



Board Policy Manual

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Policy JAA: Equal Educational Opportunities

Status: ADOPTED

Original Adopted Date: 07/10/2012 | **Last Reviewed Date:** 07/10/2012

It shall be the policy of the Gadsden City Board of Education that the school district shall provide, on a 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, disability, creed, national origin, age, or sex. All programs offered by schools within the school district shall be open to all students in compliance with statutory and judicial requirements.

Ref: 42 U.S.C. 2000d (1-6); 42 U.S.C. 2000c (1-9); 20 U.S.C. 1681 et seq.; 20 U.S.C. s1401 et seq.; 42 U.S.C. 1983; 29 U.S.C. 621 et seq.

The Gadsden City Board of Education shall enroll in school all students residing within the school district between the ages of six and seventeen years, not otherwise receiving instruction in a private school, church school, or being taught by a private tutor in accordance with state law. An accurate record of attendance for each pupil shall be maintained by the classroom or homeroom teacher or other designated person. This record shall be kept in the official register, or through other officially approved documentation provided or approved by the State Department of Education.

It is the policy of the Gadsden City Board of Education that students in grades 9-12 must register and begin attending classes no later than ten (10) days from the beginning of the semester in order to receive Carnegie units credit for that semester.

Ref: Ala. Code 16-28-3.

It is the belief of the Gadsden City Board of Education that regular school attendance is important to all students and to the school system. It is further believed that course content and grading procedures should be structured in such a fashion that regular attendance is necessary in order to successfully complete course requirements.

It is the responsibility of parent(s)/guardian(s) and students to maintain regular and punctual student attendance at school. Administrators and teachers will make every effort to encourage regular attendance by students and solicit assistance from parents and guardians in accomplishing this objective.

An absence is defined as non-attendance (except for in-school activities which are excused by school personnel) in a regularly scheduled class or activity, regardless of the reason for such non-attendance.

Excused Absences – Parent(s) guardian(s) must provide a written explanation of the reason(s) for each absence within two school days after each absence (or consecutive absences). If the written explanation is not provided within the three-day period, the absences will be coded unexcused. A student must be in attendance one-half day to be counted present. Absences will be excused for the following reasons:

1. Personal illness without doctor's excuse, with parent/guardian excuse
2. Personal illness with a doctor's statement
3. Death in the immediate family
4. Weather preventing attendance (would endanger student's health)
5. Legal requirements, such as subpoena or other required court appearance
6. Prior permission by the principal at the request of parent or guardian
7. Legal quarantine

Unexcused Absences – Any absence(s) not classified as excused absence(s) will be coded unexcused.

The Gadsden City School System recognizes that daily instruction in classes is imperative to student success either in traditional or, more importantly, block scheduling. Our goal is to provide meaningful instruction for every student every day during each term. In order to complete that goal, to assist students in their personal educational growth, and to help them develop personal responsibilities toward their own success, the school counselors, administrators, and secretaries will call a parent/guardian when students are absent beginning with the second absence. By ensuring that students have the opportunity to meet attendance requirements, we can ensure that maximum learning takes place.

I. ISS (In-school suspension)

A. For the purposes of this policy, ISS is **not** considered as a class absence.

B. If ISS is not available, detention or corporal punishment could be used when deemed appropriate by the administration.

II. ABSENCES OVER TEN DAYS

A. A letter will be sent to a parent/guardian after a high school student has missed a class ten (10) unexcused times during a term; fifteen (15) unexcused days for a middle school student and a parent conference is required.

B. Any class periods that are missed more than ten (10) unexcused times for a high school student during a semester (or more than fifteen (15) unexcused times per year for a middle school student) may result in the student failing to receive credit for that course. A grade of F/A (failure due to absences) may be issued to the student for the course in such cases.

C. Class work missed during unexcused absences may not be made up. An out-of-school suspension is an unexcused absence and work may not be made up.

D. Students will have the opportunity to make up assignments with an excused absence. However, the teacher has the option to require that tests and exams be administered during a separate, teacher monitored session which must be scheduled through the respective teacher. Students will have three days to turn in missed assignments. (Could be longer if approved by principal)

III. PHILOSOPHICAL BASIS

School administrators are required under state law to enforce compulsory school attendance laws. Regular attendance by students facilitates the development of the skills and knowledge necessary to function in a modern democratic society.

Student Responsibilities are:

- To take advantage of educational opportunities by attending all classes daily and punctually.
- To provide the school with an adequate explanation and appropriate documentation indicating the reason for an absence.
- To promptly request make-up assignments for each excused absence and to complete these assignments within a reasonable length of time or a zero (0) will be issued for the assignment(s).

Student Rights are:

- To be informed of School Board policies and individual school rules regarding absenteeism and tardiness.
- To appeal a decision pertaining to an absence.
- To make up class work with a specified length of time when there is an excused absence.

Principal: Evaluation of student absences may be appealed to the school principal.

This policy outlines expectations for toileting readiness, bathroom independence, and hygiene for students in grades Pre-K through 12, ensuring a safe and sanitary school environment. Students are expected to be toilet-trained and manage their bathroom needs independently, demonstrate basic hygiene practices, communicate their needs appropriately, and follow school supervision procedures.

I. Exceptions for Disability or Medical Needs

This policy shall not apply to any student whose toileting needs are related to a diagnosed disability, medical condition, or other documented condition supported by a physician's statement, an Individualized Education Program (IEP), a Section 504 Plan, or other approved accommodation process. In such cases, the school shall provide reasonable accommodations and support as determined by the appropriate student support team, consistent with applicable law and district procedures. No student shall be denied enrollment or educational access solely because the student requires toileting-related support for a documented condition.

II. Pre-K Enrollment Expectations

For Pre-K programs, the district requires students to be toilet-trained as a condition of routine classroom participation, except where an exception applies under Section III. When a child is not yet toilet-trained, the district will require parental cooperation and, when appropriate, develop an individualized support plan.

III. Support and Intervention

When toileting concerns arise, district personnel will notify the parent or guardian and request a conference to review needs, support, and expectations. The district will develop a plan that includes scheduled bathroom breaks, clothing changes, adult assistance, private restroom access, nurse involvement, or other reasonable measures. If the concern may involve a disability or medical need, the matter shall be referred to the appropriate student support team for consideration of an IEP, 504 Plan, health plan, or other accommodation process.

IV. Hygiene, Safety, and Privacy

All toileting assistance shall be provided in a manner that protects student dignity, privacy, and safety. Staff shall follow applicable sanitation and cleaning procedures and shall use standard precautions when handling bodily fluids or contaminated materials. The district shall maintain procedures that are consistent with school health practices and local sanitation requirements.

V. Parent and Guardian Responsibility

Parents and guardians are responsible for notifying the school of any medical condition, developmental concern, or disability-related need that may affect toileting independence. Parents and guardians are expected to cooperate with the school in supporting toilet training, hygiene expectations, and any approved support plan.

VI. Non-Discrimination

This policy complements existing Gadsden City Schools policies on equal educational opportunities, special education, student conduct, and health/sanitation. It will be enforced in alignment with the district's equal opportunities policy and relevant civil rights requirements, ensuring no student faces arbitrary or discriminatory treatment due to age, disability, medical needs, or accommodation requirements.

VII. Administrative Authority

The Superintendent is authorized to develop administrative regulations, forms, and procedures necessary to implement this policy uniformly across the district. Such procedures may address documentation, communication with families, staff responsibilities, restroom supervision, and accommodation review.

It is the policy of the Gadsden City Board of Education, in accordance with Alabama statutes, that a child must be six years old on or before September 1 or the date on which school begins in the enrolling district in order to be admitted to the first grade for that school year. A child must be five years of age on or before September 1 or the date on which school begins in the enrolling district in order to be admitted to kindergarten. Underage children transferring from out-of-state schools may be admitted upon approval of the Superintendent.

Ref: Ala. Code, 16-28-4, 16-11-16.

Admission of students to the schools of the Gadsden School District shall be on an individual basis, upon application of the parent or guardian of the student, to the Board at the beginning of each school year, under such rules and regulations as the Board may prescribe.

No student may be excluded from any school within the school district except by due process or failure to meet specifications of policies contained herein. The Board fully recognizes that providing equality of educational opportunities for all children requires such objectivity. The Board is equally concerned that all admissions policies adhere strictly to applicable legal requirements, e.g., health-related standards.

No child shall be admitted to the first grade until he or his parents do the following:

1. Present to school officials an official birth certificate showing that he is six years old on or before September 1 of the year of his admission or the date on which school begins in the enrolling district..
2. Present to school officials proof that the child has received immunization for the following communicable diseases: polio, diphtheria, tetanus, pertussis, measles and rubella, and mumps; or, present to school officials a written objection to immunization against non-epidemic diseases based on religious grounds, or a statement from a physician stating that the immunization or tests would be detrimental to the child.
3. Present the child's social security card to school officials.

Students Over Twenty-One

If a person is twenty-one years of age on or before September 1 of a particular year, he shall not be admitted to a Gadsden City School without the approval of both the principal of the school and the Superintendent of Education.

In no cases shall admissions policies reflect overt or inadvertent discrimination based on race, color, creed, sex, religion, or national origin.

It is the policy of the Gadsden City School System to provide, on a nondiscriminatory basis, educational opportunities for children. No person shall be denied the benefits of any educational program or activity on the basis of race, color, disability, creed, national origin, age, or sex.

Enrollment of homeless, migrant, immigrant, and limited English proficient children shall not be denied due to any barriers: birth certificate, school records, transcripts, immunization, proof of residency, transportation, unaccompanied: no guardian.

Ref. The McKinney-Vento Homeless Education Act of 2001

The Board defines resident students as students whose parents or legal guardians live within the jurisdiction of the school district. All resident students of the school district shall be entitled to be admitted, subject to policy limitations and judicial constraints, to the school serving their attendance zone.

The public schools of the district shall be free to all children of school age whose parents or legal guardians reside within the school district.

Ref: Ala. Code 16-11-9, 16-11-20, 16-12-3, 16-12-4, 16-12-5, 16-12-8.

The Gadsden City Board of Education defines nonresident students as students whose parents or legal guardians live outside the geographical boundaries of the school district. Nonresident students are qualified for enrollment in Gadsden City School System if they are in good standing with attendance and discipline at their prior school and during enrollment in Gadsden City School System. All qualified nonresident students who apply for enrollment in the Gadsden City School System shall be considered subject to the availability of space, staff, and programs offered at the individual school at which you are seeking enrollment. Final decisions on availability of space, staff, and programs offered for the enrollment of nonresident students are made only after all resident students have been enrolled. Students who require specialized instruction may be considered for enrollment at another school in the district if the individual school at which you seek enrollment lacks adequate staff based on the pupil-to-teacher ratio.

See policy coded AC.

SCHOOL DISTRICT ORGANIZATION

The Gadsden City Board of Education has organized its school programs into elementary, middle, and high school.

The Board is authorized to reorganize the schools within its jurisdiction and to determine and fix the number of grades to be taught at each school in accordance with the dictates of the public and best interests of the students.

Ref: Ala. Code 16-8-36, 16-11-16, 16-8-41; Shores v. Elmore County Board of Education, 3. So. 2d 14 (1941).

The Gadsden City Board of Education authorizes the Superintendent or his designee to handle all student transfer requests. A resident student enrolled in a public school in the Gadsden City School System shall not transfer to another school in the system unless his parents or guardian legally relocates in another attendance zone or as dictated by judicial action.

No student shall be permitted to withdraw from school before his seventeenth (17th) birthday when the student's parent or guardian continues to reside within the jurisdiction of the school district, unless approved by the Superintendent in accordance with state law.

If the student's parent or guardian moves to another school district, the student shall withdraw in accordance with such rules and regulations as may be prescribed by the school district as well as applicable state laws and regulations.

Policy JBCE: Entrance Requirements for Students Using F-1 Visa Status**Status:** ADOPTED**Original Adopted Date:** 11/02/1999 | **Last Reviewed Date:** 11/02/1999

It is the policy of the Gadsden City Board of Education that all alien students entering the Gadsden City School System using an F-1 visa be required to pay \$1,200 per year as reimbursement to the local education agency for tuition and fees.

The Gadsden City Board of Education defines residency and zoning requirements for enrollment in First Class pre-kindergarten classrooms in Gadsden City Schools. To be eligible, students must meet the requirements set by the Alabama Office of School Readiness (OSR).

Students must be four years old by September 1st and must enroll in the First Class pre-kindergarten program at the elementary school in their attendance zone. The attendance zone is determined by the student's residence, utilizing the official Gadsden City Schools zoning map and approved electronic tools to verify the address. If a student lives in a zone without a First Class pre-kindergarten classroom, they will register at the nearest school that has one, or another designated by Gadsden City Schools, depending on classroom availability.

Priority goes to students in their home attendance zone. Once a student is placed in the First Class pre-kindergarten classroom at their zoned school, their name will be removed from any lists for other classrooms in Gadsden City Schools. Families with siblings already attending the zoned school or parents/guardians who work for Gadsden City Schools may receive special consideration, as allowed by the superintendent or designee, following OSR guidelines.

Interest in out-of-zone classrooms will not take precedence over zoned placement when space is available. If there are open spots after all in-zone applicants have been served, the Superintendent or designee may consider out-of-zone applicants according to OSR and legal rules, giving priority to those with siblings at the zoned school. Applicants are required to provide proof of residency in Gadsden City Schools and their specific attendance zone when applying and before enrollment. Providing false information may result in denial or revocation of enrollment.

After completing their school year in the OSR classroom, students and families must register the student for the next school year based on their attendance zone.

OSR students and their families are subject to all applicable policies outlined in the Gadsden City School Board of Education policy manual.

Gadsden City Schools strives to maintain an orderly environment for students' education. Students who arrive late not only miss valuable class time, but also interrupt the educational setting of the classroom.

Students who are tardy to school must check in with the designated personnel for a pass. **Tardies to class will be handled by each school.** Tardies will be coded excused or unexcused. The designated administration will assign penalties as follows:

ELEMENTARY SCHOOLS

Students who are late to school **MUST** have a PARENT check them in at the school office. Penalties will be:

Fifth Tardy: Parent Notification—phone call/referral with parent signature

Eighth Tardy or more: Home Referral—The parent must come to school

Excessive Tardies: Refer to **Class I Elementary Disciplinary Actions**

MIDDLE SCHOOLS

Fifth Tardy: Parent Notification—phone call/referral with parent signature

Eighth Tardy: Home Referral—The parent must come to school

Tenth Tardy or more: Will be ISS or OSS

A student is considered tardy after the tardy bell. Parent signatures may be required, or documentation from (doctor, dentist, court, etc.).

HIGH SCHOOL

In order to benefit fully from the instructional program, students should be punctual to school and to every class.

SCHOOL TARDY: A student is considered tardy to school after 7:55 A.M. A parent/guardian is required to check in a student after 8:15 A.M. unless a note from a proper authority (doctor, dentist, court, etc.) is presented at check in.

First Tardy: Warning

Second Tardy: Student placed on referral and must bring parent/guardian for conference

Third/Subsequent Tardies: One (1) day OSS

Students tardy six or more times will receive additional days OSS.

Students who must leave during the school day must be checked out through the main office. A **parent, guardian**, or their **designee** must come to the school and sign the student out. (A designee is a person who the parent designates permission to check in/out their child by filling out the permission to check out form at the beginning of each school year.)

Specific Restrictions:

- A. Only the **parent, guardian**, or their **designee** may check out a student.
- B. Persons checking out students will be required to show a picture ID.
- C. **School employees** may **not** check out a student unless the student is their child.
- D. No one under age **19** may check out a student.

Early Checkout Will Be Excused For The Following Reasons:

1. Personal illness of the student.
 2. Death in the immediate family.
 3. Inclement weather, which would be dangerous to the life or health of the student as determined by the principal.
 4. Legal quarantine.
 5. Emergency condition as determined by the principal.
 6. Prior permission by the Principal (religious holidays, scheduled medical appointments, etc.)
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Truancy is the habitual and unlawful absence from school. In accordance with Alabama School law the parent or legal guardian is responsible for requiring any student under his control or charge and under seventeen (17) years of age to attend school regularly except for legal absences as defined by Alabama School law and State Board of Education rules and regulations. Provided a student under seventeen (17) years of age becomes a truant, the parent or guardian of said student may be guilty of a misdemeanor and subject to punishment by law.

Ref: Ala. Code 16-28-3, 16-28-14, 16-28-15, 16-28-17.

Freedom of expression is a constitutional right guaranteed to all citizens. The Gadsden City Board of Education shall make every effort to provide for the free expression of ideas by students subject to the controls on student expression permitted by the courts. No student shall have the right to interfere with the educational process of other students. The Board endorses the concept of student and staff academic freedom, commensurate with the age, intelligence, and overall maturity levels of students. All students shall be free to express their points of view in an orderly manner in keeping with democratic ideas. All students shall simultaneously respect the rights of fellow students, teachers, and school officials in this respect and shall also remember that individual rights cease when they infringe upon legally valid rights of others.

All students shall have the freedom to exercise the right of legal protest through proper channels, providing that such protest does not interfere with the educational program of the school or Gadsden City School District, or result in harm to other individuals or to school owned or individually owned property.

All students shall, as noted above, have the responsibility to grant the same rights and responsibilities to each other, to develop tolerance for the viewpoints and opinions of others and to recognize the right of other individuals to form and hold different points of view. In essence, the Board recognizes the dignity and worth of every student and each

student's constitutional rights. On the other hand, the Board shall insist that any exercise of such rights which creates disruption within a school is an abuse rather than a legally valid exercise of substantive rights.

Codes of student conduct shall be based on maintaining within each school a proper atmosphere for learning. Codes of conduct shall be consistent with the policies of the Gadsden City Board of Education which, in turn, shall be in full accord with statutory requirements and regulations of duly authorized administrative agencies.

All professional personnel shall work in a cooperative manner under the leadership of designated officials to assure that all students do abide by established rules and regulations. All personnel shall likewise assure that student governance and discipline is completely free from arbitrary, capricious, discriminatory, or otherwise legally indefensible and educationally unsound practices.

Ref: Ala. Code, 16-1-14; Griffin v. Tatum, 300 F. Supp. 60 (M.D. Ala., 1969); Tinker v. Des Moines Independent Community School District, 393 U.S. 503, 89 S. Ct. 733, 21 L. Ed. 2d 731, (1969); Blackwell v. Issaquena County Board of Education, 363 F. 2d 749 (5th Cir., 1966); Burnside v. Byars, 363 F. 2d 744 (5th Cir., 1966) Baker v. Owen, 395 F. Supp. 294 (1975); Goss v. Lopez, 419 U.S. 565, 95 S. Ct. 729 (1975); Wood v. Strickland, 95 S. Ct. 992, 1000-1001 (1975); Civil Rights Act of 1871, 42 U.S.C., Sect. 1983; Civil Rights Act of 1964, Title VI as amended; Title IX of Education Amendments of 1972; Adaptation from Board policy manual.

Due process within the Gadsden City School District is intended to insure fair and reasonable approaches to all areas of student governance and discipline on the parts of all school officials.

The Gadsden City Board of Education recognizes that observance of applicable substantive due process entails two basic considerations in every area. One is to produce, through the use of fair procedures, more accurate results: to prevent the wrongful deprivation of interests. The other goal is to make people feel that the school district has treated them fairly by, say, listening to their side of the story. To assure compliance with these two due process aspects, the Gadsden City Board of Education has endorsed the following as applicable to all policies, rules and regulations considered necessary to accomplish the district's interest of maintaining a proper atmosphere for learning in each school.

1. Each local school policy, rule or regulation must spell out its purpose, relating same to accomplishment of a legally defensible objective.
2. Each local regulation must be consistent with the established policies of the Gadsden City Board of Education.
3. All policies, rules and regulations at any level must be consistent with local ordinances, statutes of the State of Alabama, administrative regulations of duly authorized agencies; i.e., State Board or State Department of Education; Department of Human Resources.
4. Both policies of the Gadsden City Board of Education and regulations designated by local school administrators must be specific and precise. Vague and overly broad regulations do not adequately meet the due process requirement of adequate notice.
5. No board policies or local school codes of conduct can deny any students constitutional rights; neither policies nor rules or regulations can violate due process of law under the Fourteenth Amendment nor their rights under the Bill of Rights.
6. All discharge of administrative responsibilities and exercise of authority must recognize applicable legal parameters placed upon positions of school officials.
7. All exercise of administrative authority or that of other school officials, i.e., classroom teachers, must be capable of surviving close judicial scrutiny relative to freedom from arbitrary, capricious, discriminatory or otherwise illegal practices.
8. Students, parents, citizens, teachers, and administrators should be participants in developing local school codes of conduct.

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

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

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

1. The student shall be given oral or written notice of the charges against him.
2. The evidence against the student shall be explained to him
3. The student shall be given an opportunity to present his own version of the facts concerning the charges.

When a student is facing possible long-term suspension or expulsion, the Board shall afford the student the following:

1. The right to obtain counsel,
2. The opportunity for cross examination of witnesses,
3. A record of the hearing; and
4. A written record of the decision.

Ref: U.S. Const. amend. XIII; U.S. Const. amend. XIV, 1; Ingraham v. Wright, 97 S. Ct. 1401 (1977); Goss v. Lopez, 95 S. Ct. (1965); Carey v. Piphus, 98 S. Ct. 1042 (1978); Dixon v. Alabama State Board of Education, 294 F. 2d 150 (5th Cir. 1961); Board of Curators of the University of Missouri v. Horowitz, S. Ct. 948 (1978).

Search of Property

The Gadsden City Board of Education fully recognizes the implications of constitutional law in the area of student privacy. The Board is equally aware that such tangible personal property items as student desks, student lockers, and related properties are and remain the property of the Board.

The Board is charged with maintenance of such property and thus authorizes inspection for any maintenance related reasons. With respect to opening said lockers or desks for other reasons, the following shall apply throughout the school district.

Student lockers, desks, books, and other similar property are owned, leased, or controlled at all times by the school. Any and all vehicles driven or parked on campus are subject to searches and seizures just as school-owned property would be. The school exercises exclusive control over the school-related property, and a student should not expect any privacy whatsoever regarding items placed or stored in or on school-related property, because school-related property is subject to search at any time by school officials.

Any items which are specifically prohibited by law, by board policy, or by fair and reasonable local school regulations may be impounded by school officials. Such prohibited items shall include, but not be limited to, the following: (1) any weapons, (2) drugs of any sort, (3) alcoholic beverages, (4) pornographic or otherwise obscene material, or (5) any other object, controlled substance or material which would be a violation or evidence of a violation of federal or state law, of board policy, or of the local school's fair and reasonable regulation.

In the initiation and conduct of any search, a school administrator will remain in charge at all times. A witness from the professional staff shall be present during the inspection at all times when students cannot be contacted.

Search of a Student's Person

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:

1. Any such action shall not be taken unless there is a reasonable belief of violation of law or policy which can be substantiated if necessary;
2. Any such action shall not deliberately be intended to embarrass, harass, or intimidate the student(s);
3. Parents or guardians shall be notified, in writing, of all such searches of a student's person. A copy of said notice shall be retained by the principal.

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

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 of Education. Students shall be given a receipt for all items impounded.

Interrogations of Students

A student enrolled in the school district shall not be interrogated by any law enforcement authority on public school property during regular schools hours without the knowledge of the school's principal or his designee. All interrogations shall be conducted in private, with an official school representative (principal or his designated representative) present. Every reasonable effort shall be made to have a parent or guardian present. In those instances where a parent cannot be present within a reasonable period of time, school officials may allow interviews by law enforcement officials to proceed in the absence of the parent or guardian. Other non-school persons shall not interview students at school with the exception of the student's parents or guardians.

Ref: U.S. Const. amend. IV; U.S. Const. amend. XIV; Moore v. Student Affairs Committee of Troy State University, 284 F. Supp. 725, (M.D. Ala. 1970); Note from Moore: "It is settled that the Fourth Amendment does not prohibit reasonable searches when the search is conducted by a superior charged

with the responsibility of maintaining discipline or of maintaining security...”

The Gadsden City Board of Education recognizes the rights of all students to engage in acts of worship in accordance with the U.S. Constitution and Alabama Constitution. The Board supports the intent of Alabama state law to allow voluntary student-initiated prayer on school property and at any school related activity.

Students have the right to engage in voluntary individual prayer that is not coercive and does not substantially disrupt the school's educational mission and activities.

The Gadsden City Board of Education intends that District schools help students grow toward self-discipline, accept responsibility, and learn to appreciate the rights of others. To that end, the Board shall adopt a written student conduct and discipline code based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority. The code also shall emphasize that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action.

The code shall be enforced uniformly, fairly, and consistently for all students. Violators shall be subject to appropriate disciplinary measures designed to assure that no student interferes with the rights of others to receive a quality education. Students shall receive adequate notice of local school codes of conduct as approved by the principal, Superintendent, and Board. All codes of conduct shall assure equality of educational opportunity for all students. Such codes may include but not be limited to the following:

Dress Code

The Board has the responsibility to maintain an appropriate atmosphere conducive to learning. Therefore, any student-worn article of clothing or manner of hair style or make-up determined by the teachers and principals to be disruptive to the learning environment or hazardous to the health and safety of the child and/or teacher shall not be allowed.

The primary guide in determining what is not appropriate is the extent to which such dress or grooming attracts undue attention in the classroom or school and creates a disruption in the learning process.

If the principal determines that the student's dress or grooming is unacceptable, adequate time shall be allowed the student to make proper adjustments. However, when a student continues to ignore the required changes, he shall be subject to disciplinary action.

Smoking/Use of Tobacco

Students shall not be permitted to smoke or use tobacco in any form on the school grounds or in school buildings during the school day, or when riding school buses to and from school or on a school-sponsored trip. Parental permission to smoke or otherwise use tobacco does not exempt a student from this policy. Professional school personnel shall organize and maintain programs of education designed to make pupils fully aware of the hazards of smoking and use of tobacco.

Students caught using tobacco in any form on the school grounds are subject to suspension or other appropriate disciplinary action.

Alcohol/Drug Use

It shall be the policy of the Board that the school principal or authorized official of the school shall be authorized to suspend any student found in possession of or in the act of using:

- a. alcohol, marijuana; or
- b. drugs (stimulants, depressants, hallucinogens, or opiates)

for which the student has no prescription from a duly recognized physician.

Also, the school principal or authorized official of the school is authorized to suspend any student who is caught selling alcohol and/or harmful drugs to others.

The above policies apply when the act(s) take place at school, on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours. Recommendation of expulsion may be made if the situation seems to be sufficiently grave.

The principal shall immediately notify the parents or guardians of the student by telephone. If the parents or guardians cannot be reached by phone, the principal shall then notify them of the action by sending a letter within 24 hours. Care shall be given to afford due process to all students.

Persons, firms, corporations, or associations who knowingly sell, give or otherwise dispense any alcoholic beverage to a school student under the age of eighteen (18) years or who have sold alcoholic beverage on school premises shall be liable for prosecution under Ala. Code 16-1-10.

Dangerous Weapons

The Board authorizes the Superintendent or designated official to suspend any student found in possession of a dangerous weapon. A dangerous weapon may be defined as a knife, club, gun, chain, or any other object deemed dangerous by the school officials. Such weapons are not to be carried by student on school grounds, on school buses, and/or at any school-sponsored event, during or after regular school hours. Disciplinary action for this offense may include expulsion in accordance with the due process procedures as established by this Board.

Bus Conduct

The Board expects parents of students to accept responsibility for supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the school day.

Once a child boards the bus—and only at that time—does he become the responsibility of the school district. Such responsibility shall end when the child is discharged at the regular bus stop at the close of the school day.

Since the bus is an extension of the classroom, the Board shall require children to conduct themselves on the bus in a manner consistent with established standards for classroom behavior.

When a child does not conduct himself properly on a bus, it shall be brought to the attention of the building principal by the bus driver. The building principal shall inform the parents immediately of the misconduct and request their cooperation in controlling the child's behavior. He shall also discipline guilty students as deemed appropriate.

A child who becomes a serious disciplinary problem on the school bus may have his transportation privileges suspended or terminated. In such cases, the parents of the children involved shall become responsible for seeing that their children get to and from school.

Ref: Ala. Code, 16-1-10, 16-1-14, 16-11-9, 16-41-1 to -10, 16-4-13, 16-1-2, 16-8- to -10, 16-12-3 (a), (b), 16-12-5, 16-12-1 to -6.

The Board recognizes that dress and grooming affect the behavior of students and that there are sanitation and safety factors directly related to proper dress and grooming. The manner in which a student dresses for school each day is primarily the responsibility of the student and his or her parents. However, when a student's style of dress or appearance presents a danger, causes an interruption of the instructional program, or violates the dress code he or she will be denied class admission until the condition is corrected. Therefore, the Board establishes the following expectations for student dress and appearance in order that school administrators, teachers, and parents will have clear dress and grooming guidelines to ensure that rules and discipline can be enforced consistently.

Specific Dress Regulations:

1. Good personal hygiene is to be observed at all times. Proper undergarments and shoes are mandatory. (House slippers are not suitable)
2. Head apparel will not be worn inside buildings.
3. Nose, lip, or other body piercing other than earrings will not be allowed. No excessive ear piercing. No exaggerated accessories to include but not limited to: large loop earrings; large, long, and heavy chains. No decorative dental appliances (whether permanent or temporary) or decorative contact lenses will be allowed.
4. Sunglasses and colored shades will not be worn inside buildings.
5. No see-through, backless, or strapless shirts; no spaghetti straps or muscle shirts; no midriff or tube tops will be allowed. Tops made from spandex, mesh, or fishnet will not be allowed. Sports bras cannot be worn as outerwear on school campus. No part of the bra or any undergarment should be visible at any time.
6. Tight-fitting garments such as bike shorts, exercise pants, or stretch pants should not be worn. Sleeping pants are considered unsuitable. Pants with holes in inappropriate places will not be allowed. No underwear should be visible at any time.
7. NO SAGGING PANTS. All shirts must be within six (6) inches of the hipline (waistline) and belts must be worn.
8. All shorts, skirts, skorts, or dresses must come to or extend below the tips of the fingers.
9. Clothing must not contain any writing, drawing, labels, or decals which could be offensive to others. No clothing will be allowed that displays antisocial, immoral or illegal behavior nor should clothing promote products which students may not legally buy, such as alcohol, tobacco, or illegal drugs.
10. All oversized jackets or coats made for outdoor wear such as starter jackets, overcoats, etc. must be placed in the locker first thing in the morning. With the instructor's permission, lightweight jackets and sweaters will be allowed in class.
11. In addition to articles previously mentioned: accessories, backpacks (must be clear or mesh and left in the locker upon arrival), notebooks, patches, haircuts must not display or promote racial/ethnic slurs/symbols; gang, satanic, or occult affiliations; violence or mutilation, vulgar, subversive or sexually suggestive language; or products such as alcohol, tobacco, and illegal drugs.
12. Any student's appearance that causes a disruption to the school climate will not be allowed in school.
13. At the high school level, cheerleaders and dance team members will be allowed to wear uniforms with opaque tights on game days. At the high school level it is believed that such a practice will help foster school spirit, as well as make others aware of athletic events.
14. Hair should be kept in an appropriate manner conducive to the education environment.

The Principal has the authority to add or delete any of the above regulations as emergency problems or concerns arise.

Evaluations of dress not covered by the fourteen (14) specific regulations will be done on an individual basis through referral to a counselor or principal. School "Dress Up" days are provided for in the regular calendar of activities during the year on a planned basis. The use of school time for initiation days by groups or organizations not sponsored by the school is prohibited.

FAILURE TO COMPLY WITH DRESS CODE WILL RESULT IN:

Middle School

- **First Offense:** Student warning
- **Second Offense:** Parent conference
- **Third Offense:** Home referral
- **Fourth Offense:** Three (3) days of ISS
- **Fifth Offense:** One (1) day of OSS
- **The next infraction will result in In-School Suspension (ISS) or Out-of-School Suspension (OSS) and parent will be required to bring the child back to school and meet with an administrator the day following the last day of ISS or OSS.**

High School

- **First Offense:** Warning or home referral
 - **Second Offense:** One (1) or more days ISS
 - **Third Offense:** Three (3) days OSS
 - **The next infraction will result in In-School Suspension (ISS) or Out-of-School Suspension (OSS) and parent will be required to bring the child back to school and meet with an administrator the day following the last day of ISS or OSS. Corporal punishment may be used in place of ISS.**
-

The Gadsden City Board of Education realizes the need to ensure the safety of students and school personnel. Fighting will be any physical conflict between two or more individuals.

Secondary Disciplinary Action: 45 Days Alternative Education Center

Bullying, Intimidation, Violence, and Threats of Violence Prohibited - No student shall engage in nor should any be subjected to bullying, violence, threats of violence or intimidation by any other student that is based on any of the specific characteristics set forth in this policy. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the Student Code of Conduct and applicable law, subject to the investigating school administrator's authority and decision.

II. Definitions – In this policy, these terms shall have the following meanings:

"Bullying" means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to: cyberbullying or written, electronic, verbal, or physical actions that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in this policy. To constitute bullying, a pattern of behavior may do any of the following:

Place a student in reasonable fear of harm to his or her person or damage to his or her property;

Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student;

Have the effect of substantially disrupting or interfering with the orderly operation of the school whether the conduct occurs on or off school property, online, or electronically;

Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function; or

Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

"Hostile environment" means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.

"Violence" means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

"Threat" means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.

"Threat of violence" means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.

"Intimidation" means an unjustified threat or other action that is intended to cause fear or apprehension in a student.

"Student" as used in this policy means a person who is enrolled in Gadsden City Schools.

III. Description of Behavior Expected of Students -

Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting bullying, violence, or intimidation; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student, and (3) to refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.

Bullying, intimidation, violence, or threats of violence are prohibited and will be subject to appropriate disciplinary consequences and/or 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 student:

- Race
- Sex
- Religion
- National origin
- Disability

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

V. Reporting, Investigation, and Complaint Resolution Procedures -

Complaints alleging violations of this policy may be made on a Board-approved complaint form available in the handbook, on the website, or at the school's office. The complaint must be delivered to the principal or the principal's designee either by mail or personal delivery. Incidental or minor violations of the policy may be presented and resolved informally.

The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee is authorized to inform the student's parent or guardian of the report unless at the discretion of the school principal or the principal's designee the apparent cause of the threat of suicide is child abuse or other significant harm from a parent or guardian.

Upon receipt of the complaint, the principal or the principal's designee will determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions may be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violations(s) may also be imposed by the principal or the school system.

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 may be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy may be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

VI. Promulgation of Policy and Related Procedures, Rules, and Forms – This policy and any procedures, rules and forms developed and approved to implement the policy will be published on the website of each local board of education and school, shall be available at each school office, and shall be included in the student handbook that is distributed to each student at the beginning of each school year.

VII. Construction of Policy –This policy is supplemental to other Board policies and procedures and does not repeal, replace, or supersede any other prohibition on bullying, violence, threats of violence or intimidation found elsewhere in Board policy or procedure, including the Code of Student Conduct. This policy shall not be construed to allow bullying, violence, threats of violence or intimidation for any reason not specifically listed in this policy or to prohibit the Board from disciplining students for acts of harassment, violence, threats of violence or intimidation not specifically listed herein. Students who engage in bullying, violence, threats of violence or intimidation not specifically covered by this policy may be subject to appropriate disciplinary action in accordance with the Code of Student Conduct.

[Reference : Ala. Code §16-28B-1, et seq. (1975)]

Complaint Form

School System: _____ School Name: _____
Student Name: _____ ID#: _____
Grade: _____

INFRACTION REPORTED BY: ___ STUDENT PARENT/GUARDIAN			
<i>Date of Incident</i>		<i>Time</i>	
<i>Specific Location of Incident</i>			
DESCRIPTION			
OTHER INFORMATION			

The *Jamari Terrell Williams Student Bullying Prevention Act*, No. 2018-472, defines bullying as 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, cyberbullying or written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in the policy adopted by the local board. To constitute bullying, a pattern of behavior may do any of the following:

- a. Place a student in reasonable fear of harm to his or her person or damage to his or her property.
- b. Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
- c. Have the effect of substantially disrupting or interfering with the orderly operation of the school.
- d. Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
- e. Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment or a student.

Student
OR
Parent/Guardian
Date: _____

Date: _____

Please note that the submission of a complaint does not automatically substantiate that misconduct has occurred. The school administration has the prerogative to investigate any allegations of wrongdoing.

III. Policy Provision for Threat of Suicide:

If a threat of suicide is reported, the principal will inform the student's parent or legal guardian of the report and document the threat and administrative response to the threat of suicide on this form.

The primary purpose of this procedure is to provide for prompt and equitable resolution of students' complaints and grievances.

Level One – The resolution of a grievance through free and informal communications as close as possible to the point of origin is encouraged. A student with a grievance may first take it to his immediate teacher or principal. Both shall be consulted prior to further resolution procedures.

Level Two – In the event the aggrieved person is not satisfied with the disposition of his grievance at Level One, he may file an appeal in writing with the Superintendent or his designee. Within ten (10) days from receipt of the grievance, the Superintendent or his designee shall request a conference with the aggrieved or render a decision.

Level Three – In the event the aggrieved person is not satisfied with the disposition of his grievance at Level Two, he may request the Superintendent or his designee to schedule a brief hearing before the Board of Education at its next regular meeting.

The aggrieved person may select a representative to accompany him at each level, may ask such representative to state the facts in written form, and may request a written decision at each level outlined above.

The grievance procedure must be initiated at the level at which the grievance occurred, and all requirements specified must be observed by students and school officials.

For the discussion and consideration of a grievance, time and place will be selected which will not interfere with regular scheduled classes or school related activities. The faculty and administration shall make an honest effort to resolve student grievances as quickly as possible at the most immediate level of supervision.

The primary purpose of this procedure is to provide for prompt and equitable resolution of Title IX complaints and grievances.

Level One - The resolution of a grievance through free and informal communications as close as possible to the point of origin is encouraged. A student/parent with a grievance may first take it to his/her immediate teacher/coach or building administrator involved. Both shall be consulted prior to further resolution procedures.

Level Two - In the event the aggrieved person is not satisfied with the disposition of his/her grievance at Level One, he/she may contact the principal and request an appointment to discuss the grievance in an effort to reach resolution.

Level Three - In the event the aggrieved person is not satisfied with the disposition of his/her grievance at Level Two, he/she may file an appeal in writing with the Superintendent or System Administrative Designee. Within ten (10) days from receipt of the grievance, the Superintendent or his designee shall request a conference with the aggrieved or render a decision.

Level Four - In the event the aggrieved person is not satisfied with the disposition of his/her grievance at Level Three, he/she may request the Superintendent or his designee to schedule a brief hearing before the Board of Education at its next regular meeting.

The aggrieved person may select a representative to accompany him/her at each level, may ask such representative to state the facts in written form, and may request a written decision at each level outlined above.

The grievance procedure must be initiated at the level at which the grievance occurred, and all requirements specified must be observed by students and school officials.

For the discussion and consideration of a grievance, time and place will be selected by the system representative at the level of which the grievance is being considered. The faculty and administration shall make every effort to resolve grievances as quickly as possible at the most immediate level of supervision.

Additional questions may be directed to Director of School Improvement and Accountability and Title IX Compliance Officer for Gadsden City Schools, at 256-549-2922.

The Gadsden City Board of Education recognizes fully the constitutional rights of students enrolled in its schools. The Board recognizes equally, however, its obligation to establish policy related to student governance and discipline which assures that a proper atmosphere for learning will be maintained within every school serving this school district.

The Board believes that the kind of discipline to work toward in a democratic society is that characterized by self-discipline. It considers self-discipline as a learning process whereby the individual progressively learns to develop habits of self-control and recognizes his or her own responsibilities to society. Governance and discipline policies shall, therefore, demonstrate recognition both of individual student constitutional rights and of the paramount need for maintaining a proper atmosphere for learning within each school.

The Superintendent of Education, in cooperation with principals of all schools serving the Gadsden City School System, shall establish codes of conduct which state clearly and precisely in written form specified rules and regulations applicable within individual schools of this school district. Such codes of conduct shall:

1. Be based on policies of this Board of Education;
2. Be legal according to local ordinance, state law, and applicable federal statutes as well as court precedents;
3. Be based on the improvement of education within the schools. If a rule or regulation prohibits an action, the rationale of how that action would interfere with the educational process should be stated when appropriate.
4. Be as precise as possible and sufficiently adapted to the needs of youth served by the school;
5. Be in accordance with due process of law under the Fourteenth Amendment;
6. Afford each student his or her rights guaranteed by the Bill of Rights;
7. Be otherwise considered reasonable and proper; and
8. Provide clear evidence of their basis—said basis being maintenance within the school or a proper atmosphere for learning.

Principals and teachers of the Gadsden City Schools shall have both the authority and the duty to take disciplinary action whenever the behavior of any student(s) interferes with the educational learning opportunities within the schools. Prescribed procedures and forms shall be used to record disciplinary actions.

Codes of conduct in written form shall be given to students attending schools within this system. In addition, notice of the rules and regulations existing in each school may be disseminated orally and/or in written form to students and parents in a wide variety of ways (student assemblies, PTA meetings, public address announcements).

Application of disciplinary measures shall at all times reflect a fair and reasonable exercise of authority, being neither arbitrary, capricious, discriminatory, nor otherwise unreasonable. Procedural due process, to the extent of its applicability in any particular situation, shall be afforded all students prior to imposition of punishment.

No pupil shall be denied the right to participate in the school food service program as a result of disciplinary action. Reasonable detention under teacher supervision at the close of the school day shall be authorized for all schools. In case a child is to be detained after normal school hours, the parents shall be notified in advance. A child who is transported in a school bus shall not be caused to miss the bus by reason of such detention, except with prior notice to the parents.

Students unable to remain after school because of such reasons shall receive alternative punishments.

Ref: 42 U.S.C. 1983; Ala. Code, 16-1-14; Tinker v. Des Moines Independent Community School District, 89 S. Ct. 733, (1969); Blackwell v. Issaquena County Board of Education, 363 F. 2d 749 (5th Cir. 1966); Burnside v. Byars, 363 F. 2d 744 (5th Cir. 1966); Goss v. Lopez, 95 S. Ct. 729 (1975); Wood v. Strickland, 95 S. Ct. 992 (1975).

Corporal punishment shall be administered on a limited basis. Corporal punishment must always be a deliberate, well-thought out action on the part of school officials. Those procedural due process safeguards outlined in this section shall be afforded all students. Corporal punishment shall only be administered by local school principals or teachers in the presence of the principal or assistant principal or their designees (any professional staff member).

Due Process Guidelines

The following procedural due process safeguards must be present in each case involving administration of corporal punishment.

Corporal punishment shall be used on a limited basis and only after other means have been tried and proved ineffective. When corporal punishment is used, the following policies shall be complied with fully.

- A. Corporal punishment shall not be administered until the nature of the offense has been explained and an opportunity to respond has been afforded the student.
- B. Corporal punishment shall only be administered by professional personnel and MUST be administered in the presence of the principal or assistant principal or their designees.
- C. Corporal punishment shall not be severe enough to cause bodily injury.
- D. Corporal punishment shall not be administered in the presence of other students.
- E. It shall be the responsibility of the parents to notify the principal in writing of any physical or other health limitation of the student which would render corporal punishment inadvisable.
- F. When corporal punishment is used, the principal shall write and file a complete account, listing the student's name, date, time of punishment, nature of offense, details of punishment, names of witnesses, and other pertinent information.

Ref: *Baker v. Owen*, 393 F. Supp. 294 (1975); Summarily affirmed by United States Supreme Court, LW 3235 (1975); *Ingraham v. Wright*, 45 U.S.L.W. 4364 (S. Ct., 1977).

The Board authorizes students to be reasonably detained for disciplinary purposes at the discretion of the local school principal and professional staff of individual schools. If a student is to be detained after regular school hours, the student shall be given notice of such detention in time to notify his parent or legal guardian and to arrange for necessary transportation. Students shall not be detained for more than one hour daily for disciplinary reasons. Each local school principal shall require all students detained for disciplinary purposes to be under the direct supervision of a member of the professional staff.

If students cannot remain after school for justifiable reasons, they shall be given appropriate alternative punishments at the discretion of the principal or his designee.

Reasonable detention under teacher supervision at the close of the day shall be authorized for all schools. In the case that a child is to be detained, the parents shall be notified in advance. A child who is transported in a school bus will not be caused to miss the bus by reason of such detention, except with the permission of the parents. Students unable to remain after school because of such reasons shall receive alternative punishments.

Ref: Ala. Code, 16-1-14.

AUTHORITY

The school principal or his designated person(s) has the authority to suspend students from school.

NOTIFICATION

Prior to suspension the student will be made aware of the charges and given an opportunity to respond to them. Written notice will be sent to the parent(s) or guardian stating the reason(s) such action was taken.

Immediate suspension of a student is justified when the student's presence would threaten himself or others, endanger school property, or seriously disrupt the orderly educational process. Principals are given the authority to have the law enforcement agency remove uncooperative students. If immediate removal is necessary, the parent(s) or guardian will be notified by phone or by the school personnel. The necessary notice and conference will follow within twenty-four hours of the action.

LENGTH

The suspension of a student is not to exceed five (5) days except as follows:

1. Any student suspended more than one time during a school year may be referred to the Superintendent's office for a conference prior to the student's readmission to school. Under this disciplinary action, the referral to the Superintendent's office and readmission to school must take place within an eight (8) day time frame. The referral to the Superintendent's office will not alter the number of days that the student is suspended by the principal or his designated person(s) unless extenuating circumstances agreed upon by the Superintendent and principal warrant such an alteration. For students who are suspended and referred to the Superintendent's office, the Superintendent or his designated person(s) will schedule a conference with the parent(s) or guardian and the student within seven (7) days. The problem will be resolved within eight (8) days unless extenuating circumstances, such as physical or mental examination or incarceration by court action, warrant additional time.
2. Any student who has been determined eligible for special education may be suspended or expelled, but all procedural safeguards set forth in federal and state statutes and regulations must be adhered to.
3. If an incident or violation causes the principal or his designated person(s) to recommend the expulsion of a student, the suspension shall remain in effect until such time that action upon the recommended expulsion is taken.

If a student is suspended from school and is not referred to the Superintendent's office, he must comply with the full length of the suspension unless the principal approves an alternative.

TERMS

1. If a student attends a parent school and a special school and is suspended from either school, the suspension will include both schools.
2. During the suspension period, suspended students cannot attend school functions or enter school property for any reason.
3. When a student is suspended, his teacher must be notified concerning the date of suspension and the number of days suspended. Make-up work will not be given to students who are suspended from school.
4. A student who has been suspended from school is not eligible to enroll in any other school in the system until such time that he is reinstated in the school from which he was suspended.

READMISSION

When a student returns to school after suspension, the readmission must be preceded by a conference with the principal or his designated person(s). The conference must include the parent(s) or guardian unless otherwise approved by the principal. If the student is returning after a conference with the Superintendent or his designated person(s), the Superintendent or his designated person(s) may choose to attend the readmission conference.

IN-SCHOOL SUSPENSION

In-school suspension is a structured discipline action in which students are isolated from regular classroom activities but

are not dismissed from the school setting. The principal or his/her designee have the authority to assign students to the in-school suspension program for a reasonable and specified period of time.

In accordance with the Alabama state law requiring compulsory attendance, the Gadsden City Board of Education makes the final disposition of an expulsion recommendation.

The school principal is initially responsible for determining that an offense for which expulsion may be warranted has been committed. The procedures listed must be followed:

NOTIFICATION

1. Immediately following any incident or violation of school regulations which may result in a recommendation by the principal to expel a student, the principal is authorized to suspend the student for as many as ten (10) school days pending a hearing for expulsion. The principal will notify the student and the parent(s) or guardian of the suspension and will at the same time notify the student and parent(s) or guardian that the information or data obtained by the principal's investigation of the incident will be made available. This notice should be given to the parent(s) or guardian prior to the expulsion recommendation.
2. After the completion of the full investigation of a violation which may result in a recommendation for expulsion, the principal will, based on the facts, specify whether to recommend student expulsion. He will immediately notify the student and the parent(s) or guardian of the findings and the reason for the recommendation. The principal will attempt to give this notice to the student and parent(s) or guardian in a personal conference. He will also confirm this notice in a letter to the parent(s) or guardian. The principal's conclusions should be based on the documentation of the facts pertaining to the incident. Said documentation will include all information available including, but not limited to the following categories:
 - A. an operational definition of the offense(s)
 - B. a detailed description of the offense(s)
 - C. the time, date, and location of the alleged offense(s)

The above documentation will be forwarded to the Superintendent or his designated person(s).

After a review of the principal's recommendation, the Superintendent or his designated person(s) will, within the suspension period imposed, request a conference with the parent(s) or guardian of the student. The purposes of the conference are:

1. To explain the procedure orally and in writing to the parent(s) or guardian and student.
2. To determine if a mutually agreeable alternative to expulsion is appropriate. Such an alternative may be:
 - A. Placement in an alternative education center will be subject to the System Alternative School Committee, and when necessary, the IEP team recommendation. The date of admission to the center and the length of time spent at the center will be determined through the admission procedures.
 - B. Placement of special education students on a partial day schedule in an alternative school or in home study will be subject to IEP team recommendation and the System Alternative School Committee.
 - C. Voluntary withdrawal of the student from the Gadsden City system for a period of not less than one (1) semester and not more than one (1) regular school term not including summer school.
 - D. Placement of the student in a juvenile facility by a governmental agency independent of the Gadsden City School system. The School Board should concur that the action taken is adequate as an appropriate remedy for the problem. Under this arrangement, there must be mutual agreement between the School Board and the agency in terms of the extent to which the action resolves the problem. The School Board, in compliance with civil law, will have the right and responsibility to determine the action which constitutes the resolution of the problem.

HEARING

1. Upon receiving from a school principal a recommendation to expel a student, the Superintendent or his designated person(s) will provide the parent(s) or guardian an opportunity to request that the matter be resolved at an administrative hearing conducted by the Superintendent or his designated person(s).
2. During the administrative hearing, the principal or the Superintendent may conclude that disciplinary action other than expulsion is warranted because of extenuating circumstances. If the Superintendent or his designated person(s) agrees that extenuating circumstances exist, the student can be readmitted to school. Readmittance is subject to the Superintendent's approval.

3. If the matter is not resolved at the administrative hearing and the Superintendent makes the decision to recommend expulsion of a student, he will place the matter on the agenda for the next school board meeting, unless such a setting would be too soon to provide time for the parent(s) or guardian and student to comply.
4. The Superintendent or his designated person(s) will give notice by registered mail or hand delivery to the parent(s) or guardian that expulsion is recommended. The Superintendent's notice will state the exact time and place of the hearing and inform the student and parent(s) or guardian that the student has a right to attend the hearing, to be represented by an attorney or other representative, and to present matters relating to the recommended expulsion.
5. The notice from the Superintendent will be delivered or mailed at least ten (10) days prior to the meeting at which the student's expulsion will be recommended. In the notice the student and the parent(s) or guardian will be informed that a desire to present matters at the hearing must be made known to the Superintendent within five (5) days after receipt of the notice, and that failure to express such a desire within the prescribed period of time will waive the right to present such matters.
6. At the school board meeting in which expulsion of a student will be considered, the Board will first give to the principal, the Superintendent, and to any witness who might present testimony relevant to the recommended expulsion an opportunity to describe the incident or violation and to report findings which resulted in the recommendation. Each school official or witness will be limited to a reasonable amount of time in describing the incident or violation, or in presenting other testimony.
7. Upon completion of the presentation of findings by school officials and relevant testimony by other witnesses, the student or his representatives will be given a reasonable amount of time to present any matters which the student or his representatives consider relevant to the student's expulsion.
8. Immediately following the presentations by the student or his representatives, the Superintendent will recommend to the School Board the formal action which he deems appropriate and just. Thereupon, the School Board will vote on the action recommended by the Superintendent. If the action of the School Board is to expel the student, the action will specify a period of time for the expulsion.

TERMS

1. The expulsion of a student will prohibit the student from attending any school in the Gadsden City School System during the period of the expulsion.
 2. A student may lose his academic credit if:
 - A. He is expelled prior to taking semester examinations.
 - B. He is removed from the school attendance roll through the expulsion process.
 3. A student will not be allowed make up work if he is expelled from school.
 4. An expelled student is prohibited from being on any school system property during or after school hours (includes extra-curricular activities such as athletic events).
-

Gun Free Schools Act (GFSA): When it is determined that a student possesses a firearm at school, on school property, or at a school event/activity, the following procedures must be followed immediately:

The student must be expelled and the expulsion noted on records transferred to any other school. The LEA must determine the procedures and steps needed to reach the expulsion status, including, but not limited to, the following:

- Report to law enforcement and other appropriate authorities.
- Contact parent/guardians
- Suspend from school immediately pending investigation
- Complete an investigation as soon as possible with documented written report(s)
- Expel student according to LEA policy

Following the expulsion determination, the student cannot attend any regular public school for one calendar year. The LEA can modify the expulsion on a case-by-case basis as allowed by the Code of Alabama 1975 §16-1-24.3.

Discipline of students with disabilities who violate the firearm possession policies 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.

GFSA and other state required disciplinary data will be reported to the SDE through School Incident Reporting (SIR)

1. Class Rankings will be determined by using the average of the actual grade percentages of all classes through the end of the senior year.
 2. Students in the top ten percent of the class and on Honors or Advanced Academic Diploma will be recognized as Honor Graduates.
 3. The Valedictorian will be the student on the Honors or Advanced Academic Diploma with the highest average. The Salutatorian will be the student on the Honors or Advanced Academic Diploma with the second highest average.
-

It is the policy of the Gadsden City Board of Education that reports concerning student progress shall be made to the parent or legal guardian of all students at the end of each nine-week grading period. A progress report will be sent home after four and a half weeks for all students. If a school decides to send more than one progress report, that is certainly acceptable.

Child Abuse and/or Neglect

All teachers and administrators are required by state law, when called upon, to render aid or assistance to any child, when such child is known or suspected to be a victim of child abuse or neglect, and to provide an immediate oral report of such abuse or neglect to the state or county Department of Human Resources.

In addition to state required reporting responsibilities, the Board requires that all teachers also report cases of suspected child abuse or neglect to their respective principals. The principal will provide a written report of the case to the Superintendent.

The written report shall state, if known, the name of the child, his whereabouts, the names and addresses of the parents, guardian, or caretaker and the character and extent of his injuries. The report shall also contain, if known, any evidence of previous injuries to said child and any other information which might establish the cause of such injury or injuries and the identity of the person responsible for the same.

Any person making a report of suspected child abuse pursuant to Alabama law or participating in a judicial proceeding resulting there from shall, in so doing, be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

Any person who shall knowingly fail to report a case of child abuse or neglect as required by Alabama law shall be guilty of a misdemeanor and shall be punished by a sentence of not more than six-month's imprisonment or a fine of not more than \$500.

Ref: Ala. Code, 26-14-1, 26-14-13.

The Board shall contract each year with a reputable insurance company to provide low-cost student accident insurance for students. Participation in the insurance program shall be voluntary.

The board shall require a student in interscholastic athletics and in other school activities, as deemed necessary, to participate in the school accident insurance program.

Ref: Ala. Code 16-11-9, 16-11-15.

Alabama law required the adoption of this policy.

Definition of Mental Health Services: Consistent with Alabama law, "Mental Health Services" shall - for purposes of this policy - include services, treatment, surveys, or assessments relating to mental health.

Annual Written Notice of Mental Health Services: Annually, the Superintendent, or his or her designee, will notify all parents and guardians of all district and school provided or sponsored mental health services. This annual notification will contain the following components:

- a. A general description of mental health services,
- b. An explanation of how a parent or guardian may review materials to be used as part of any guidance or counseling program for students,
- c. Information about the mechanism for parents or guardians to allow, limit, or prevent their students participation in these mental health programs.

Annual Opt-In Process:

- a. As part of the notices described above, or part of a separate document - depending on the discretion of the Superintendent, or his or her designee, the Superintendent shall require that each parent or guardian complete a written permission form prior to allowing a student who is younger than 14 years of age to participate in the district's mental health services, unless there is an imminent threat to the health of the student or others.
- b. To be valid, the permission must be in writing - which may include electronic communication, and it must be obtained annually. Any parent or guardian may rescind his or her permission at any time, by providing written notice to their child's school administration.

Counselor Communications - For parents or guardians who permit their children to participate in mental health services as described above, the counselor providing these services must keep the parent fully informed regarding diagnosis, recommended counseling, or treatment.

Parental Authority - The parent or guardian of all students who have not attained the age of 14 years shall have the authority to make final decisions regarding counseling and treatment even if the parent or guardian has previously opted-in for mental health services.

Record Keeping - The Superintendent, or his designee, will ensure that all records pertaining to mental health services are treated as health care records and kept separately from academic records.

Ref. CODE OF ALABAMA AL Legislative Act 2022-442

School Counseling/Mental Health Opt-Out Form

School _____

As of the date of my signature below, my child, _____, is under the age of 14 years old:

___ Yes

___ No

If No, stop here. If yes, continue below.

_____ Large-Group, Small-Group, or Mentoring activities that include ongoing counseling/therapy that are continuing and may be considered therapeutic in nature.

_____ Assessments/Surveys - include need assessments related to social behaviors, feelings, etc.

_____ Crisis intervention - opt in only needed for regular scheduled counseling session due to behavior outbursts.

_____ School-Based Mental Health - On-going counseling services by school professionals or private practitioners in the school setting.

I understand that parental permission is not required for counseling and/or crisis intervention, suicide, suspected child abuse, homicidal ideation, and threats that are needed to maintain order, discipline, or a productive learning environment. I understand that in opting to have my child excused from academic or career counseling, I shall have sole responsibility to ensure that all academic and graduation requirements are fulfilled.

Date: _____

Parent/Guardian Name (Printed)
(Signature)

Parent/Guardian Name

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

It is the policy of the Gadsden City Board of Education that an automated external defibrillator (AED) be placed and maintained in each school. The Superintendent will designate at least one employee at each school to be trained in the use of an AED. Each building-based user shall be made aware of the location of the device in the building and shall maintain proper CPR/AED certification. All AEDs will be maintained and tested according to the manufacturer's operational guidelines by the Gadsden City School System's Lead Registered Nurse. The local fire department and medics will be kept informed about the presence and location of the AEDs in school buildings. A licensed physician or other medical professional is to be included in the creation or modification of any AED program or guidelines related to the program.

See Policy EBBC.

Each school shall conduct a minimum of one fire drill each month school is in session. A report concerning the fire drill shall be filed with the Superintendent of Education by the Principal along with the monthly pupil attendance report. Principals shall cooperate with Civil Defense and Red Cross authorities in the development of emergency and disaster plans. An orderly plan shall be developed for each school. At least two emergency or disaster drills shall be held each semester. Purpose of these drills shall include, but not be limited to, protecting students from severe weather; e.g., tornadoes, nuclear emergencies, or various natural disasters.

Exit routes for both fire and emergency drills shall be posted in each classroom. These shall be explained to all students during the first weeks of school.

The Board directs all school personnel to discharge, in a reasonably prudent manner, all responsibilities relative to the care, safety, and welfare of pupils under their jurisdiction. The Superintendent shall direct all principals to establish faculty supervision regulations which assure that students are supervised effectively throughout the school day. In addition to classroom supervision, such regulations shall include hall duties, recess duties, and bus duties before and after school. Supervision of extracurricular activities shall also assure proper care of students.

The Superintendent shall instruct all principals to prepare, as necessary and appropriate, supervision schedules and present same to assigned teaching personnel. Supervisory duty assignments shall include, but not be limited to the following: (1) bus duty, (2) lunchroom duty, (3) hall duty, (4) supervision of students prior to and following dismissal of school each day, and (5) playground duty.

Ref: Ala. Code 16-11-18; Suits v. Glover, 71 So. 2d 49 (1954).

The principal of each elementary and middle school is authorized to establish and maintain a school safety patrol.

The principal may assign a member of the faculty to sponsor the school safety patrol.

Before being assigned to patrol activities, all patrol members must have the approval of a parent or guardian. Parents shall be informed when a patrol member resigns or ceases his duties for other reasons.

The size of the school safety patrol will vary with the size of the schools, the traffic conditions in the area of the school, and the general activities of patrol members.

The teacher-sponsor should be responsible for the instruction of the safety patrol. Patrol members shall be instructed to:

1. Direct foot traffic only
 2. Encourage children to cross streets at crosswalks when traffic is clear
 3. Keep children off the street and from between parked cars
 4. Remain on the sidewalk
 5. Set a good example at all times
-

All bicycles or motorbikes are to be parked in a place designated by each school principal. These vehicles are to be parked immediately upon students' arriving at school; they are not to be ridden across the campus, on the sidewalk, on athletic fields, or in the parking lot. The school shall not assume responsibility for these vehicles while on campus, and each individual shall make sure that his vehicle is locked securely.

Ref: Ala. Code 16-11-9, 16-12-3 (a), 16-12-4.

Students driving vehicles to school must park them in the student's parking lot. All vehicles shall be locked after arriving in the morning.

Only students duly authorized by the respective high school principal shall be permitted to drive vehicles to school. Student drivers shall observe strictly all State of Alabama traffic laws on school property. Speed limits shall be strictly enforced at all times. Violators face both loss of driving privileges and legal action when necessary.

At no time during the school day shall student drivers be permitted to move vehicles or have vehicles moved by others. Neither shall students congregate around nor sit in or on parked vehicles.

Student vehicles are to be moved only at authorized student dismissal times or with the expressed prior consent of the principal.

No teacher shall be required to render any assistance to any injured or ill student other than basic first aid. The teacher shall refer any injured or ill student to the school nurse when such is available. Whenever a nurse is not available, the teacher shall bring the student to the attention of the school principal. The principal shall take immediate charge of the student in order that the classroom teacher does not have to leave the remainder of the students unsupervised.

If the school is unable to render the necessary assistance to the student, the principal shall immediately contact the parents regarding the problem.

In cases of severe accidents or illness, the principal may seek the immediate help of appropriate medical services simultaneously with the attempt at notifying the parents.

The Board instructs the school principal to make a report to the Superintendent concerning every accident requiring the services of medical personnel which occurs on school property or during school-related activities. This report shall be given to the Superintendent within twenty-four (24) hours after the accident. In the event of an athletic injury, the school principal is to use his own judgment concerning whether the Superintendent is to be advised. If the injury is of a serious or permanent nature, the principal shall report the matter to the Superintendent.

Ref: Ala. Code 16-12-3, 16-12-12, 16-12-15.

Students are not permitted to keep any medication in their possession at school. This includes all prescription and non-prescription drugs and medication. If a parent wishes to have a student receive medication during the school day, such medicines must be sent to the school office with detailed information as to frequency and amount of dosage. This medication will be administered between classes by a designated school employee.

It is the policy of the Gadsden City School System that the Anaphylaxis Preparedness Program be implemented as part of the school health services. The program shall incorporate three levels of preparedness:

- I. Primary Prevention: Education programs that address food allergies and anaphylaxis through both classroom and individual instruction for staff and students.
- II. Secondary Prevention: Identification and management of chronic illness which could lead to anaphylaxis.
- III. Tertiary Prevention: The development of a planned response to anaphylaxis-related emergency in the school setting.

Each school campus, in collaboration with a supervising physician, shall develop and maintain a protocol for emergency response that shall include a supply of premeasured auto-injectable epinephrine to treat potentially life threatening allergic reactions.

Gadsden City School System will stock epinephrine on our campuses provided the funds are available.

References: Code of Alabama 16-1-48(D), Alabama Legislative Act 2014-405

Gadsden 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 immuno- deficiency 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.

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 reassess 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.

Employment

The Gadsden 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 welcome to continue working as long as he or she is able to perform the essential functions of the position, with reasonable accommodation if necessary.

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.

Infection Control

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

precautions and investigate, correct, and report on instances of lapse.

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

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. Rulebooks will reflect these guidelines. 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.

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:

- be taught at every level, Kindergarten through grade twelve;
- use methods demonstrated by sound research to be effective;
- be consistent with community standards;
- follow content guidelines prepared by the Centers for Disease Control and Prevention (CDC);
- be appropriate to students' developmental levels, behaviors, and cultural backgrounds;
- build knowledge and skills from year to year;
- stress the benefits of abstinence from sexual activity, alcohol, and other drug use;
- include accurate information on reducing risk of HIV infection;
- address students' own concerns;
- include means for evaluation;
- be an integral part of a coordinated school health program;
- be taught by well-prepared instructors with adequate support; and
- 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.

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.

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 kept available for voluntary student use.

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.

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, the superintendent shall report on the accuracy, relevance, and effectiveness of this policy and, when appropriate, provide recommendations for improving and/or updating the policy.

Policy JGFJ: Smoking and Tobacco Use Prohibited

Status: ADOPTED

Original Adopted Date: 12/05/1995 | **Last Reviewed Date:** 12/05/1995

Smoking and other uses of tobacco products are prohibited at all times by all persons on school property. No student or board employee will be permitted to use tobacco products while representing the school in any extra curricular activity. Students violating this policy are subject to suspension by the school Principal or expulsion as recommended by the Superintendent. Board employees are subject to discipline, termination, or cancellation of contract as recommended by the Superintendent. Other persons violating this policy are subject to immediate removal from school board property.

Policy JGFK: Unannounced Drug Detection Visits

Status: ADOPTED

Original Adopted Date: 07/10/2012 | **Last Reviewed Date:** 07/10/2012

It is the policy of the Gadsden City Board of Education that law enforcement agencies are permitted to make periodic unannounced visits to any school in the system for the purpose of detecting the presence of illegal drugs. Drug detection dogs may not sniff directly on persons. A law enforcement agency making such unannounced visits shall report directly to the Principal or, in the absence of the Principal, to the person left in charge who shall immediately notify the Superintendent's office and proceed with the detection.

Cell Phone and Personal Electronic Device Policy

Gadsden City Schools will follow the guidelines of the FOCUS Act (HB166) by putting a districtwide policy in place for personal electronic devices. The goal is to minimize distractions, protect instructional time, reduce academic dishonesty, and support a safe learning environment. This policy is based on the values of digital responsibility and maintaining a space where students can learn without distractions.

General Guidelines

Students may not use cell phones, smartwatches, tablets, gaming devices, AirPods, or other personal devices that have the capability of exchanging voice messaging or other data during instructional time.

Devices must be turned off and stored in lockers, vehicles, or designated areas—not on the student.

Device use before/after school, during PE, or at lunch is not allowed unless with permission.

Discipline

First Offense – The device will be taken, and a parent/guardian will be contacted to pick up the device in person. The parent/guardian will sign a Cell Phone Policy Consequences Form.

Second Offense – The device will be taken, and a parent/guardian will be contacted to pick up the device in person. The student will receive 2 days of ISS/Detention.

Third Offense—The device will be taken, and a parent/guardian will be contacted to pick up the device in person. The student will receive 2 days OSS/Extended ISS.

Fourth Offense—The device will be taken, and a parent/guardian will be contacted to pick up the device in person. The student will receive 3 days OSS/Extended ISS. The parent/guardian will be referred to the District Attorney's Office.

Subsequent Offenses can result in a referral to the Alternative School.

Any student who refuses to give a cell phone/communication device in compliance with Gadsden City School's Cell Phone Policy, and in accordance with HB166, will be considered defiant and will be subject to disciplinary action in accordance with the system handbook.

Parents/guardians are encouraged to monitor their students' digital use and support the system's policy. Students are expected to follow the policy and understand the consequences of misuse. Devices are brought at the student's own risk, and the system is not responsible for loss, theft, or damage.

Authorized exceptions include the use of a device required by a student's IEP, 504 plan, or health plan.

Overview

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

This policy will apply to three categories of students: (1) Activity students, consisting of students participating in (a) athletics or cheerleading (defined as any student, male or female, in grades seven through twelve, who is a member of any Board sponsored school sports team or cheerleading/dance squads), and (b) other school related extra-curricular activities (defined as any student male or female, in grades seven through twelve, who is a participant of a Board sponsored extra-curricular activity during the school day or after school); (2) Parking students, consisting of students operating or parking a motor vehicle on campus (defined as any student grades nine through twelve who operates or parks a motor vehicle “at school” as defined herein); and (3) Volunteer students who have been voluntarily added to the random pool with the consent of his or her parents.

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

Statement of Need

Certainly drug and alcohol abuse are an on-going concern for parents, mental health professionals, the judicial system, and the Board of Education. Prevention and treatment are the primary focus of this policy.

Drug use interferes with a student's education which is the primary goal of the school. Even small quantities of alcohol, illegal drugs, or abused prescription drugs can impair judgment and reflexes, which can create unsafe conditions for students. Students using prohibited substances are a threat to other students and themselves and may make injurious errors.

Policy Objectives

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

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

Enforcement

In an effort to achieve the policy objectives described herein, the Board reserves the right to require all Activity, Parking, and Volunteer students to submit to random drug tests to maintain safety and security.

Pursuant to Board Policy and regulations, students subject to this Policy may be tested on a random basis without advance notice. Once a student is placed in the Random testing pool the student is subject to testing for the remainder of the year.

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

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

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:

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

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

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

Clarification

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

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

Alcohol and Drug Testing

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

Definitions

1. **Activity Student.** Any student currently enrolled in the Gadsden City School System that participates in any extra-curricular activity as defined herein.
2. **Alcohol.** Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine from whatever source produced.
3. **At School.** Means any school building, office, property, or parking lot owned or operated by the school or being transported to and from a school activity or any other site off campus at which a student is engaging in any school activity.
4. **Chain of Custody.** The methodology of tracking specified materials, specimens, or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all of the materials, specimens, or substances and providing for accountability at each stage in handling, testing, and storing materials, specimens, or substances and reporting tests results.
5. **Confirmation Test or Confirmed Test.** A second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen. The confirmation test shall be different in scientific principle from that of the initial test

procedure. The confirmation method shall be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

6. **Drug.** Any substance listed as a controlled substance pursuant to ALABAMA CODE 1975, § 20-2-20 through 20-2-32. This includes but is not limited to amphetamines, cannabinoids, cocaine, phencyclidine PCP, methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene, or a metabolite of any of the substances.
7. **Drug Testing Agent.** The licensed and qualified independent agent, testing agency, or medical office selected by the Board to carry out the screening of students.
8. **Drug Program Coordinator.** An employee(s) of the Gadsden City Board of Education appointed by the Board, responsible for overall implementation of the random drug and alcohol testing program as outlined in this Policy.
9. **Extra-Curricular Activities.** Any school or school related activity which is not required as a part of a student's mandated basic educational curriculum.
10. **Initial Test.** A sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens. All initial tests shall use an immunoassay procedure or an equivalent procedure or shall use a more accurate scientifically accepted method approved by SAMHSA as more accurate technology becomes available in a cost effective form.
11. **Medical Review Officer (MRO).** A licensed physician who receives laboratory results, has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate a student's positive test result together with his or her medical history and any other relevant biomedical information. Only individuals holding either doctor of medicine (M.D.) or doctor of osteopathy (D.O.) degree may serve as an MRO.
12. **No Contact Positive Test.** A test shall be deemed positive if after a confirmation of the sample test indicates the sample is positive for drugs, the MRO is unable to reach the parent of the student, after diligent effort, to determine whether the drugs present were legally justified.
13. **Nonprescription Medication.** A drug or medication pursuant to federal and state law for general distribution and use without a prescription in the treatment of human disease, ailments, or injuries.
14. **On-site Test.** This is an alcohol or drug test that is easily portable and can be administered in a location outside a laboratory. An on-site alcohol test shall meet the federal Department of Transportation guidelines for an initial alcohol test. An on-site drug test shall meet the requirements of the Food and Drug Administration (FDA) for commercial distribution and the generally accepted cut off levels such as those in the SAMHSA Guidelines.
15. **Parent.** A person standing in parental relation including the custodial parent or a legal guardian or custodian.
16. **Parking Student.** Any student currently enrolled in the Gadsden City School System who drives or parks a motor vehicle "at school," as that term is defined herein.
17. **Positive Test Results.** A finding of the presence of alcohol or drugs, or the metabolites of drugs, in the sample tested at or above the threshold detection levels set. This shall include a "no-contact positive" test.
18. **Prescription Medication.** A drug or medication lawfully prescribed by a physician for an individual and taken in accordance with the prescription.
19. **Random Selection.** A mechanism for selecting students for drug tests that (1) results in an equal probability that any student from a group of students subject to the selection mechanism will be selected, and (2) does not give the school discretion to waive the selection of any student selected under the mechanism. All Activity, Parking, or Volunteer Students will be subjected to random selection testing.
20. **SAMHSA.** The Federal Substance Abuse and Mental Health Services Administration.
21. **Specimen.** Breath, oral fluid, hair, urine, or other product of the human body capable of revealing the presence of drugs or their metabolites or of alcohol.
22. **Substance.** Drugs or alcohol.
23. **Substance Abuse Test or Test.** Any chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence or absence of a drug or its metabolites or of alcohol.
24. **Trained Observer.** Employee who is knowledgeable of the school, teachers, students, and the school drug testing policy and procedures. These individuals will be trained by the designated drug testing company.
25. **Volunteer Student.** Any student who is not an activity student or parking student but who chooses voluntarily, along with his or her parents' consent, to participate in the Policy.

Procedures

I. General Policy

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

II. Drug Use/Distribution/Impairment/Possession

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

III. Alcohol Use/Possession/Impairment

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

IV. After School Hours Conduct

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

V. Prescription Drugs

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

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

A. Random Testing

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

VII. Testing Procedures

A. General Guidelines

The School Board and its laboratory shall refer, when prudent, to the guidelines of the Federal Department of Transportation, Procedures for

Transportation Workplace Drug and Alcohol Testing Programs, 49 C.F.R. Part 40 when a particular topic or subject is not specifically covered by the policy or procedures adopted by the Board. Relative to the protocols for determining diluted, substituted, or adulterated specimens, the Board will refer to Part 40 for guidance.

B. Substances Tested

Activity Students, Parking Students, and Volunteer Students may be tested for: alcohol, cannabinoids, cocaine, methamphetamine, morphine, amphetamines, vicodin, percodan, percocet, lortab, oxycodone, or any 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.

VIII. Collection Sites

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

IX. Collection Procedures

The Gadsden City School System and the laboratory have developed and will maintain a documented procedure for collecting, shipping, and accessing specimens. The collection process shall be conducted so as to protect the privacy of the student. The Board and the laboratory will utilize a standard Custody and Control Form for all student testing. The Company will utilize a standard Breath Alcohol Testing Form for all student alcohol testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will be used for specimen transportation.

Collection sites will maintain instructions and training protocol that emphasize the responsibility of collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure as reasonable under the particular circumstances. All students selected for testing will also be required to execute a Student Consent and Release Form.

X. Evaluations and Return of Results to the Board

The laboratory will transmit directly (by fax, mail, or computer but not normally over the telephone) the results of all tests to the Board's MRO. The MRO will be responsible for reviewing test results of students and confirm that the individuals testing positive have used drugs or adulterated the specimen in violation of the School Policy. Prior to advising the Board of the test result, the MRO shall give the student and his or her parent(s) an opportunity to discuss the result either in person or over the telephone and provide evidence that the student was taking a prescription medication that could also have produced a positive drug test result, or if for some other reason in accordance with Part 40 procedures allow the MRO to determine that the test result is not as the result of violation of this policy. At this point, parents may request to have the test verified by a confirmation test. The student will have 24 hours to report to an off-campus lab to provide an additional sample for analysis. After verification of the second test, the MRO shall then promptly personally telephone and inform the Drug Program Coordinator which students had confirmed positive test results that had no legitimate medical explanation. The School Drug Coordinator will be informed of the confirmed positive and will then schedule a conference between the student and parent(s) or legal guardian(s) to discuss the positive test result and appropriate interventions and consequences. *MRO involvement may be omitted in the case of a positive result for cannabinoids (THC/marijuana), since there are no legal prescriptions that can account for such results. In these cases, parents will be informed by school officials of their 24 hour retest option.*

XI. Release of Test Results

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

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

Parents or guardians will be informed of confirmed positive test results by the School Drug Coordinator.

XII. Consequences

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

NOTE: A student's Level returns to "0" at the beginning of a new school year pending the successful completion of any outstanding interventions from the previous year.

Consequences	Interventions
First Violation: • Activity Student suspended from extra curricular activities for 7 days. • Student may not participate in extra-curricular activities or park on campus during the suspension • Parking student suspended from parking on campus for 7 days. • Reinstatement requires a negative test. • Reinstatement requires a completion of Level I Interventions.	Level I Interventions: • Parent and student must attend conference with a school drug coordinator. • Student and parent must attend prevention counseling session with a prevention counselor. • Student must report to a designated school counselor each week for two weeks.

Second Violation: • Activity student suspended from extra curricular activities for 30 days. • Student may not participate in extra-curricular activities or park on campus during the suspension. • Parking student suspended from parking on campus for 30 days. • Reinstatement requires a negative test. • Reinstatement requires a completion of Level II interventions.	Level II Interventions: • Parent and student must attend conference with a school drug coordinator. • Student must attend one of the prevention programs indicated on the list of approved programs. Parents are responsible for tuition for programs that require tuition. • Student must report to a designated school counselor each week for six weeks.
Third Violation: • Activity student suspended from extra curricular activities for 365 days. • Student may not participate in extra-curricular activities or park on campus during the suspension. • Parking student suspended from parking on campus for 365 days. • Reinstatement requires a negative test. • Reinstatement requires a completion of Level III interventions.	Level III Interventions • Parent and student must attend conference with a school drug coordinator. • Student will be required to attend a prevention program indicated or a program approved by the school system.

**Gadsden City Board of Education Drug Free School Policy
Student Consent and Release Form**

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

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

_____ I agree to voluntarily submit to drug and/or alcohol tests at any time.
(Initials)

Students, you are only required to sign this release if you: Park on Campus; Are a member of a Club; Are a Class Officer; Are involved in any other extracurricular activity, Band and/or Athletics.

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

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

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

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

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

Student

Date

Parent or Guardian

Date

Witness

Date

Vape Awareness, Education, and Prevention

The purpose of this policy is to establish a vape awareness, education, and prevention program to prohibit the possession and use of prohibited tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products by students in public K-12 schools.

- A. **Prohibition:** The possession or use of tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products is prohibited by any student at a public K-12 school, on a school bus, or at any school sponsored function.
- B. **Violation:** Any student who violates the prohibition contained within this policy shall be subject to graduated consequences, which may include:
1. Notification of the student's parent or legal guardian shall be made regarding the violation.
 2. Required participation in the Alabama State Board of Education approved vaping awareness, education, and prevention class.
 3. In-school suspension, out-of-school suspension, or placement in an alternative school.
 4. Referral of the matter to the juvenile court for disposition.
 5. Or, any combination of the foregoing.

Disciplinary actions for violations of this policy will be administered in accordance with the current Student Code of Conduct.

- C. **Complaint procedure:** When a complaint is lodged against a student for violating the prohibition, the complaint must be memorialized using the model complaint form (attached). An anonymous report may not be used as the sole basis for imposition of formal disciplinary action. Once a complaint is made against a student for a violation, the complaint form is then to be forwarded to the principal, assistant principal, or school resource officer for investigation. The complaint form must include all the following information:
1. Name of student who has violated the policy.
 2. Date, time, and location of violation.
 3. Description of conduct that violates the policy.
 4. Name(s) of witness(es) to violation of the policy.
 5. Any other pertinent information.
- D. **Investigation Procedure:** Once a principal, assistant principal, or school resource officer receives a complaint of a serious violation, they must then promptly investigate the violation. The principal, assistant principal, or school resource officer must be the individual responsible for the investigation.
- E. **Response Procedure:** If the student has violated the prohibition, the student shall immediately, and without delay, be subject to the graduated consequences. Any and all consequences shall conform with applicable disability, antidiscrimination, education laws, and school discipline policies. Additionally, a copy of the complaint form and the disposition shall be placed in the student's permanent record.
- F. **Notice Requirement:** The policy adopted by a local school board shall be included in the code of conduct policy of the local board of education and included in the student handbook so as to give adequate notice to students and parents of prohibited behaviors occurring on school property, school buses, and at school sponsored events and the punishments attached thereto.
- G. **Applicability to Employees:** The use of tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products by any teacher, administrator, or other school employee on the campus of any public K-12 school is prohibited.

Nothing in this policy shall be construed to infringe on any right provided to a student pursuant to the Individuals with Disabilities Education Act (IDEA), the Family Educational Rights and Privacy Act (FERPA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990, provided that student information related to this policy shall be included as necessary into any and all Individualized Education Plans (IEPs), behavioral intervention plans, and other similar documents.

[Reference: Ala. Act 2025-403]

The Gadsden City Board of Education may enter into a transportation contract to provide transportation services to certain students within the school district.

To be eligible for free school transportation, a student shall be a resident within the school district jurisdiction.

A handicapped student may be eligible for free transportation as a related service in his educational program.

Ref: ala. Code 16-11-14, 16-13-51, 16-27-1 to -6, 16-39-11, 16-11-9, 16-12-3 (a): Conecuh County Board of Education v. Campbell, 162 So. 2d 233 (1964); Stout v. Jefferson County Board of Education, 419 F. 2d 1211 (5th Cir. 1969); Carr v. Montgomery Board of Education, 377 F. Supp. 1123 (M.D. Ala. 1974).

The Child Nutrition Program operated by Gadsden City Board of Education shall follow all applicable state and federal guidelines. No person may receive a meal without appropriate payment to the CNP program.

CNP CHARGED MEAL PROCEDURE

It is the intent of Gadsden City Board of Education to provide a nutritious breakfast and lunch for each student during the school day. It is the responsibility of the Child Nutrition Staff, the principal and the Central Office Staff to ensure participating students are provided a meal. It is the policy of Gadsden City Board of Education to comply with all federal regulations pertaining to the National School Breakfast and National School Lunch programs. K-3 grade children and special needs children must be provided a reimbursable meal even if the student does not have sufficient funds to pay for the meal. It is the responsibility of the parent or guardian to pay for meals a student purchases and any ala carte item. In the event any student reaches a negative balance, attempts will be made to collect said negative balance. Parents will be notified via email, written note or verbally when a child has a low/negative balance. Parents/Guardians also have the ability to create an online account for the child to check balances and add funds to the child's account at any time. Gadsden City Schools will not allow the charging of any adult meal or any ala carte items. When the school year ends, a report will be given to the school principal detailing any child with an unpaid CNP balance. These children will become the responsibility of the principal for payment. Payment for unpaid student balances will be due to the CNP department within two weeks of receipt of the unpaid balance report.

Students shall not be assessed fees for the purpose of supporting general student oriented or school related activities. No fees shall be charged any elementary student in the district, nor shall fees be charged for any course required for graduation.

Any fees that may be charged which are course related must have the prior approval of the Superintendent or his designee prior to collection. Such fees must be spent wholly to support the course in which they were collected. Receipts must be issued for any such monies collected. These funds must be deposited daily within the appropriate school account.

Any fees charged to support student activities must be on a voluntary basis only. All such fees must have the prior approval of the Superintendent or his designee prior to collection.

In accordance with the policy of the Gadsden City Board of Education, and as required by law, the monies of all school-sponsored student organizations shall be deposited with the school's accounts in the principal's office. The sponsor or treasurer of the organization shall be issued a receipt for each deposit, and he shall keep a record of the organization's account, including all deposits and disbursements.

The system of accounting for school monies shall be in conformity with the system of accounting recommended by the State Department of Education, the State Board of Education, and accrediting agencies.

Officers of the affected school-sponsored organization, the sponsor of that organization, and the principal shall jointly determine use of such funds.

Ref: See Ala. Code 16-12-12, 16-13-32, 16-12-3 (a), 16-12-5.

The Board delegates to the Superintendent, principals, other school staff members, and students the responsibility to establish regulations for the operation of school-sponsored clubs and organizations. School-sponsored clubs and organizations shall be under the direct control of school officials. Such clubs and organizations shall not be affiliated or associated with any political or religious organization or any organization which denies membership on the basis of race, creed, sex, national origin, or disability.

All school-sponsored clubs and organizations shall meet the following criteria:

1. Every school club or organization shall be sponsored by a member of the faculty approved by the principal of the school. Every organization shall have the approval of the sponsor in advance for the time and place of all meetings and all social and athletic events and other activities of the organization. The sponsor shall be present throughout meetings. All activities held outside the school or off campus must have the approval of the principal. A sponsor or substitute sponsor approved by the principal shall be present throughout all activities.
2. Every school sponsored club shall have a constitution approved by the school principal. Such constitution shall be kept on file in the school office.
 - a. The constitution shall contain a statement that all members must be students who are presently enrolled in the school of sponsorship.
 - b. The constitution shall state qualifications for membership. Such qualifications shall not deny membership because of race, color, creed, sex, national origin, or disability.
 - c. The constitution shall contain a statement of the purposes of the club. The purposes shall not be contrary to the welfare of the students or the school, or in conflict with the authority or responsibilities of the Board of Education and its employees.
 - d. The constitution shall contain a statement that there is no affiliation with any political or religious organization, or with any organization which denies membership on the basis of race, color, creed, sex, national origin, or disability.
 - e. The constitution shall provide that the collection or disbursement of school-sponsored club funds shall be in accordance with the regulations set forth by the school and school district.
 - f. The constitution shall provide that speakers who are neither members of the student body, faculty, or administration of the school must have prior approval of the sponsor and the principal.
3. Authorization to conduct activities as an organization recognized by the school administration may be denied or revoked if:
 - a. The organization participates in, advocates, aids, or knowingly permits conduct by its members or others subject to its control, which is contrary to the welfare of the students or the school, or which is in conflict with the authority or responsibility of the Board or any of its officials or employees;
 - b. The organization participates in, advocates, or knowingly permits activities, by its members or others subject to its control, which are not authorized by the constitution of the organization that has been approved by the principal of the school;
 - c. The organization fails to comply with Board policy or such rules and regulations as may be developed by local schools.

Ref: U.S. Const. amend. I; U.S. Const. amend. XIV, 1; Ala. Code 16-13-32, 16-11-9, 16-12-3, (a), (b), 16-26-1, 16-26-2, 16-8-7, to -9 Healy v. James, 92 S. Ct. 2338 (1972).

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

Promotion of Commercial Products

Except as authorized by the Superintendent of Education, no teacher shall:

- a. Permit any commercial advertising to be announced, distributed, or otherwise promoted in or through the schools for strictly commercial purposes.
- b. Permit the solicitation or collection of subscriptions or contributions from pupils or their parents in or through the schools.
- c. Furnish the names or addresses of teachers, pupils, or parents other than for school purposes.
- d. Endorse a product for personal gain.
- e. Sell instructional materials, reference books, or school supplies during the regular school day.

Ticket Sales and Fund Raising

Students, parents, and teachers will not be permitted to sell in the schools or on school grounds during school hours except as approved by the administration. Students will not be asked to contribute to any drive through the Gadsden City School System unless approved by the Superintendent.

No person, including those employed by the Board of Education, will be permitted to solicit business from students or teachers during school hours or permitted to approach students or teachers about appointments in school or on school grounds during the time school is in session.

Student participation in appropriate educationally oriented contests is encouraged. The Gadsden City Board of Education desires cooperation by sanctioning student competitive events, within reasonable bounds. The following statements shall be a guide for determining participation in contests:

- The primary educational aims of the schools and the needs and interests of students must be of paramount concern.
 - Schools shall not be used to promote private or commercial interests.
 - All competitive activities initiated by private sources shall be judged on the basis of their direct contribution to education value, factual accuracy, and good taste.
 - Consideration shall be given in all cases to protecting students and teachers against unreasonable exploitation and added work and responsibilities.
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**Policy JQ: Anomalous Students/Physical Disability Perceptually Disabled/
Emotionally Disturbed**

Status: ADOPTED

Original Adopted Date: 07/10/1990 | **Last Reviewed Date:** 07/10/1990

The Board recognizes that federal and state law mandates that the school district meet the educational needs of all children equally. Each disabled child is entitled to a free public education regardless of the nature or severity of his disability. For this reason, no disabled individual shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program conducted in the local schools. Where special programs and/or recommendations are required for the disabled child, the school district shall assume financial and other responsibility as required by law.

Ref: 20 U.S.C. 1401 et. seq.; 29 U.S.C. 794; Ala. Code 16-39-1 to -12.

It is the policy of the Board that a student who becomes pregnant while enrolled in the school district shall notify the school principal as soon as possible after the pregnancy has been confirmed.

A pregnant student shall provide the principal a written statement from a licensed physician, including recommendations concerning advisability of school attendance for the pregnant student. An additional statement from her physician shall be provided each six weeks, verifying that she is physically able to continue in school.

A pregnant student who chooses to remain in school during the semester in which she expects to deliver the child shall be governed by the same attendance policies, minimum course requirements, and rules and regulations as all other students. Alternate programs may be designed and students are encouraged to attend in an effort to protect both the student and the child and meet special needs of pregnant students. In no case shall a pregnant student be removed from school or failed solely because of her pregnancy. However, all students, whether pregnant or not, are expected to meet minimum standards for promotion and/or graduation.

Ref: U.S. Const. amend. XIV, 1; 20 U.S.C. 1681 et. seq.; Cleveland Board of Education v. La Fleur, 94 S. Ct. 791 (1974); See Ala. Code 16-1-14, 16-1-15, 16-1-16.

The Board does not condone early marriages and/or pregnancy among high school students and their beginning of families at an early age. Nevertheless, it is the intent of the Board to aid these young people in the continuation of their education within the limits of reasonable safeguards both for the school and the young people.

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 meaning:

- 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 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 or 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

• Current Student

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.

• 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.

• 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.

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 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.

• School Staff Changes

In the event the principal or a member of the Supervision Team leaves his 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 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 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.

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 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 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 the 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 caused 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.

All information regarding students and their families shall be collected, maintained, and disseminated under such safeguards of privacy as is necessary to comply with the Family Educational Rights and Privacy Act of 1974 (Sec. 438, P.L. 90-247, Title IV, as amended by Sec. 513, P.L. 93-380 and Sec. 2, P.L. 93-568) and the implementing regulation (45 CFR 99). The Board hereby requires all appropriate employed personnel to become familiar with and to adhere strictly to the provisions of said act and the implementing regulations.

The following definitions apply to this policy statement:

- “Education Records” means records which (1) are directly related to a student and (2) are maintained by the educational agency or school by a party acting for the agency or school.
- “Personally Identifiable” means that data or information which includes (a) the name of a student and the student’s parents or other family members (b) the address of the student (c) a personal identifier, such as a student’s social security number or student number (d) a list of personal characteristics which would make the student’s identity easily traceable, or other information which would make the student’s identity easily traceable.

Access to and Release of Information in Student Records

1. The principal shall, within the provisions of this procedure, be responsible for determining to whom information maintained in student records may be released.
2. The principal shall be responsible for determining who, other than the parent, guardian, or eligible student shall have access to the student records.
3. “Directory Information” may be made available at the discretion of the principal without the prior consent of the parent. However, students and their parents shall be notified at the beginning of each school year the categories of directory information and their right to request that all or part of such information not be made available to the general public. Directory information shall consist of the student’s name, address, telephone number, parent’s name, grade level, participation in officially recognized activities, weight and height of members of athletic teams, awards and honors.
4. The following individuals or agencies may be granted access to student record information without the written consent of the parent or an entry being made in the disclosure record:
 - a. Teachers and other school officials within the Gadsden City School System who have a legitimate educational interest.

“Legitimate educational interest:” That interest that requires regular access for purposes of adding material, periodic review, filing new students and/or removing inadequate, ambiguous, no longer relevant data. That interest having the educational well-being of the student in mind for purposes of continuing, improving or changing the education of the student and that interest in which the individual has a legitimate need to know.
 - b. Persons responsible for reports required by the state educational agency to carry out the educational program.
5. The following individuals or agencies may be granted access to student record information without the written consent of the parent by completing the disclosure record.
 - a. Authorized representatives of:
 1. The Comptroller General of the United States
 2. The Secretary of Human Resources
 3. The State Education Authorities
 4. Appropriate Community Agencies involved in handling students’ health or safety
 - b. Agencies requiring information in connection with a student’s application for or receipt of financial aid.
 - c. Courts, on the issuance of proper orders or subpoenas. Reasonable efforts shall be made to notify the parents of the order or subpoena.
6. Directory information and personally identifiable information will be released without parental consent to a school to which the student has transferred.
7. Principals shall require a written request from a parent or eligible student in order to grant access to others not specifically authorized by this policy.
8. Unless otherwise specified the term “parent” in this procedure shall include parent, guardian, or student 18 years of age or over who is enrolled in a post-secondary institution.

Review of Student Records by the Parent

1. In compliance with the Family Educational Rights and Privacy Act of 1974 (Sec. 438, P.L. 90-247, Title IV, as amended by Sec. 513, P.L. 93-380 and Sec. 2, P.L. 93-568) and the implementing regulation (45 CFR 99), schools shall provide for the review of student records by parents or guardians.
2. A parent or guardian who desires to review his child's record shall contact the school for an appointment. A conference shall be scheduled as soon as possible, but within one month. The disclosure record shall be completed at the time of the conference.
3. Prior to the scheduled conference, the principal shall review the record for accuracy and completeness.
4. The record shall be examined by the parent in the presence of the principal or a designated professional person.
- A. The principal or his designee attending the review shall:
 1. Explain the record keeping system of the school, noting the types of records and why they are kept.
 2. Provide the parent or guardian the opportunity to examine each record. Records which should be included are:
 - a. Cumulative Record
 - b. Application for Admission
 - c. Immunization Record
 - d. Attendance Record
 - e. Class Grade Record
 - f. Any other records maintained for that student by the school.
- B. The principal or designated professional person shall provide the parent an opportunity to raise questions regarding information on the records.
- C. A record of the review shall be made on the disclosure record.
5. If the parent or guardian requests a hearing to challenge information contained in the student's folder, a written request for hearing shall be made and a hearing scheduled for a date not less than three days or more than two weeks from the date of the request.
 - A. The hearing shall be held with the principal and the parent or guardian at the scheduled time.
 - B. If the parent or guardian is not satisfied with the hearing with the principal, he shall have the opportunity to appeal the decision to a review panel appointed by the Superintendent of Education.
 - C. The parent or guardian shall request the appeal in writing to the Superintendent of Education. Upon receipt of said request, the Superintendent shall schedule a review panel meeting within ten (10) days following receipt of the parent's request. The date, time, and place of the review panel hearing shall be sent to the parent or guardian by United States registered or certified mail, return receipt requested.
6. The student record appeals review panel shall be composed of three professional representatives of the central office staff. At the meeting:
 - A. The Superintendent of Education or his designee will preside;
 - B. The parent or guardian and the principal shall be present. The student shall be present if requested by the parent or guardian or school official;
 - C. The decision of the review panel shall be communicated in writing to the school and parent or guardian within ten days;
 - D. The parent shall have the right to file a dissenting statement following the hearing; such statement shall become part of the student's cumulative folder.

Student Cumulative Record Cards

1. All personal data shall be completed when the student initially enrolls in the school system and shall be updated annually or as applicable.
2. All data shall be recorded on the cumulative record in accordance with administrative procedures established by the Board of Education.
3. Since information on the cumulative record cards is confidential, the card shall not be removed from the file room except as authorized.

The Board shall hold each student responsible for every textbook and other education materials issued to him. It shall be understood that the parent or guardian of any student to whom textbooks or other materials are issued shall be held liable for any loss, abuse, or damage in excess of that which would result from the normal use of such materials.

Ref: Ala. Code 16-10-6, 16-26-4, 16-36-32, 16-36-35.
