a juvenile court judge as having a low risk of re-offense.
- (d) “Teachers and staff with supervision over the student” or “Supervision team” refers to school officials or staff who have a specific responsibility for the Student, including the school principal, the Student’s assigned teachers and/or coaches, the Student’s counselor, and if applicable, the Student’s bus driver, during the subject school year and who will be privy to information regarding the Student’s status. Teachers and staff with only passing and/or general contact with the Student shall not be privy to information regarding the Student’s status.
- (e) “Victim” refers to the victim, if known by and attending the same school as the Student, of the offense for which the Student was adjudicated delinquent.

#### Section 2. Notification

##### (a) Current Students

In the event a currently enrolled Student is adjudicated delinquent and designated “low risk” by the juvenile court, local law enforcement is expected to notify the local Superintendent and principal of the Student’s school in writing.

##### (b) Newly Enrolled Students

In the event a Student seeks to enroll in the district as a new student and that Student has been previously designated as a low-risk juvenile sex offender, local law enforcement is expected to notify the local Superintendent and principal of the Student’s school in writing.

##### (c) Students That Change Schools Within the District

In the event a currently enrolled Student transfers to another school in the district or is promoted to another school in the district, the principal of the original school should notify designated law enforcement of the change as soon as practicable.

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Following that notification, the principal of the original school should orally or in writing brief the principal of the new school regarding the original Plan and the transferring Student's status and circumstances. Regardless, the principal of the prior school must provide the Student's records and Safety Plan to be the principal of the new school as soon as practicable.

The new principal should review the Plan and meet with the Student, the Student's parent or guardian, and the anticipated new Supervision Team to determine whether the current terms are sufficient or should be adjusted based on the Student's circumstances.

### (d) School Staff Changes

In the event the principal or a member of the Supervision Team leaves his/her position or is no longer responsible for supervising the Student, a replacement team member should be named, if necessary and appropriate, and briefed by the principal or the most senior member of the Supervision Team regarding the Student's status and Plan. The Student, his/her parent or guardian, and other members of the Supervision Team should be notified of changes to the Supervision Team within a reasonable timeframe.

### Section 3. Plan Development and Maintenance

Upon proper notification from law enforcement, the Student's principal or designee will call together the anticipated Supervision Team to meet with the Student and/or the Student's parent or guardian to develop an appropriate Plan. This meeting should take place within ten (10) school days or as soon as practicable.

In the event the Student's parent or guardian is unable or unwilling to meet, the principal or designee and the Supervision Team should meet with the Student within a reasonable timeframe to develop an appropriate Plan.

In the event the Victim attends the same school as the Student, the plan should include measures to reduce the likelihood of Victim and Student interaction.

The terms of the Plan and any updates to it must be memorialized in writing and approved by the principal or designee before being distributed to the Student and the Student's parent or guardian, as well as the Supervision Team.

The principal or designee should meet with the Student, the Student's parent or guardian, and the Supervision Team at least annually, but as often as deemed necessary by the principal or designee to assess the Student's status and to determine whether adjustments should be made to the Plan.

### Section 4. Supervision

The Student will be subject to the general Student Code of Conduct and any other conditions deemed necessary by the principal or designee as incorporated in the Student's Plan.

Members of the Supervision Team should report any suspected violations of the Plan to the principal or designee.

The school officials and staff responsible for supervising the Student on a daily basis should do so in a manner that is discrete and unobtrusive.

### Section 5. Students with Disabilities

Discipline of Students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act and/or Section 504 of the Rehabilitation Act and implementing regulations.

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### Section 6. Violations of the Plan

In the event the Student violates the Student Code of Conduct or the Plan, the Student may be subject to discipline pursuant to board policy and/or reassessment of the Plan's conditions.

### Section 7. Challenges to the Plan

In the event the Student and/or his/her parent or guardian object to conditions of the Plan or the application of a sanction, a challenge must be submitted in writing to the Superintendent or his/her designee to consider whether adjustment of the Plan or response modification is warranted. The Superintendent's decision shall be final. A response that constitutes disciplinary action will adhere to the applicable School disciplinary policies and procedures and the Student will be afforded process due thereunder.

### Section 8. Confidentiality

Information received by school officials or staff related to the Student's delinquent status must be treated as confidential from other students, staff members, officials and stakeholders. Any document identifying the Student's status should be safeguarded from unintentional disclosure by the members of the Supervision Team. Any school official or school employee who improperly discloses the Student's status to any other person may be subject to school discipline and/or criminal charges as provided by law.

### Section 9. Retaliation

Members of the Supervision Team should make every effort to treat the Student with the same respect and courtesy to which every student is entitled. The Team is reminded that the Student has been deemed by the juvenile court as not likely to reoffend and should be encouraged to fully integrate into the student body as a successful student. Mistreatment of any student may be cause for discipline.

### Section 10. Procedures

The Superintendent shall have the authority to develop appropriate training and additional procedures for staff members in furtherance of this policy.

#### STATUTORY AUTHORITY:

CODE OF ALABAMA  
Ala. Act No. 2018-528, Ala. Code 16-1-51.1 (1975)

#### HISTORY:

ADOPTED: Board Meeting 8/13/2020  
REVISION DATE(S):