



**MOBILE COUNTY
PUBLIC
SCHOOL SYSTEM
POLICIES**

Old Policies Carried Forward to New Policy Book

ICE Magnet Schools

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**OLD POLICIES
CARRIED FORWARD
TO NEW POLICY BOOK**

MAGNET SCHOOLS

The Mobile County School System will maintain Magnet Schools for the purpose of providing a multi-cultural, educational community setting based on a thematic approach to a core curriculum that stresses academic excellence.

Procedures governing the Magnet School's selection and enrollment of students, reporting, curriculum, and instructional programs will be established by the Superintendent and/or Board of School Commissioners consistent with this policy and communicated through a Magnet Schools' Procedures Manual that will be reviewed annually.

An Advisory Board will be established to advise the magnet schools and the Magnet School Coordinator. The Advisory Committee will meet no fewer than four times per calendar year and consist of representatives of community members, parents of magnet school students, the Superintendent of the Mobile County Public School System, the Assistant Superintendent for Curriculum and Instruction, the Magnet School Coordinator, Magnet School Administrators and Teachers.

Legal Reference: Birdie Mae Davis

Hearing Held: November 17, 1999

Adopted: January 12, 2000

Chapter 1.00 – Governing Principles

- 1.10 School System Legal Status
- 1.20 Educational Mission
- 1.21 Goals and Objectives
- 1.22 Community Involvement in Decision Making

SCHOOL SYSTEM LEGAL STATUS

The public schools of Mobile County are under the direction of the Board of School Commissioners of Mobile County. The board was created by special act of the Alabama legislature in 1826. The school system encompasses the entire County of Mobile and is operated and administered in accordance with applicable federal law, the Alabama Constitution of 1901, state laws, State Board of Education regulations and board approved policies.

EDUCATIONAL MISSION

The board's comprehensive goal is to provide excellent educational opportunities to students and assist in the development of responsible citizens able to live productive lives in a democratic society.

Graduates of the Mobile County Public School System will have attained a firm command of the skills needed for everyday living and a thorough understanding of our collective heritage, thereby preparing themselves as productive citizens, healthy adults, concerned family members and independent thinkers in a highly technological society. Students also will develop the capacity to appreciate and participate in leisure activities on a lifetime basis.

GOALS AND OBJECTIVES

The primary and continuous goal of the school system is to provide the resources, facilities, and personnel needed to offer each student an excellent educational opportunity.

The board shall support those educational philosophies and procedures needed to promote an adequate educational system for the community. The board will adopt a mission statement, specific goals, and objectives for the public schools of Mobile County to meet the educational needs of the students and community. These will be formulated cooperatively by, and communicated to, school personnel, parents and students by the superintendent and staff and used to formulate the budget. Subject to board review, the superintendent and staff will develop guidelines to support, encourage, maintain, or improve objectives. Substantial changes or additions to existing guidelines shall be presented to the board for approval before the changes or additions take effect.

COMMUNITY INVOLVEMENT IN DECISION MAKING

The board encourages community participation in establishing system goals and initiatives.

Citizens are encouraged to express ideas, concerns, and judgments about the schools to the school administration, the staff, to appointed advisory bodies and the board.

Chapter 2.00 – School Board Operations

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 - 2.503 Board Member Training

INTERNAL ORGANIZATION

The board shall meet and conduct its annual meeting in November of each year at which time it will elect officers and organize.

BOARD MEMBER AUTHORITY

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

ETHICS

The board adopts the following statement of ethics to guide members:

- I. As a member of the Board of School Commissioners, representing all the citizens of my school district, I recognize the following:
 - A. My fellow citizens have entrusted me with the educational development of the children and youth of this community.
 - B. The public expects my first and greatest concern to be in the best interest of each and every one of these young people without distinction as to who they are or what their background may be.
 - C. The future welfare of this community, of this state, and of the nation depends in the largest measure upon the quality of education we provide in the public schools to fit the needs of every learner.
 - D. My fellow board members and I must take the initiative in helping all the people of this community to have all of the facts all of the time about their schools, to the end that they will readily provide the finest possible school program, school staff, and school facilities.
 - E. Legally the authority of the board is derived from the state, which ultimately controls the organization and operation of the school system and which determines the degree of discretionary power left with the board and the people of this community for the exercise of local autonomy.
 - F. I must neither neglect my personal obligation to the community and my legal obligation to the state, nor surrender these responsibilities to any other person, group, or organization; but that, beyond these, I have a moral and civic obligation to the nation which can remain strong and free only so long as public schools in the United States of America are kept free and strong.
- II. In view of the foregoing consideration, my constant endeavor shall be the following:
 - A. I shall devote time, thought, and study to the duties and responsibilities as a school board member so that I may render effective and creditable service.
 - B. I shall work with my fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points at issue.

- C. I shall base my personal decision upon all available facts in each situation; to vote my honest conviction in every case, unswayed by partisan bias of any kind; thereafter to abide by and to uphold the final majority decision of the board.
- D. I shall remember at all times that as an individual I have no legal authority outside the meetings of the board, and to conduct my relationships with the school staff, the local citizenry, and all media of communication on the basis of this fact.
- E. I shall resist every temptation and outside pressure to use my position as a school board member to benefit either myself or any other individual or agency apart from the total interest of the school system.
- F. I shall recognize that it is as important for the board to understand and evaluate the educational program of the schools as it is to plan for the business of school operation.
- G. I shall bear in mind under all circumstances that the primary function of the board is to establish the policies by which the schools are to be administered, but that the administration of the educational program and the conduct of school business shall be left to the employed superintendent of schools and his or her professional and nonprofessional staff.
- H. I shall welcome and encourage active cooperation by citizens, organizations and the media of communication in the district with respect to established policy on current school operation and proposed future developments.
- I. I shall support my state and national school boards associations.
- J. Finally, I shall strive step by step toward ideal conditions for most effective school board service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

BOARD OFFICERS

The officers of the board shall be a president and vice president who shall be elected by the board members at the annual meeting, and whose term of office shall be for a period of one year. Officers will assume duty immediately following their election.

The board shall appoint as its executive officer the superintendent who shall also be the Secretary of the Board of School Commissioners. As secretary, he or she shall conduct all correspondence of the board, keep and preserve all of its records, receive all reports required by the board, and ascertain that such reports are in proper form, complete and accurate. In case the office of the superintendent is temporarily vacant, or when the superintendent is absent by reason of the nature of business under consideration, or otherwise, the board may recognize the acting superintendent in this capacity.

Duties

The president, or in her or his absence the vice president, shall preside at all meetings of the board, preserve order and decorum and decide all points of order, subject to an appeal by the board. He or she shall be entitled to vote on all questions.

The president shall appoint all special committees unless the board declares otherwise.

In the absence of both the president and vice president, a president pro tempore shall be elected who shall in such cases perform all the duties of the president.

BOARD COMMITTEES

Committee of the Whole

The board will generally function as a Committee of the Whole where all school board commissioners are members of the work group. Committee meetings may be called by any member of the board or by the superintendent. The board president shall preside over the Committee of the Whole during its meetings. The purpose of the board sitting as a Committee of the Whole is to study various school system related matters. Its purpose is not to take official action. The committee may take no formal action during such a committee meeting. All formal actions must be taken in a duly advertised regular or special called meeting of the board.

When the board sits as a Committee of the Whole, its general duties are advisory and not executive. The superintendent or his designee shall serve as ex-officio member of all such committee meetings. All Committee of the Whole meetings shall be open to the public, properly advertised and minutes shall be maintained.

Ad Hoc Committees

The board shall authorize Ad Hoc Committees as they are deemed necessary. These Ad Hoc Committees shall make recommendations to the board and shall be dismissed upon receipt of the committee's final report. There shall be no limit on the number of individuals the board may appoint to an Ad Hoc Committee; however, no more than two (2) school board members may serve on the same Ad Hoc Committee at a time.

An Ad Hoc Committee shall be assigned a very specific area of study and a definite term of existence, not to exceed ninety (90) days. Ad Hoc Committee meetings shall be arranged by consent. Needs warranting consideration may be suggested by the board president, individual board members or the superintendent.

The general duties of an Ad Hoc Committee shall be advisory and not executive. Ad Hoc Committees do not have authority to direct the action of administrators or other employees. The superintendent or his designee shall serve as ex-officio members of all Ad Hoc Committees. All Committees will report their findings and recommendations to the board before the committee's designated expiration date.

Advisory Committees

The board upon recommendation of the superintendent may appoint Advisory Committees whose membership may be other than that of elected board members. Such Advisory Committees will make recommendations to the board and operate only within the parameters established by the board. Advisory Committees shall report their findings to the superintendent for dissemination to the board. Any dissemination of information by Advisory Committees shall be made only with prior approval by the superintendent and the board. Advisory Committees will be dissolved at the discretion of the board upon the superintendent's recommendation.

Date Adopted: December 11, 2007

Revised: February 19, 2009

POLICY DEVELOPMENT

Reference: Alabama Code - §16-1-30

Date Adopted: December 11, 2007

PUBLIC HEARINGS

Reference: Alabama Code - §16-8-3
Alabama Code - §16-13-140 (budget).

Date Adopted: December 11, 2007

BOARD MEETINGS

The board shall transact all business of the board in official meetings by duly recorded vote by a majority of the whole board.

The board shall hold regular meetings, may schedule special meetings, and will hold an organizational meeting in November.

The board shall adopt an annual schedule of regular meetings.

Special meetings of the board may be held whenever called by the president or upon written request of three or more members of the board. Written notice setting forth the object for which said special meeting is called shall be disseminated to each member of the board. No delegations shall be permitted during special meetings unless the board votes to suspend the rules to allow delegations.

Any legal meeting of the board may be recessed to a designated time and place.

TIME AND PLACE

All meetings of the board shall be held in the board room at the central office, at an appointed hour, unless a different place and time shall be designated by resolution or in the notice of the meeting.

MEETING NOTICE

Individual Requests for Notice

Individuals requesting to receive notice of school board meetings should complete the form provided by the school system. Notice of school board meetings will be sent through the Internet. Individuals requesting such notice must have access to a valid e-mail account and are responsible for informing the superintendent of any change of address. The board is not responsible for e-mail that is not deliverable. Individuals will remain on the meeting notification list until the superintendent is notified in writing that the individual wishes to be removed from the list, unless e-mail notices for three meetings have been undeliverable via the Internet. When three notices have not been delivered, the individual will be removed from the meeting notification list.

Legal Reference: Alabama Code - §36-25A-3

Date Adopted: December 11, 2007

BOARD MEETING MATERIALS

A written agenda for each regular board meeting shall be prepared by the superintendent in consultation with the board president and distributed to each board member three days in advance of the meeting, and, if practicable, 24 hours prior to special meetings.

The minutes of the previous meeting(s) will be attached to the agenda.

Copies of committee reports shall be given to board members by the time of the regular meeting. Reference items which also may be needed for clarification shall be in readiness prior to the meeting.

RULES OF ORDER

The most recent edition of *Robert's Rules of Order: Newly Revised* shall govern the board in its deliberations, except as modified by board policy.

If a quorum is present, the board may proceed in the following order of business:

1. Approval of the minutes of previous meeting
2. Report of the superintendent
3. Report of standing committees
4. Report of special committees
5. Unfinished business
6. New business
7. Adjournment

The order of business within the agenda may be suspended at any meeting by a majority vote.

QUORUM

Three members of the board shall constitute a quorum for the transaction of business at any regular or special meeting.

EXECUTIVE SESSIONS

The board, upon approval of three or more of the board members, may meet in an executive session in accordance with the Alabama Open Meetings Act.

Executive sessions may only be called if expressly provided for by law or for one of the following reasons:

1. General Reputation and Character/Job Performance for specified employees
2. Formal Hearings
3. Discussion with an Attorney about Litigation*
4. Security Plans and Measures
5. Criminal Investigation/Disclose the identify of an undercover agent or informer*
6. Negotiations to Buy / Sell / Lease Real Property
7. Preliminary Negotiations in Trade Competition*
8. Negotiations between body and group of public employees*
9. Quasi-Judicial Role

*A written/oral declaration by a designated authority is required to certify an executive session is warranted before the body votes to enter executive session.

The procedure to convene an executive session (excluding quasi-judicial or formal hearings) is as follows:

1. Convene an open meeting
2. Enter a motion stating the reason for the executive session.
3. Receive a written or oral declaration (if necessary).
4. Vote to go into executive session with each member's vote recorded in the minutes.
5. The presiding officer should state if and when the body will reconvene.

PUBLIC PARTICIPATION

Members of the public and delegations are permitted to address the board at all board meetings. No delegations shall be permitted during special meetings unless the board votes to suspend the rules to allow delegations.

A person who desires to appear before the board in official meetings as an individual citizen or as a duly authorized representative of a group of citizens or parents in Mobile County shall be afforded the opportunity of doing so by complying with the following provisions:

1. Before appearing before the board, a person must assure exhaust all remedies available to resolve the issue with the superintendent or her/his designee where applicable.
2. The person/delegate shall notify the superintendent or her or his designee (verbally or in writing) no later than 15 minutes prior to the time of the board meeting, stating in general the nature of the matter to be discussed.
3. All visitors shall be expected to demonstrate respectful behavior and shall not obstruct the orderly functions of the board. The presiding officer shall retain the privilege of ordering removal of disruptive persons from the board room.
4. People addressing the board shall be allowed a maximum of five (5) minutes of uninterrupted time to make his/her presentation. The oral presentation may be accompanied by written copies for distribution to the board members and superintendent.
5. The character, reputation or good name of an individual shall not be disparaged in the presentation.
6. A copy of these rules shall be made available to any member of the public notifying the superintendent of his or her desire to address the board.

Legal Reference:

Date Adopted: December 11, 2007

MINUTES / RECORDS OF MEETINGS

A record of each board meeting shall be prepared by the superintendent. Minutes will be taken at board meetings during which action is proposed or taken. All motions and votes will be recorded. A record of all other meetings will be made. Both meeting minutes and records of meetings will include: date, time, place, members present/absent.

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

The official minutes and records of meetings will be kept in bound volumes.

SCHOOL BOARD RECORDS

All records of the board required by law to be available for public inspection shall be available for inspection at the superintendent's office, or at such place in the administrative offices of the school system as may be directed by the superintendent.

BOARD MEMBER DEVELOPMENT OPPORTUNITIES

The board shall encourage individual and collective memberships in professional organizations. School board members are encouraged to attend workshops presented by the county, state, and national school boards associations and to attend teachers' conventions. Professional magazines and other resources in the materials center are available to each board member.

NEW MEMBER ORIENTATION

Under the guidance of experienced board members and the superintendent, orientation will be provided for new board members through:

- Workshops for new board members conducted by state and area school boards association.
- Discussions and visits with the superintendent and other members of the school staff.
- Printed and audio-visual materials on school board and administrative polices and procedures.

Orientation will be continuous and may also include:

- Attending board and administrative conferences.
- Exchanging ideas through joint meetings with neighboring school boards.

SCHOOL BOARDS ASSOCIATION MEMBERSHIP

The board recognizes the value of professional association to be found in the Alabama Association of School Boards and the National School Boards Association and encourages individual and board affiliation and attendance at conferences.

BOARD MEMBER TRAINING

- 1.1.1 General – Mobile County Board of Education members will pursue ongoing training to develop and enhance their knowledge and effectiveness as Board members and to improve Board governance and operations. Training will include participation in:
- a. Orientation for newly elected or appointed school board members;
 - b. Training or consulting workshop for the local Board as a whole;
 - c. State or national school board association event addressing Board governance or operation, or other Board member development opportunities relating to leadership development, Board governance, or Board operations.
- 1.1.2 Source of Training and Report – The board recommends the requirements of this policy be satisfied by participation in training provided by the Alabama Association of School Boards or other sources considered knowledgeable in school board governance and leadership and approved by the Board. Board members will provide a report to the Board about training experiences at the next available Board meeting.
- 1.1.3 Board Self Evaluation – The board will conduct an annual evaluation that includes development of a list of recommended improvements in knowledge and skills of Board members.

Legal Reference: Act of Alabama 2009-297

Adopted: February 23, 2010

Chapter 3.00 – General Administration

- 3.10 Superintendent Selection / Contract
- 3.11 Superintendent Duties
- 3.12 Board-Superintendent Relations

- 3.20 Administrative Rules

- 3.30 Equal Opportunity
- 3.31 Sexual Harassment

- 3.40 Safety
- 3.41 Tobacco Use
- 3.42 Firearm Possession

- 3.50 Computer, Internet And Electronic Communication Acceptable Use
- 3.51 Copyright
- 3.52 Professional Publishing

- 3.60 School Volunteers
- 3.61 Fundraising
- 3.62 Associations/Collectives

- 3.70 School Facility Use

- 3.80 Flag Displays

SUPERINTENDENT SELECTION / CONTRACT

The board will appoint the superintendent based on its qualifications and state requirements and will negotiate an employment contract addressing compensation, benefits outside those established by state law, expense allowance, professional development, consulting contracts and evaluation (outside of that required by state Board of Education) discharge and resignation.

SUPERINTENDENT DUTIES

The duties of the superintendent are:

1. He/she shall provide leadership in working with the Board of School Commissioners of Mobile County, professional associates, and citizens generally in formulating educational objectives for the schools, which are based on community needs and students' abilities and needs.
2. He/she shall serve as the executive officer of the board; and shall sign in the name of the board all deeds, bills of sale, contracts or evidence of debt, and other legal documents to which the board is a party except such, as by other resolution or action, are to be signed by the president or other officers or employee of the board.
3. He/she shall give general direction, supervision, and coordinated leadership to the entire school program, including business administration, curriculum development and instruction, personnel administration, pupil personnel administration, and all auxiliary services associated with the operation of public schools.
4. He/she shall understand laws and court decisions bearing upon education and policies, both of the State Board of Education and of the Board of School Commissioners of Mobile County, and shall administer the schools of Mobile County in accordance with same, insofar as they may be applicable to Mobile County.
5. He/she shall develop administrative procedures that will achieve effective implementation of school board objectives and policies.
6. He/she shall implement procedures designed to attract capable and properly trained personnel to specialized jobs necessary to the operation of schools; shall promote in-service growth and improvement of all workers on their jobs; shall foster esprit de corps, high morale, and teamwork among the board's employees and the best possible utilization of specialized abilities and interests.
7. He/she shall assist the board in carrying out its functions by providing channels of communication between the board and the educational community, the administrative staff, and lay citizens.
8. He/she shall promote a continuous program of research in all phases of the school program; shall facilitate an effective evaluation of the program in terms of the objectives sought; shall furnish information needed by the board in policy formation, in making important decisions, in improving administration, and in achieving economical and wise business administration.

9. He/she shall serve the board as secretary, conduct all correspondence of the board, keep and preserve all of its records, receive all reports required by the board and ascertain that all reports are in proper form, complete and accurate, arrange and announce meetings, prepare agendas for meetings, attend all meetings unless otherwise excused by the board president, participate in all deliberations other than those involving his/her salary and employment, and prepare minutes of meetings for school board approval.
10. He/she shall recommend professional employees for appointment, demotion, promotion, transfer, or dismissal.
11. He/she shall give leadership in a continuous program of curriculum development so the instructional program will be adapted to the needs of the community, the larger society, and to the needs and abilities of students.
12. He/she shall prepare and submit to the board before the end of the fiscal year an estimate of receipts and expenditures for the ensuing year.
13. He/she shall organize the central staff in such a way as to accomplish the following:
 - a. Teamwork through cooperative planning.
 - b. Clarification of purposes to be achieved.
 - c. Understanding of basic policies and administrative procedures designed for their implementation.
 - d. Effective utilization of specialized interests, abilities, and training.
 - e. Clear understanding of duties and responsibilities to be performed.
 - f. Creation of an emotional and professional climate conducive to a realistic, objective, and rational approach to solving problems.
 - g. Performing such other duties as the board may determine.

BOARD-SUPERINTENDENT RELATIONS

The superintendent represents the board in dealing with the staff; he or she likewise represents the staff in dealing with the board. Board members who have information or suggestions pertinent to the administration of schools call or contact the superintendent. Staff members who desire advice and counsel or clarification of policy in handling complicated problems contact the superintendent, who in turn gives the answer or direction needed or else seeks the assistance of the board. Staff members who have information or suggestions pertinent to the carrying out of school board functions bring them to the attention of the superintendent who in turn makes regular reports to the board.

Board members will refer all requests for individual adjustment, preferment, or promotion to the superintendent.

The board and the superintendent will respect the confidentiality of personal information pending school board action and/or the resolution of problems, to a satisfactory conclusion in a confidential and professional manner.

Board members desiring written response and/or research by staff members should present such requests to the superintendent or designee in writing.

Copies of the written board requests and staff responses shall be disseminated to all board members and appropriate staff members through the superintendents or designee.

ADMINISTRATIVE RULES

Following the adoption of policies governing the operation of the school system, the superintendent and administrative staff will develop procedures for the implementation throughout the system.

EQUAL OPPORTUNITY

The board, its employees and agents shall not discriminate in any way on the basis of race, sex, religion, national origin, age or handicap.

Guidelines will be maintained to support nondiscrimination. These guidelines specify grievance procedures, including the name and location of the board employee(s) assigned responsibility for grievances.

Equal Opportunity: Complaints, Appeals

Any student, parent or other individual on behalf of a student or parent may file a written complaint or appeal for an exception to any school board practice. Administrative procedures for reviewing all complaints will be designed to secure solutions at the lowest level.

All complaints will be handled promptly as soon as possible and resolved within 30 days after the complaint is filed unless additional time is required because of exceptional circumstances.

Reference – Procedures: Equal Opportunity, Complaints, Appeals

Date Adopted: December 11, 2007

SEXUAL HARASSMENT

The board will not tolerate any form of sexual harassment of or by staff (including non-employee volunteers who work subject to control of school authorities) or students and is committed to a learning and work environment in which all persons who participate in school programs and activities may do so in an atmosphere free from all forms of sexual harassment. The board will take whatever action it deems necessary or appropriate to prevent, correct, and penalize behavior that violates this policy.

Supervisors and principals are expected to recognize sexual harassment and take necessary action to address any instances of it promptly, fairly, and effectively. If a complaint involves employees, grievance procedures should be implemented with the proviso that if the complaining employee's immediate supervisor is the alleged perpetrator of sexual harassment, the employee would proceed directly to Step II. If the complaint involves only students, the investigation will be carried out in accordance with the Student Code of Conduct.

Malicious or frivolous complaints of sexual harassment are subject to disciplinary action.

Reprisals of any kind are strictly prohibited against any person who has filed a report of sexual harassment, testified as a witness, assisted, or participated in any manner in any investigation or proceeding conducted under this policy. Reporting of sexual harassment, or participation in a sexual harassment inquiry, must not reflect in any way upon the individual's status, nor may it affect future grades, assignments, employment, or the like.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, or physical conduct of a sexual nature that takes place under any of the following circumstances:

- a. When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction or participation in other school activities.
- b. When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personnel or academic decisions affecting the individual subjected to sexual advances.
- c. When such conduct has the effect of unreasonably interfering with the individual's work and/or academic performance or creating an intimidating, hostile, or offensive work or learning environment.

When alleged sexual harassment involves a student and could involve sexual abuse, certified personnel must report it to the state Department of Human Resources as required under Alabama law.

Legal Reference: Alabama Code - §26-14-3

Date Adopted: December 11, 2007

SAFETY

A comprehensive safety plan complying with State Department of Education guidelines will be developed, implemented and periodically reviewed.

School principals and employees with supervisory authority over specific departments and sites should keep safety a high priority and principals should work with the appropriate divisions to develop a property safety program for each school. The principal also will assume the responsibility for reporting to the appropriate divisions safety needs as they might arise.

The Facilities Division will work with the building administrators to assist in the implementation and observance of applicable fire codes. In addition, the Facilities Division will cooperate with other divisions in the development of fire prevention and safety procedures such as emergency drills and personnel training. A uniform emergency drill program is to be developed and maintained, addressing such emergencies as fire, storm, crisis, student disruption for all departments throughout the School System.

Safety inspections will be included in the regular maintenance program for the school system.

The superintendent is authorized to close a school if prevailing or potential hazards threaten the safety and well-being of students or employees.

Law enforcement agencies shall be authorized to make periodic visits to local schools to the extent authorized by law to detect the presence of illegal drugs, unannounced to anyone except the local superintendent and building principal.

Legal Reference: Alabama Administrative Code § 290-3-1-.02(1)(b)(1), as amended.

Date Adopted: December 11, 2007

Hearing Dates: March 19, 2013; March 25, 2013

Date Amended: March 25, 2013

TOBACCO USE

Smoking and the use of tobacco products are prohibited on school grounds and at school activities.

Student and employee violations will be disciplined in accordance with the existing disciplinary procedures. Employees who violate this policy shall be subject to discipline including the possibility of suspension or termination. Visitors in violation of this policy will be asked to leave the premises.

The term “smoking” as used herein includes carrying or holding a lighted pipe, cigar or cigarette of any kind, or any other smoking paraphernalia, as well as emitting or exhaling the smoke of a pipe, cigar or cigarette of any kind.

The term “tobacco product” as used herein includes the use of any type of tobacco product, such as chewing tobacco, snuff or any other tobacco product that is ordinarily lit, inhaled, chewed or otherwise placed in one’s mouth or nose.

Legal Reference:

Public Hearings: March 19, 2013; March 25, 2013

Date Amended: March 25, 2013

Firearm Possession

The possession of a firearm by an individual, employee, visitor, or student inside or on any property owned, leased, or operated by the Mobile County Public School System is strictly prohibited except for those individuals who lease undeveloped system property for hunting or sporting activities. Otherwise, possession of a firearm is strictly prohibited whether or not those individuals, employees, visitors or students possess a legal permit to carry said firearm or if the individual possessing the firearm is licensed to do so by the State of Alabama or any other state. Duly sworn and trained peace officers in the performance of their duties are exempted from this prohibition. Employees who violate this policy are subject to discipline up to and including the possibility of termination. Students shall be disciplined for the possession of firearms to the extent required by law, including, but not limited to Code of Alabama Section 16-1-24.3, as amended.

Legal Reference: Code of Alabama § 16-1-24.3, as amended; Alabama Administrative Code § 290-3-1-.02 (1)(b)(3), as amended.

Adopted: February 7, 2001

Public Hearings: March 19, 2013, March 25, 2013

Revised: May 25, 2010, March 25, 2013

COMPUTER, INTERNET AND ELECTRONIC COMMUNICATION ACCEPTABLE USE

MCPSS relies on its computer network to conduct its business. To ensure that MCPSS Computer Resources are used properly by its employees, students, independent contractors, agents, vendors and other computer Users (the "Users"), the Board of School Commissioners for MCPSS has created and passed this Computer Use Policy (the "Policy"). The rules and obligations described in this Policy apply to all Users (the "Users") of MCPSS' computer network or Computer Resources, wherever they may be located

MCPSS' policies against discrimination and harassment (sexual or otherwise) apply fully to MCPSS' Computer Resources and Resources, and any violation of those policies is grounds for discipline up to and including termination. Students who violate these policies are subject to disciplinary action consistent with Board policy and the Student Handbook. Vendors, consultants and other third parties must adhere to these policies and are subject to losing their right to access MCPSS Computer Resources for violations of these policies.

The term *Computer Resources* as used herein refers to MCPSS' entire computer, electronic and communications network. Specifically, the term *Computer Resources* includes, but is not limited to: computers, host computers, file servers, application servers, communication servers, mail servers, fax servers, Web servers, workstations, stand-alone computers, laptops, tablets such as IPAD's, telephones, facsimile machines, scanners, software, data files, peripherals such as printers, and all internal and external computer and communications networks (for example, Internet, commercial online services, value-added networks, e-mail systems) that may be accessed directly or indirectly (including access by Students, vendors, consultants and other third parties using personally owned computer hardware as authorized by MCPSS) from our computer network or that are owned or have been purchased by MCPSS.

The Computer Resources are the property of MCPSS and may be used for only legitimate business and educational purposes. Users are permitted access to the Computer Resources to assist them in performance of their jobs. Computer and internet access is provided for MCPSS business *use*, but *occasional* minimal personal use is allowed. Use of the Computer Resources is a privilege that may be revoked at any time. Users who violate this Policy may have their Computer/Internet use privileges revoked at any time and without prior notice AND are subject to discipline up to and including the possibility of termination.

In using or accessing the Computer Resources, Users must comply with and be aware of the following provisions:

No Expectation of Privacy. The computers and computer accounts given to Users are to assist them in the performance of their jobs or in the case of students, in their educational studies and activities. Users should not have an expectation of privacy in anything they create, store, send or receive on the Computer Resources. Computer Resources belong to MCPSS and may be used only for the purposes set forth herein. MCPSS has the right, but not the duty, for any reason and without the permission of any User, to monitor any and all of the aspects of its Computer Resources, including, without limitation, reviewing documents created and stored on its Computer Resources, deleting any matter stored in its system, monitoring sites visited by Users on the Internet, monitoring chat and news groups, reviewing material downloaded or uploaded by Users from the Internet, and reviewing E-Mail sent and received by Users. Employees and Users should not have an expectation of privacy in anything they create, store, send or receive using the Computer Resources.

Waiver of privacy rights. MCPSS reserves the right to inspect the contents of all electronic data stored on MCPSS computer equipment or Computer Resources. Users, in using MCPSS Computer Resources, expressly waive any right of privacy in anything they create, store, send or receive on MCPSS Computer Resources or through the Internet or any other computer network. Users consent to allowing personnel of MCPSS to access and review all materials Users create, store, send or receive on the computer or through the Internet or any other computer network. Users understand that MCPSS may use human or automated means to monitor use of its Computer Resources, including data stored on the local drive, data stored on any network drive, and electronic mail.

Passwords. Users are responsible for safeguarding their passwords for access to the Computer Resources or Computer Resources. Individual passwords should not be printed, stored online or given to others. Users are responsible for all transactions made and actions taken using their passwords. No User may access the Computer Resources with another User's password or account. Use of passwords to gain access to the Computer Resources or to encode particular files or messages does not imply that Users have an expectation of privacy in the material they create or receive on the Computer Resources.

Viruses and Virus Protection. Users may not disable or remove virus protection software. Viruses can cause substantial damage to Computer Resources. Each User is responsible for taking reasonable precautions to ensure he or she does not introduce viruses into MCPSS' Computer Resources or computer network. Virus software updates are automatically distributed regularly to Computer Resources. Users may not interrupt the update process and must report any errors in the update process immediately to MCPSS' support help desk. PCs not attached to the LAN must be updated by the User. The Information Technology Department will provide virus updates.

Compliance with applicable laws and licenses. In their use of Computer Resources, Users must comply with all software licenses, copyrights and all other state, federal and international laws governing intellectual property and online activities. It is MCPSS' policy to comply fully with all software copyright licenses. Employees who willfully circumvent this policy will be subject to disciplinary action up to and including termination of employment. In compliance with the Children's Internet Protection Act, each year, all District students will receive internet safety training which will educate students about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response.

Prohibited Activities. The following activities, items or materials are prohibited:

Inappropriate or unlawful material. Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise unlawful or inappropriate may not be sent by e-mail or other form of electronic communication (such as bulletin board systems, newsgroups, chat groups), downloaded from the Internet or displayed on or stored in MCPSS computers. This includes e-mails known as "Spam" and e-mails containing non business related matter. Users encountering or receiving this kind of material should immediately report the incident to their supervisors.

Without prior written permission from the Executive Manager of Information Technology. Computer Resources may not be used for dissemination or storage of commercial or personal advertisements, solicitations, promotions, destructive programs (that is, viruses or self-replicating code), political material or any other unauthorized use, including material or significant personal uses.

Using or copying software in violation of a license agreement or copyright. Violating any state, federal or international law.

Waste of Computer Resources. Users may not deliberately perform acts that waste Computer Resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet playing games, engaging in online chat groups, printing multiple copies of documents or otherwise creating unnecessary network traffic.

Accessing other User's files. Users may not alter or copy a file belonging to another User without first obtaining permission from the owner of the file. The ability to read, alter or copy a file belonging to another User does not imply permission to read, alter or copy that file. Users may not use the Computer Resources to "snoop" or pry into the affairs of other Users by unnecessarily reviewing their files and e-mail. Excepted from this provision are those persons conducting investigations or administrative duties at the request and with the authorization of the Executive Manager of Information Technology or Executive Manager of Human Resources.

Misuse of software. Without prior written authorization from the Executive Manager of the Information Technology Department, Users may not do any of the following:

- (1) Copy software for use on their home computers;
- (2) provide copies of software to any independent contractors or third party;
- (3) install software on any MCPSS workstations or servers;
- (4) download any software from the Internet or any other online service to any MCPSS workstations or servers;
- (5) modify, revise, transform, recast or adapt any software or reverse-engineer, disassemble or decompile any software. Users who become aware of any misuse of software or violation of copyright law should immediately report the incident to their supervisors; and
- (6) Users who have currently copied software for home computers, distributed software or installed software on corporate computers are required to obtain approval according to the current guidelines or remove the software immediately.

If you become aware of someone using Computer Resources for any of these activities, you are obligated to report the incident immediately to your supervisor. Violations of any aspect of this policy will be taken seriously and may result in disciplinary action, including possible termination, and civil and criminal liability.

E-Mail Policy

To maximize the benefits of its Computer Resources and minimize potential liability, MCPSS has created this E-mail usage policy. All computer Users are obligated to use these resources responsibly, professionally, ethically and lawfully.

Employees and other Users are given access to our computer network to assist them in performing their duties. Employees and Users, including students, should not have an expectation of privacy in anything you create, store, send or receive on the Computer Resources. The Computer Resources belongs to MCPSS and may only be used for business purposes. Without prior notice, MCPSS may review any material created, stored, sent or received on its network or through the Internet or any other computer network.

Sending unsolicited e-mail (spamming). Without the express permission of their supervisors, employees may not send unsolicited e-mail to persons with whom they do not have a prior relationship.

Altering attribution information. Employees must not alter the “From:” line or other attribution-of-origin information in e-mail, messages or postings. Anonymous or pseudonymous electronic communications are forbidden. Employees must identify themselves honestly and accurately when participating in chat groups, making postings to newsgroups, sending e-mail or otherwise communicating online.

Attorney-client communications. E-mail sent to in-house counsel, if any, or an attorney representing MCPSS should include this warning header on each page: “ATTORNEY-CLIENT PRIVILEGED; DO NOT FORWARD WITHOUT PERMISSION.” Communications from attorneys may not be forwarded without the sender’s express permission.

Confidential Transmissions. Any confidential e-mail, and/or files transmitted with it, is intended solely for the use of the individual or entity to whom it is addressed. The communication may contain material that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received an e-mail or communication in error, please notify the sender immediately.

Internet Use Policy

The Internet can be a valuable source of information and research. In addition, e-mail can provide excellent means of communicating with other employees, our customers and clients, outside vendors and other businesses. Use of the Internet, however, must be tempered with common sense and good judgment. Users who abuse their use of Computer Resources to access the Internet will may have access to the Internet restricted or removed. In addition, Users who violate this policy may be subject to disciplinary action, including the possibility of termination, student discipline (as applicable) and civil and criminal liability.

Your use of the Internet is governed by this policy:

Disclaimer of liability for use on Internet. MCPSS is not responsible for material viewed or downloaded by Users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.

Employees' duty of care. Employees should endeavor to make each electronic communication truthful and accurate. You should use the same care in drafting e-mail / electronic documents as you would for any other written communication. Please keep in mind that anything created or stored on the Computer Resources may, and likely will, be reviewed by others.

Duty not to waste Computer Resources. Because audio, video and picture files require significant storage space, files of this sort may not be downloaded unless they are business-related.

No privacy in communications. Users of MCPSS Computer Resources should never consider electronic communications to be either private or secure. E-mail may be stored indefinitely on any number of computers, including that of the recipient. Copies of your messages may be forwarded to others either electronically or on paper. In addition, e-mail sent to nonexistent or incorrect usernames may be delivered to persons whom you never intended.

Monitoring of computer usage. MCPSS has the right, but not the duty, to monitor any and all aspects of its Computer Resources, including, but not limited to, monitoring sites visited by Users on the Internet, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded by Users to the Internet and reviewing e-mail sent and received by Users.

Blocking of inappropriate content. MCPSS may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by MCPSS networks. In the event you, nonetheless, encounter inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to MCPSS blocking software.

Games and entertainment software. Users may not use MCPSS' Internet connection to play games, download games or other entertainment software including screen savers. Educational games approved by the teacher and or administration of the MCPSS are excepted from this provision.

Illegal copying. Users may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages and other material you wish to download or copy.

Accessing the Internet. To ensure security and avoid the spread of viruses, employees accessing the Internet through a computer attached to MCPSS' network must do so through an approved Internet firewall. Accessing the Internet directly, by modem, is strictly prohibited.

Prohibited Activities. The prohibited activities referenced above are also prohibited in connection with Users of MCPSS' Computer Resources use of the internet. Users must avoid internet websites and locations that are ***harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise unlawful or inappropriate while using MCPSS Computer Resources.***

Students

The board supports access by students to rich information resources and the development by staff of appropriate skills to analyze and evaluate such resources.

All such materials shall be consistent with board-system guidelines and staff will provide guidance and instruction to students in the appropriate use of such resources.

Annually, students and parents will be given MCPSS' guidelines and rules governing procedures for acceptable use of the Internet describing the information available and prohibited uses of system computers. Students and parents must sign a written statement acknowledging the guidelines in order for the student to access the Internet at school.

In compliance with the Children's Internet Protection Act, each year, all District students will receive internet safety training which will educate students about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response. In compliance with federal law, the online activities of minors **will** be monitored.

Employees

Employees will be provided a copy of the MCPSS acceptable use guidelines and sign a statement that they agree to the terms.

See also Board Policy 6.12

References – Procedures: *Computer, Internet and Electronic Communication* Acceptable Use

Date Adopted: December 11, 2007

Public Hearings: March 19, 2013, March 25, 2013

Amended: March 23, 2011, March 25, 2013

COPYRIGHT

The board encourages its staff to enrich the learning program by making proper use of supplementary materials. The staff is responsible for abiding by MCPSS copying procedures and obeying the requirements of the law. In no circumstances shall it be necessary for MCPSS staff to violate copyright requirements in order to perform their duties properly.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the MCPSS's procedures or is permissible under the law should contact the MSPSS library media services. The library media services department will also assist staff in obtaining proper authorization to copy or use protected material when such authorization is required.

PROFESSIONAL PUBLISHING

Employees publishing written materials concerning the school system shall have the superintendent's approval. Written materials developed by board employees in their official capacity as a board employee for the school system other than for personal use shall be the property of the school system and not that of the individual writers.

Date Adopted: December 11, 2007

SCHOOL VOLUNTEERS

Volunteers, parents and other community members with approval of the local school principal can assist schools in many capacities.

Volunteers may be permitted to perform non-instructional tasks without direct supervision but should not have unsupervised access to children.

FUNDRAISING

All school-based fundraising projects must be approved by the school principal. Any system-wide fundraising effort must be approved by the superintendent. Any fundraising effort on behalf of the school system must be approved by the superintendent.

Groups or their sponsors should be required to submit a fundraiser request and a fundraiser budget for any planned event. When deciding on fundraiser projects such things as purpose, need, potential profitability, and available volunteers should be considered. The health, safety, and welfare of students, parents, and the general public should be a primary consideration.

ASSOCIATIONS/COLLECTIVES

The board recognizes the potential benefits to public education of the pursuit of excellence through membership in associations and organizations with goals consistent with those of the board. The board authorizes the superintendent to approve memberships deemed to be in the best interests of the school system and public education.

Date Adopted: December 11, 2007

SCHOOL FACILITY USE

The superintendent or his designee will approve in advance and in writing all special programs sponsored by individuals and groups that are not affiliated with the school, school board or a school group if a charge is to be made for admission or if a collection is to be taken at the end of the performance or activity.

Rentals and Service Charge

Any fees collected for the temporary use of school facilities shall be forwarded to the Facilities Division attached with the approved School Use of Facilities form. All funds received shall be forwarded to the Chief Financial Officer and deposited into the General Operation account for system-wide operating expenses.

FLAG DISPLAYS

Reference: Alabama Code - §16-43-1.

Date Adopted: December 11, 2007

Chapter 4.00 – Curriculum and Instruction

- 4.10 Curriculum Development
- 4.11 Course Offerings
- 4.12 Research
- 4.20 Grouping
- 4.21 Class Size
- 4.22 Magnet Schools
- 4.23 Student Exchange Programs
- 4.24 Co-curricular Activities
- 4.25 Non-Accredited Schools
- 4.26 Correspondence – Online Courses
- 4.30 Sex Education
- 4.31 Drug Education
- 4.32 Period of Quiet Reflection
- 4.33 Pledge of Allegiance
- 4.34 Character Education Program
- 4.40 Teacher Planning
- 4.41 Make-up Work
- 4.42 Final Examinations
- 4.43 Report Card
- 4.44 Honor Rolls
- 4.45 Promotion and Retention
- 4.46 Diploma Requirements
- 4.50 Evaluation of Instruction
- 4.51 Test Selection and Adoption
- 4.52 Instructional Methodology
- 4.60 Textbooks
- 4.61 Supplementary Instructional Materials
- 4.62 School Supply Stores
- 4.70 Assemblies, Ceremonies and Observances
- 4.71 Field Trips
- 4.72 Contests
- 4.73 Outside Resources

CURRICULUM DEVELOPMENT

Courses of study developed by the Alabama State Department of Education will serve as a framework for the development of local guides and teaching units in the school system.

COURSE OFFERINGS

A list of approved courses for middle and high schools will be published annually to serve as a guide for local school program planning. Departures from the list shall be approved by the superintendent.

RESEARCH

The professional staff is encouraged to conduct educational research aimed at developing, validating and standardizing new or alternative instructional programs, strategies or methods.

All formal research or experimental projects using either school system personnel or pupils shall be approved by the superintendent.

Informal studies in individual schools may be conducted upon the approval of the local school principal.

All research programs coordinated by persons or agencies outside the school system and all programs involving multiple schools within the system shall be approved by the superintendent.

Summary reports of all research efforts conducted in the school system will be submitted to the superintendent.

GROUPING

Students may be grouped in such a way as to facilitate sound and effective instruction. Grouping practices will be in keeping with accepted principles of learning.

CLASS SIZE

Reference: Class Size Resolution September 11, 1997, as amended January 8, 1998.

Date Adopted: December 11, 2007

MAGNET SCHOOLS

The Mobile County School System will maintain magnet schools for the purpose of providing a multi-cultural, educational community setting based on a thematic approach to a core curriculum that stresses academic excellence.

Procedures governing the magnet school's selection and enrollment of students, reporting, curriculum and instructional programs will be established by the superintendent and/or Board of School Commissioners consistent with this policy.

An Advisory Committee will be established to advise the board. The Advisory Committee will meet at least once per calendar year and consist of representatives of community members, parents of magnet school students, the superintendent of the Mobile County Public School System, the Assistant Superintendent for Curriculum and Instruction, the Magnet School Supervisor, Magnet School Administrators and teachers.

STUDENT EXCHANGE PROGRAMS

In recognition of the value of learning from travel and living abroad, and from association with peoples of various nationalities, schools are encouraged to participate in student exchange programs provided no extra expense of the system is incurred.

Students participating in exchange programs may, with prior approval of the local school principal and the assistant superintendent of Curriculum and Instruction, be given academic credit for studies completed.

CO-CURRICULAR ACTIVITIES

School faculties are encouraged to develop and carry on a program of co-curricular activities that provide for a wide variety of student interests and relate to regular classroom activities.

Instructional co-curricular activities which involve two or more schools will be coordinated by the Division of Curriculum and Instruction within the framework of guidelines approved by the superintendent, in keeping with the Equal Access Act.

NON-ACCREDITED SCHOOLS

Reference: AAC 290-3-1-.02(7)(k)

Date Adopted: December 11, 2007

CORRESPONDENCE/ONLINE COURSES

Reference: AAC 290-3-1-.02 (11)
AAC 290-3-1-.02 (12)

Date Adopted: December 11, 2007

SEX EDUCATION

Reference: Alabama Code - §16-40A-3

Date Adopted: December 11, 2007

DRUG EDUCATION

Reference: Alabama Code - §16-40A-3

Alabama Code - §16-41-6 (parental exemption).

Date Adopted: December 11, 2007

PERIOD OF QUIET REFLECTION

Reference: Alabama Code - §16-1-20.4

Date Adopted: December 11, 2007

PLEDGE OF ALLEGIANCE

Reference: Alabama Code - §16-6B-2(h)
Alabama Code - §16-43-5

Date Adopted: December 11, 2007

CHARACTER EDUCATION PROGRAM

Reference: Alabama Code - §16-6B-2(h)

Date Adopted: December 11, 2007

TEACHER PLANNING

In the event of absence, teachers shall provide lesson plans for substitute teachers and shall make available class rolls and other necessary records.

Scheduled Planning Time

Reference: Alabama Code - §16-1-1(1)

Date Adopted: December 11, 2007

MAKE-UP WORK

When the student is away from class with the consent of the teacher and the principal or when the student has an excused absence from school, he/she will not be penalized for not being present to take tests or to participate in daily work and will be given an opportunity to make up work missed within a reasonable timeframe.

FINAL EXAMINATIONS

Final evaluations will be given in all high school classes at the close of each semester and will be administered in accordance with a schedule approved by the superintendent.

Any plan for exempting students from the summary or final evaluation procedures will be approved by the superintendent.

Grading procedures adopted by the system will determine the value given the final evaluation.

REPORT CARD

All report cards used in the school system will be approved by the superintendent and will be distributed at regular, specified intervals.

HONOR ROLLS

Schools will maintain honor rolls fostering respect for scholarship and recognition to deserving students for their accomplishments. The local school faculty will develop honor roll standards to be applied in that school.

PROMOTION AND RETENTION

Decisions concerning promotions and retentions will be based on the student's total background of growth and achievement and the conditions under which his/her learning needs can best be accommodated. Decisions will be made cooperatively by teachers and principals in consultation with the student's parents or guardian.

Reference - Procedures: Middle School Promotion-Retention

DIPLOMA REQUIREMENTS

Requirements for graduation from high school will conform to those requirements of the Alabama State Department of Education.

To qualify for participation in senior class activities, the student shall be eligible for graduation at the end of the regular school term.

Reference: AAC 290-3-1-.02(8).

AAC 290-3-1-.02(8)(e) Changing Diploma Options.

EVALUATION OF INSTRUCTION

To provide for continuous improvement in the teaching-learning process, a program of evaluation will be conducted at all levels – system, school and classroom level. Evaluation programs will use a variety of data-gathering instruments, including but not limited to teacher-made tests, standardized tests of achievement, intelligence tests, interest inventories, personality questionnaires and vocational surveys.

Data collected will be used to alter instructional programs to better meet the needs of students.

All testing and evaluation programs will be conducted in a manner minimizing interruption of the instructional program.

Schools are encouraged to collect and utilize a variety of non-test data in evaluating school programs. Such data will include but not be restricted to attendance records, observable behavior and demonstrated interest in school activities.

TEST SELECTION AND ADOPTION

A list of currently approved tests, questionnaires, and surveys will be maintained in the Division of Curriculum and Instruction.

Use of instruments not on this list, except for the use of teacher-made subject-oriented tests, should be approved by the superintendent.

INSTRUCTIONAL METHODOLOGY

Teachers may use a range of methods of teaching and instructional strategies which are in keeping with accepted principles of learning, and directed toward the achievement of objectives set forth in state and local courses of study.

TEXTBOOKS

Reference: Alabama Code - §16-36-62.

Date Adopted: December 11, 2007

SUPPLEMENTARY INSTRUCTIONAL MATERIALS

Principals may expend local school funds and system allocations for the purchase of supplementary instructional materials. Said materials should serve to enrich and support the curriculum.

Free and inexpensive instructional materials offered for systemwide distribution by businesses and other organizations must be approved by the assistant superintendent of the Division of Curriculum and Instruction prior to distribution.

SCHOOL SUPPLY STORES

Schools may sell instructional supplies considered essential to the instructional program. No student shall be required to purchase supplies at the school.

ASSEMBLIES, CEREMONIES AND OBSERVANCES

Schools are encouraged to conduct assemblies, ceremonies and observances that serve to support school spirit, emphasize student achievement, and provide opportunities for students to develop moral, ethical and patriotic values.

Such events should be scheduled as a part of the regular school calendar. Care should be exercised in scheduling to avoid undue interruption of the instructional program.

FIELD TRIPS

Field trips should be an outgrowth of units of study and should be directed toward the achievement of specific educational objectives. Teachers should have a lesson plan to support these objectives.

Trips or excursions in which students are taken off the school campus must receive approval of the principal before being publicized or planned in detail.

All overnight and all out-of-county, including out-of-country, field trips must be approved a minimum of two weeks in advance of departure from the school by the superintendent or his/her designee.

CONTESTS

School officials may encourage student participation in contests sponsored by businesses, civic clubs and other outside organizations provided said contests have been approved by the superintendent or his/her designee. Participation by students and faculty members shall be voluntary.

OUTSIDE RESOURCES

Schools shall be encouraged to utilize the services of persons in the community to enhance, extend, and enrich the approved curriculum.

1. Resource persons shall be selected on the basis of qualifications, contributions to be made, and appropriateness of presentation.
2. Contributions of resource persons should relate to approved objectives set forth in teaching units and courses of instruction of student groups to which presentations are made.
3. The principal shall be involved in planning for the use of a resource person at the earliest time the use of resource services is considered.
4. Teachers and other staff personnel shall secure the principal's approval for the resource person(s) prior to the time an invitation is extended to come into the school.
5. Printed material that the resource person wishes to distribute shall be submitted to the principal for approval prior to his presentation.

Chapter 5.00 – Students

- 5.07 Assignment
- 5.08 To Schools
- 5.09 Transfers and Withdrawals

- 5.10 Compulsory Attendance Age
- 5.11 Entrance Age
- 5.12 School Admissions
- 5.13 Tuition for Out-of-System Students
- 5.14 Truancy
- 5.15 Homeless Students
- 5.16 English Language Learners (ELL), Migrant or Immigrant Students

- 5.20 Student Rights and Conduct
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- 5.26 Physical Abuse or Neglect
- 5.27 Drug Free School Policy
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- 5.30 Health Services
- 5.301 Wellness
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- 5.303 Communicable Diseases
- 5.304 Do Not Attempt to Resuscitate Orders
- 5.305 Automated External Defibrillator (AED) Program

- 5.40 Extracurricular Activity Participation

- 5.50 Student Transportation
- 5.51 Transportation Safety
- 5.52 Vehicle Maintenance Plan
- 5.53 Special Use of School Buses

ASSIGNMENT

The principal shall determine, in accordance with all School Board policies, the student's assignment to class.

TO SCHOOLS

1. Each elementary, middle and senior high school shall serve the attendance zone which has been ordered by the Federal Court and approved for implementation by the Board. All changes in attendance zones shall be approved by the Board.
2. Students shall be assigned to the school serving the attendance zone in which their parents or legal guardians reside. Exceptions to this policy may be authorized by the Division of Student Support Services in accordance with the provisions of other policies.
3. Students whose parents or legal guardians move from one attendance zone to another during the school year, may be transferred to the school attendance zone which serves the new residence address, or they may be permitted to remain on roll until the end of the school year in which the residential change occurred.
4. Parents or legal guardians who have definite plans to move to a new attendance area during the early part of a school year and who desire to have their children initially enrolled in the school serving the attendance area where they will later reside shall make application for advanced enrollment to the Division of Student Support Services.

TRANSFERS AND WITHDRAWALS

1. Attendance Zone Transfers —Transfers are approved in the Division of Student Support Services by the Executive Director. A parent or legal guardian may file, in the Division of Student Support Services, a request for an attendance zone transfer. Transfers shall be considered only for the following reasons:
 - a. Students who are seeking admission to special programs offered in other schools.
 - b. Residence has been established in another attendance zone in Mobile County and the parent/guardian wishes for the student to remain at the school in which he/she is enrolled.
 - c. Cases of extreme hardship or extenuating circumstances, provided space is available and provided that such transfers do not require special transportation arrangements by the School Board.
2. Withdrawals – Students shall be withdrawn from school in accordance with procedures established by the Division of Student Support Services.

COMPULSORY ATTENDANCE AGES

Reference Alabama Code - §16-28-3.

Date Adopted: December 11, 2007

ENTRANCE AGE

Reference Alabama Code - §16-28-4.

Date Adopted: December 11, 2007

SCHOOL ADMISSION

Required Documentation

Students entering the Mobile County Public School System for the first time, regardless of grade level, shall be required to submit a certified birth certificate and a certificate of immunization or an exemption on the form prescribed by the Department of Health and signed by a private physician or appropriate health department official.

Resident Students

Students, to be eligible to attend Mobile County Public Schools-System, shall reside with a parent or legal guardian who is a resident of Mobile County except as provided in this policy. Special authorization from the Division of Student Support Services is required for students to enroll from the residence of an adult other than the parent or legal guardian.

Non-Resident Students

Students whose parents or guardians reside outside Mobile County are non-resident students. The parent or guardian must obtain a permit from the Division of Student Support Services for the student's admission to the Mobile County Public School System.

Non-resident students will be charged a non-resident tuition. The tuition fees will be established annually and published in the Student Handbook and Code of Conduct.

Foreign Exchange Students

Students who enter the United States under an approved exchange program must reside with an approved sponsor family residing in Mobile County. The guardian must obtain a permit from the Division of Student Support Services for the student's admission to the Mobile County Public School System.

Students Under Expulsion From Other School Systems

Any student who has been expelled from another school system or private/parochial or other school who seeks admission to the Mobile Count Public School System must comply with all current MCPSS admission requirements including, but not limited to, all provisions of the Student Handbook and Code of Conduct.

Date Adopted: December 11, 2007

Hearing: May 25, 2010

Revised: May 25, 2010

Tuition for Out-of-System Students

1. Regular Education Annual Tuition Rate
 - a. All students with no special requirements will be charged tuition at a predetermined amount set by the Superintendent. The amount of tuition is subject to change on an annual basis and will be published in the *Student Handbook and Code of Conduct*.
 - b. No refunds will be granted if the student leaves the Mobile County Public School System due to long-term suspension, is expelled, or drops out. Refunds will be granted for students moving to a school outside the Mobile County Public School System.
 - c. Partial Year Enrollment – For students who enroll after the school year has begun the tuition rate will be prorated based on percentage of year remaining.
2. Special Education: The LEA in which the student resides is legally responsible for providing services to its students. Assuming space availability, the Superintendent, Executive Director of Special Programs, and the Chief School Financial Officer may enter into a negotiated contractual agreement with a sending LEA in specific situations, wherein the sending LEA will reimburse the Mobile County Public School System for all of the provided services. In no case will the reimbursement amount be less than the predetermined tuition amount set by the Superintendent.
3. No tuition-based students will be accepted into the Mobile County Public School System's Magnet School Program.
4. Each year the student database will be reviewed by the Accounting Department in collaboration with the Micro Information Systems Department and the Division of Student Support Services to ensure that tuition is being received according to this policy. Any school in the Mobile County Public School System which has accepted out-of-system students tuition free will be charged the amount due for each student from that school's local funds.
5. Tuition payments must be *PAID IN FULL* prior to the student being allowed to register at a school in the Mobile County Public School System.
6. Payments will be accepted by on-line credit card payment; payroll deduction (for system employees); and at the Central Office by a representative of the Accounting Department in the form of cash or check.
7. The school must receive signed authorization from the Central Office before accepting an out-of- system student's registration packet. This will be in the form of a paid-in-full receipt or a statement confirming receipt of payment.
8. *NO* Transportation will be provided to out-of-system students unless provided for in a negotiated contractual agreement referred to in Paragraph 2 above.
9. Students accepted on a tuition basis will be subject to the same rules as transfer students.

Hearing: January 19, 2012

Adopted: April 23, 2012

TRUANCY

Reference: AAC 290-3-1-.02(7)(c)(1-5).

Date Adopted: December 11, 2007

HOMELESS STUDENTS

In accordance with the McKinney-Vento Homeless Assistance Act, the Mobile County Public School System will meet any requirements of the Act regarding giving homeless students access to a free, appropriate education, removing barriers to enrollment for homeless students, and assisting in securing necessary documents.

ENGLISH LANGUAGE LEARNERS (ELL), MIGRANT OR IMMIGRANT STUDENTS

In accordance with Title VI of the Civil Rights Act of 1964, the Mobile County Public School System will meet any requirements of the Act regarding giving English Language Learners (ELL), Migrant, and Immigrant students access to a free, appropriate education, removing barriers to enrollment for these students, and assisting in securing necessary documents.

Reference: Title VI of the Civil Rights Act of 1964
Hearing: May 25, 2010
Adopted: May 25, 2010

STUDENT RIGHTS AND CONDUCT

A Student Handbook and Code of Conduct will be adopted and reviewed by the board in accordance with state law. Students and their parents will be given a copy each school year and acknowledge in writing that they have reviewed the document.

Reference: Alabama Code - §16-1-24.1.
Alabama Code - §16-28-12.

Reference: Model Notification of Rights Under the Protection of Pupil Rights Amendment

Reference: Model Notification of Rights Under FERPA for Elementary and Secondary Schools

Reference: Model Notice and Consent/Opt-Out for Specific Activities

Reference: Model Notice for Directory Information

Legal Reference: Alabama Code - §16-1-14; §16-1-23; §16-1-24; §16-1-24.1; §16-1-24.3; §16-28-12; §16-28A-3;
20 U.S.C. §1232g; 34CFR §SEC Part 99

Date Adopted: December 11, 2007

RELIGIOUS EXPRESSION

School employees will not prevent, or otherwise deny student participation in, constitutionally protected prayer in our schools, consistent with the guidance issued by the U. S. Department of Education and applicable judicial decisions interpreting the U.S. Constitution.

Reference: Resource: School Prayer Guidance (Feb. 7, 2003).

DRESS CODE

All elementary, middle and high schools in the Mobile County Public School System will enforce a mandatory uniform policy.

Reasonable accommodation will be made for students with financial hardship and for religious beliefs if such accommodation would not unduly interfere with the effective functioning of the school.

ELECTRONIC COMMUNICATION DEVICES

Reference: Student Code of Conduct

Legal Reference: Alabama Code - §16-1-27.
Date Adopted: December 11, 2007

SEARCHES

School officials will cooperate with local law enforcement agencies by permitting periodic searches for illegal drugs on the approval of the superintendent and building principal.

CORPORAL PUNISHMENT

The Board of School Commissioners prohibits the use of corporal punishment as a means of student discipline.

PHYSICAL ABUSE OR NEGLECT

All professional personnel shall report suspected physical abuse or neglect of children according to the Alabama Code. Said Code provides immunity from liability for persons reporting suspected abuse or neglect.

DRUG FREE SCHOOL POLICY

The Mobile County Public School System requires that all students referenced in the System's Drug Free Policy Procedures be subjected to drug testing as set forth in said procedures.

The Mobile County Public School System shall comply with the requirements of Alabama Code Annotated §16-1-24.1 and the policies and procedures of the Mobile County Public School System, as amended from time to time, shall be established and/or modified as necessary to comply with the aforesaid section.

Reference: Procedures: Drug Free School Policy

ANTI-HARASSMENT

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

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

Section 2. Definitions.

- (a) The term “harassment” as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristic set forth in Section 3(b) below. To constitute harassment, a pattern of behavior may do any of the following:
- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
 - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
 - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
 - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
 - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- (b) The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- (c) The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
- (d) The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.
- (e) The term “student” as used in this policy means a student who is enrolled in the Mobile County School System.

Section 3. Description of Behavior Expected of Students.

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

Section 4. Consequences for Violations.

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

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

- (a) Complaints alleging violations of this policy must be made on Board approved complaint forms available at the principal and/or counselor's office. The complaint must be signed by the student alleging the violation or by the student's parent or legal guardian and delivered to the principal or the principal's designee either by mail or personal delivery. At the request of the complaining student or the student's parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.
- (b) Upon receipt of the complaint, the principal or the principal's designee will, in their sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.
- (c) Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials

under the *Student Handbook and Code of Conduct*. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the *Student Handbook and Code of Conduct*.

- (d) The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee will inform the student's parent or guardian of the report in compliance with the Mobile County Public School System's Suicide/Homicide Protocol.

Section 6. 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, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication on the Mobile County School System's Web site.

Hearing: July 12, 2010

Adopted: July 15, 2010

HARASSMENT COMPLAINT FORM

School System: _____ School Name: _____

Student Name: _____ ID#: _____ Grade: _____

INFRACTION REPORTED BY (check one): Student Parent/Guardian

Date of Incident: _____ Time: _____

Specific Location of Incident: _____

DESCRIPTION:

OTHER INFORMATION:

Motivation (check all that apply):

Race Disability National Origin Religion Gender

Appearance: _____ Other: _____

Ala. Code § 16-28B-3. HARASSMENT. A continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in the model policy adopted by the department or by a local board. To constitute harassment, a pattern of behavior may do any of the following (check all that apply):

- a. Place a student in reasonable fear of harm to his/her person or damage to his/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 (including thoughts of suicide).
- e. Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

Student's Signature: _____ Date: _____

OR

Parent/Guardian's Signature: _____ Date: _____

HEALTH SERVICES

A program of student health services shall be offered as required by law. -

Date Adopted: December 11, 2007

WELLNESS

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

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

The superintendent designates an administrator to oversee the board's efforts to promote student wellness and collaborate with parents, students, administrators and food authority representatives when developing student wellness policies and programs.

Reference: State Board of Education Resolution (as amended) July 12, 2005
Statewide Committee to Review the State of Health of America's Youth with
Particular Emphasis on Alabama's Youth: Implementation Guidelines for Exercise
and Nutrition

Legal Reference: P.L. 108-265 Section 204.

Date Adopted: December 11, 2007

MEDICATION

Students may not take medicine during school hours unless a parent or guardian has notified the principal in writing when it is necessary for a student to be administered medicine during school hours. Self-administering of medication (i.e., asthma inhalants and insulin) is allowed in accord with state law. The Student Handbook and Code of Conduct will outline procedures for receiving, labeling and dispensing medicine to students.

Reference: Alabama Code - §16-1-39.

COMMUNICABLE DISEASES

Staff will observe the current guidelines and advisories for the control of communicable diseases in public schools as recommended by the state Department of Public Health.

Acquired Immune Deficiency Syndrome: Employees have a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student. Malicious or frivolous allegations in regard to HIV status or violation of medical privacy are cause for disciplinary action.

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 in a secure and confidential file apart from any student record or employee file.

AIDS/HIV Infection Control: Employees are required to follow infection control guidelines in all settings and at all times. Schools will operate according to the standards promulgated by the U.S. Centers for Disease Control 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 available. School Health Services personnel will implement the precautions, investigate, correct and report on instances of lapse.

School staff members are expected to alert the supervisor of the Department of Health Services if a student's health condition or behavior presents 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 will counsel that person, (or, if a minor, alert a parent or guardian) to seek appropriate medical evaluation.

HIV and Athletics: School authorities will make reasonable accommodations to allow students with HIV infection to participate in school-sponsored physical activities.

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: Parents and guardians will have opportunities to preview HIV prevention curricula and material. School staff members will 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, the child will be excused without penalty.

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

Related Services: Students will have access to voluntary, confidential, age and developmentally appropriate counseling about matters related to HIV infection through the assigned school nurse. 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 includes annual review sessions. Certain employees also will receive additional specialized training as appropriate to their positions and responsibilities.

DO NOT ATTEMPT RESUSCITATION ORDERS

No DNAR (Do Not Attempt Resuscitation) requests from parents or guardians will be honored under any circumstance.

5.305

Automated External Defibrillator (AED) Program

A program to place and monitor automatic defibrillators in the schools shall be offered as required by Act 2009-754, Section 16-1-45.

Legal Reference: Alabama Code, Section 16-1-45

Public Hearing: March 17, 2011

Date Adopted: March 28, 2011

EXTRACURRICULAR ACTIVITY PARTICIPATION

Reference: AAC 290-3-1-.02(18).

Date Adopted: December 11, 2007

STUDENT TRANSPORTATION

The board will provide transportation for students attending their zoned school and who live two or more miles from the assigned school.

The superintendent is authorized to approve temporary transportation service to meet extraordinary and extenuating circumstances.

Date Adopted: December 11, 2007

TRANSPORTATION SAFETY

Safety rules and regulations for student transportation will be developed and distributed annually.

Student conduct rules will be provided in the Student Code of Conduct.

Bus driver rules and regulations will be provided in the Transportation Handbook.

Date Adopted: December 11, 2007

VEHICLE MAINTENANCE PROGRAM

A regularly scheduled vehicle maintenance program will be implemented in keeping with economic and safety concerns.

Date Adopted: December 11, 2007

SPECIAL USE OF SCHOOL BUSES

School bus use will be restricted to the transportation of pupils to and from school and for other purposes approved by the assistant superintendent of Student Support Services and supervisor of Transportation.

Date Adopted: December 11, 2007

Chapter 6.00 – Personnel

- 6.10 Ethics (General)
- 6.11 Code of Ethics (for Professional Educators)
- 6.12 Staff Conduct
 - 6.121 Confidentiality
 - 6.122 Employee Dress Code

- 6.20 Recruitment
- 6.21 Nepotism
- 6.22 Employment Contract
 - 6.221 Qualifications and Duties
 - 6.222 Compensation and Pay Plan
 - 6.223 Interruption of Progress Toward Tenure
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- 6.23 Supervision
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- 6.25 Directory Information

- 6.30 Employee Orientation
- 6.31 Staff/Faculty Meetings
- 6.32 Schedules/Overtime
- 6.33 Substitute Teachers
- 6.34 Student Teachers/Internships
- 6.35 Non-teaching Responsibilities
- 6.36 Gifts to Staff Members
- 6.37 Tutoring for Pay
 - 6.371 Non-School Employment
 - 6.372 Consulting
 - 6.373 Exchange Teaching
 - 6.374 Coaching Non School System Athletic Teams

- 6.40 Evaluation
- 6.41 Transfer
- 6.42 Resignation
- 6.43 Probation
 - 6.431 Reprimand
 - 6.432 Suspension
 - 6.433 Termination/Cancellation
- 6.44 Reduction in Force
- 6.45 Personnel Records
- 6.46 Grievances

- 6.50 Professional Development Opportunities
- 6.51 Professional and Employee Organizations

- 6.60 Annual Leave/Optional Vacation Days
- 6.61 Administrative Leave
- 6.62 Professional Leaves and Absences
- 6.63 Emergency, Legal Leave
- 6.631 Sick, Maternity/Paternity Leave
- 6.632 Sick Leave Bank
- 6.633 Personal Leave
- 6.64 Military Leave
- 6.65 Religious Leave
- 6.66 Bereavement
- 6.67 Job-Related Injury
- 6.68 Job Abandonment

- 6.70 Communicable Disease
- 6.71 Drug and Alcohol-Free Workplace

- 6.80 Substitute and Temporary Positions

- 6.90 Political Activities

ETHICS (GENERAL)

Reference: Alabama Code - §36-25-1
Alabama Code - §36-25-5
Alabama Code - §36-25-7
Alabama Code - §36-25-8
Alabama Code - §36-25-9
Alabama Code - §36-25-10
Alabama Code - §36-25-11
Alabama Code - §36-25-12
Alabama Code - §36-25-13
Alabama Code - §36-25-14
Alabama Code - §36-25-17
Alabama Code - §36-25-24

Date Adopted: December 11, 2007

CODE OF ETHICS FOR PROFESSIONAL EDUCATORS
Educator Code of Ethics (July 2005)

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

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

Standard 1: Professional Conduct

An educator should demonstrate conduct that follows generally recognized professional standards.

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

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

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

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

Standard 2: Trustworthiness

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

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

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

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

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

Standard 3: Unlawful Acts

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

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

Standard 4: Teacher/Student Relationship

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

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

- Fulfilling the roles of trusted confidante, mentor, and advocate for students' growth.
- Nurturing the intellectual, physical, emotional, social, and civic potential of all students.
- Providing an environment that does not needlessly expose students to unnecessary embarrassment or disparagement.
- Creating, supporting, and maintaining a challenging learning environment for all students.

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

- Committing any act of child abuse, including physical or verbal abuse.
- Committing any act of cruelty to children or any act of child endangerment.
- Committing or soliciting any unlawful sexual act.
- Engaging in harassing behavior on the basis of race, gender, national origin, religion, or disability.
- Soliciting, encouraging, or consummating an inappropriate written, verbal, or physical relationship with a student.
- Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs.

Standard 5: Alcohol, Drug and Tobacco Use or Possession

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

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

- Factually representing the dangers of alcohol, tobacco and illegal drug use and abuse to students during the course of professional practice.

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

- Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs.
- Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages or while using tobacco. A school-related activity includes, but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc., where students are involved.

Standard 6: Public Funds and Property

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

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

- Maximizing the positive effect of school funds through judicious use of said funds.
- Modeling for students and colleagues the responsible use of public property.

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

- Misusing public or school-related funds.
- Failing to account for funds collected from students or parents.
- Submitting fraudulent requests for reimbursement of expenses or for pay.
- Co-mingling public or school-related funds with personal funds or checking accounts.
- Using school property without the approval of the local board of education/governing body.

Standard 7: Remunerative Conduct

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

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

- Insuring that institutional privileges are not used for personal gain.
- Insuring that school policies or procedures are not impacted by gifts or gratuities from any person or organization.

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

- Soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local governing body.
- Accepting gifts from vendors or potential vendors for personal use or gain where there appears to be a conflict of interest.
- Tutoring students assigned to the educator for remuneration unless approved by the local board of education.

Standard 8: Maintenance of Confidentiality

An educator should comply with state and federal laws and local school board policies relating to confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements.

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

- Keeping in confidence information about students that has been obtained in the course of professional service unless disclosure serves professional purposes or is required by law.
- Maintaining diligently the security of standardized test supplies and resources.

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

- Sharing confidential information concerning student academic and disciplinary records, health and medical information, family status/income, and assessment/testing results unless disclosure is required or permitted by law.
- Violating confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, and violating local school system or state directions for the use of tests or test items.
- Violating other confidentiality agreements required by state or local policy.

Standard 9: Abandonment of Contract

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

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

- Abandoning the contract for professional services without prior release from the contract by the employer;
- Refusing to perform services required by the contract.

Reporting

Educators are required to report a breach of one or more of the Standards in the Alabama Educator Code of Ethics as soon as possible, but no later than sixty (60) days from the date the educator became aware of the alleged breach. Educators should report the unethical conduct to the Department of Human Resources. Department personnel will investigate the allegation and recommend to the superintendent appropriate action based on the investigation results. Complaints must be filed in writing and must include the original signature of the complainant.

STAFF CONDUCT

The board expects employees to conduct themselves in such a way as to promote an appropriate school atmosphere. In dress, interpersonal relationships and conduct, whether communicated or performed in person, in writing, and/or electronically, all staff should recognize that they are being continuously observed by students, other employees, parents and community members, and that their actions and demeanor will be reflected in the conduct of the students and/or may impair their effectiveness as an employee. Profanity and lewd or obscene language, whether spoken, written, or by gesture, are unsuitable and prohibited in the school setting.

Employees who intentionally strike, improperly restrain or otherwise physically or verbally abuse students will be disciplined accordingly and are subject to discipline, up to and including termination.

Employees may not furnish lists of students or parents to anyone selling instructional or equipment materials.

The personal life of an employee, including the employee's personal use of system owned or private electronic equipment (such as through texting, social networking sites and other personal portrayal on the internet) will be the concern of and warrant the attention of the Board if it impairs the employee's ability to effectively perform his/her job responsibility, if it disrupts the school or classroom environment or if it violates local, state or federal laws or contractual agreements. Unprofessional conduct pertaining to students or school related issues, including such unprofessional conduct on personal social media profiles, may subject the employee to disciplinary actions consistent with local law, state law, federal law, and/or Board policy. Employees are prohibited from any purely personal contact with students on social media sites unless it involves matters of public concern (such as political issues).

All employees shall maintain a professional relationship with students at all times, both inside and outside of school. No employee shall engage in inappropriate or unprofessional conduct, including specifically conduct of a sexual nature, with a student at any time. This includes a prohibition on any inappropriate communication, conduct or action performed in person, in writing, or conveyed electronically through such means as a telephone, cell phone, computer, personal data assistant or other telecommunication device, including text messaging, instant messaging and social networking.

Legal Reference: Alabama Code - § 36-25-2; §36-25-5; § 36-25-8

Date Adopted: December 11, 2007

Public Hearing: March 17, 2011

Amended: March 23, 2011

CONFIDENTIALITY

Employees should be judicious in the dissemination and discussion of sensitive student information, particularly confidential materials. Divulgence of any confidential material will result in an investigation by the superintendent and possible disciplinary action.

EMPLOYEE DRESS CODE

This policy covering employee dress code and appearance is established in order to uplift, enhance and promote the professional image of the school system. These guidelines should be reviewed by supervisors with the staff members each year before the opening of school.

In departments where uniforms or uniformity in dress is prescribed by the Board of School Commissioners, all effected personnel are required to abide by direction and procedure.

All employees (professional, administrative and support personnel) should be professionally and appropriately attired when representing the school system or conducting school system business.

Schools or departments may adopt a voluntary dress code for uniforms.

Immediate or site supervisors may approve exceptions on this code for special or occasional activities.

Reasonable accommodation should be made for religious beliefs if such accommodation would not unduly interfere with the effective functioning of the schoolroom.

Restrictions:

An employee's dress may not be so unusual, inappropriate or lacking in cleanliness that it clearly disrupts classroom or learning activities. Examples of attire considered inappropriate for school employees include but are not limited to:

- ####● Jeans (except for custodian and bus drivers and as allowed for special occasions or special work as approved by the immediate or site supervisor)
- ####● Overalls
- ####● Shorts (except for P.E. teachers and bus drivers)
 - Athletic type shoes (except as allowed for special occasions or special work as approved by the immediate or site supervisor)
 - Spandex or bicycling type attire as outer wear
 - Visible piercing except to ears
 - Clothing that is provocative, revealing, indecent, vulgar or obscene
 - Blouses or shirts with low necklines, bare midriffs and excessively tight clothing
 - Visibly torn or ragged attire
 - Sweat suit-type attire (except for P.E. teachers, bus drivers, and custodians)
 - Footwear that is considered beachwear (flip flops), soft plastic (Crocs), bedroom shoes or slippers (Any footwear that may cause injury to the wearer or others must not be worn)
 - Clothing which promotes alcoholic beverages, tobacco, or the use of controlled substances by words or symbols
 - Clothing that contains profanity or nudity, depicts violence, or is sexual in nature by words or symbols
 - Undergarments worn as an outer garment or any see-through clothing
 - Any item of clothing or jewelry that creates a disruption of the school environment/learning activities or that poses a threat to the safety and well-being of students or staff.
 - Tattoos that are indecent, vulgar, obscene (Such tattoos must be covered by clothing)
 - Clothing that promotes or includes logos of K-12 schools outside of the Mobile County Public School System.

Each department/school will evaluate this policy at the end of the school year. The superintendent of his/her designee will review the results of these evaluations and present proposed changes to the board as appropriate.

Date Adopted: December 11, 2007

Date Amended: September 25, 2013

RECRUITMENT

The school system will employ the best qualified personnel available. All positions will be posted according to state law. The administrative leadership team will establish and maintain a continuous plan for actively recruiting promising personnel for employment by the board.

Reference: Alabama Code - §16-22-15

Date Adopted: December 11, 2007

NEPOTISM

A person may not be employed or assigned to a school, division, department, office or other work location if that person will be supervised by or whose work will be evaluated by another employee who is related by blood or marriage. Employee assignments in the same work location prior to October 24, 2001, are exempt for this prohibition. If the exempt employee subsequently moves to a different school, division, department, office or other work location, the employee is no longer exempt from these requirements.

The method of computing degrees of relationship is the civil law method: by blood (consanguinity) within the third degree, or by marriage (affinity) within the second degree.

All applicants must disclose any existing family relationships that possibly could exist in the event the applicant is hired. All employees who are being promoted or who apply for a transfer within the system or who receive notice of involuntary (mandatory) transfer must disclose to the Human Resources Division and their current or prospective immediate supervisor any family relationships with other board employees. This disclosure must be made regardless of whether or not the reassignment would place the employee in the same department with a family member or would result in the employee supervising or being supervised by a family member.

Two persons are related to each other by consanguinity if one is a descendant of the other or if they share a common ancestor. For this purpose, an adopted child is treated as a natural child of the adoptive parents.

If the person already assigned to a work location is the prospective employee's or assignee's parent or child, there exists a relationship in the first degree. If the person is the prospect's grandparent, grandchild, sister, or brother there is a relationship in the second degree. If the person is the prospect's great grandparent, great grandchild, aunt, uncle, niece, or nephew, there is a relationship in the third degree. These are the only relationships by consanguinity that are prohibited by this policy.

A husband and wife are related by each other in the first degree by affinity. For other relationships, the degree of relationship of affinity is the same as the degree of the underlying relationship by consanguinity. If the spouse of the person already assigned to a work location is the prospective employee's or assignee's parent or child, there exists a relationship in the first degree. If the person's spouse is the prospect's grandparent, grandchild, sister, or brother, or if the prospect's spouse is the grandparent, grandchild, sister, or brother, or if the prospect's spouse is the grandparent, grandchild, sister, or brother of the person already employed and assigned to a work location, there is a relationship in the second degree. These are the only relationships by affinity that are prohibited by this nepotism policy.

Date Adopted: December 11, 2007

EMPLOYMENT CONTRACTS

The board will provide written employment contracts (that have been approved by the State Superintendent of Education) for non-tenured regular members of the instructional staff.

QUALIFICATIONS AND DUTIES

Employees are expected to be qualified and competent in the performance of duties assigned to them and commensurate to their position. Employees holding positions requiring state certification must meet certification requirements. Failure to maintain appropriate certification when required for the position will result in termination.

Duties will be determined and assigned by the appropriate supervisors.

COMPENSATION AND PAY PLAN

The superintendent shall prepare or cause to be prepared salary schedules for school system personnel each fiscal year. The salary schedules shall be presented annually to the board for review and approval.

Base pay for classroom teachers and those other selected, certificated individuals whose work day is spent working directly with students or whose work product solely benefits the instruction of children, shall be determined by the State of Alabama Teacher's Salary Matrix.

For all other employees, including principals, assistant principals, and central office certified administrators; the superintendent shall develop and recommend a compensation or pay plan to the board for adoption. Changes in the plan, after initial adoption, shall be approved annually by the board.

The compensation or pay plan is designed to provide appropriate pay for the assessed worth of system jobs. The current plan shall consist of step salary schedules for the following employee groups or pay families:

1. Teachers
2. Administrative/Professional
3. Clerical/Technical
4. Manual Trades
5. High School Principals
6. Middle School Principals
7. Elementary School Principals
8. High School Assistant Principals
9. Middle School Assistant Principals
10. Elementary School Assistant Principals
11. Executive Staff

The compensation or pay plan is designed and administered to accomplish the following:

1. Stay competitive with appropriate labor markets for the various categories of jobs performed by personnel,
2. Recognize the levels of skill, effort, and responsibility required for different jobs,
3. Protect continued length of service to the board with regard to the hiring of new employees, and
4. Fiscally control and provide cost effective guidelines.

A copy of the system's compensation or pay plan for the current year is available in the administrative offices.

Step Advancement: Each eligible classified employee and certified personnel not paid on the teacher's salary matrix shall advance one step on the salary schedule each budget year. In years in which proration is declared in the state's Educational Trust Fund, causing a reduction in funding to the system, or in years in which local education tax revenues fall below the level received in the preceding fiscal year, the board shall by unanimous vote cause step movement not to occur. Employees whose annual, summative evaluation is less than satisfactory shall not advance to the next step.

Employees paid on the teacher's salary schedule shall progress automatically to the next appropriate step.

Assignment to Pay Grade: Consistent with economic and job market indicators, the assistant superintendent of Human Resources (the pay plan administrator) shall recommend to the superintendent the initial assignment or re-assignment of a job title to a specific pay grade and step schedule. The annual publication of the compensation or pay plan (i.e., salary schedules) shall reflect any adjustments made.

Assignment to Step within Pay Grade: The steps within each of the pay grades are compensation steps and are not based on experience credit. They are NOT experience steps. An employee's assignment to a specific step within the appropriate pay grade is not based on previous experience nor length of service to the system.

Salary Retention: A contract principal who is transferred voluntarily or otherwise to a school that is smaller in enrollment shall retain the same salary and compensation step as held previously until the end of the contract period. A tenured principal or assistant principal who is transferred voluntarily or otherwise in the same position to a school with a smaller enrollment shall retain the same compensation step for a period of one employment year (July 1 through June 30) or portion thereof. At the end of that period of time, the salary appropriate for this work assignment in the subsequent year shall be given. If a principal or assistant principal is transferred, either voluntarily or otherwise, to a position other than principal or assistant principal, or if he/she applies for and is recommended and approved for a central office position, the salary shall be paid on the appropriate step for the new position.

If a contract principal's contract is not renewed, and if he/she is hired in another position other than principal, he/she shall be placed on the salary schedule appropriate for the work assignment (i.e., he/she shall not retain the salary of a principal for one year).

If necessary, a principal shall be given a salary adjustment on the step schedule to pay at least \$1.00 more than the base of the highest paid assistant principal or teacher assigned to the same school. Base pay does not include supplements that are paid for employees with AA certificates and doctorates or any other supplemental pay.

New Jobs: Newly established positions or jobs approved by the superintendent shall be analyzed and classified by the pay plan administrator and assigned to an existing job family and corresponding pay grade.

Assignment of Salaries for New Hires: The superintendent or designee shall pay assignment to a step within the appropriate salary schedule for new employees in accord with state law and regulations and the following general guidelines:

- New employees with limited work experience in the job title to which they are being hired shall be placed at the zero (Step 0) step of the assigned step salary schedule.
- With the superintendent's approval, new employees shall be placed at any other step above step zero for documented programmatic reasons. In no case, however, will a new hire-be placed at the highest step of the pay grade.

INTERRUPTION OF PROGRESS TOWARD TENURE

A non-tenured teacher who has been non-renewed at the end of a school year will be deemed to have no interruption in progress toward tenure if he or she is re-employed as a teacher within the school system the succeeding school year.

Date Adopted: December 11, 2007

SELECTION OF DEPARTMENT CHAIRPERSON

In compliance with established procedures, each year the principal of a school shall select a certified teacher to serve in the supplemental position of department chairperson, grade level leader or a similar leadership position. Since the selection is supplemental for one year, a person selected shall not be eligible to receive tenure in the supplemental position.

Reference – Procedures: Selection of Department Chairperson

Date Adopted: December 11, 2007

SUPERVISION

Supervision will be provided to employees by their immediate supervisors or their designees and/or their supervisors.

Legal Reference: Alabama Code - §16-24B-4(a).
Date Adopted: December 11, 2007

FITNESS TO WORK

If the supervisor certifying an employee's payroll has reason to believe that the employee may be incapable of performing assigned duties because of a health-related problem, the supervisor may require a doctor's written statement verifying the employee's fitness for his or her assigned duties.

DIRECTORY INFORMATION

Each employee will provide his/her full and correct name, address and phone number to the board's Human Resource Division and must notify that office promptly when his/her name, address or phone number changes. Employees may exclude their addresses and phone numbers from directory listings made available to the public by notifying the Human Resource Division and their immediate supervisors of their desire not to have such information made available to the public.

Date Adopted: December 11, 2007

EMPLOYEE ORIENTATION

An orientation program addressing board policies and procedures pertinent to the effective operation of the school system will be conducted for new personnel by the hiring principal or division and/or department head. All teachers new to the school system shall participate in a New Teacher Induction program sponsored by the Department of Staff Development.

All employees shall familiarize themselves with and abide by the policies and procedures of the board. Failure to abide by relevant law, policy, and procedures may result in discipline or termination.

STAFF/FACULTY MEETINGS

Staff is expected to attend meetings called by the superintendent or his/her designee, their principals, or supervisors.

SCHEDULES/OVERTIME

Principals will formulate and disseminate schedules for teachers and other personnel working under their supervision. Employees are expected to observe and conform to time schedules furnished by their principals.

The school day is the time when classes are in session, when faculty and in-service meetings are being held, and when student activities are being conducted. All schools should have the school doors open for a minimum of eight (8) consecutive hours each work day.

Professional personnel are to hold parent-student conferences as needed during their planning and conference periods and/or after school if determined necessary by the principal.

For purposes of determining eligibility of overtime and/or compensatory time off (“comp time”), employees will be designated “exempt” or “non-exempt,” according to the federal Fair Labor Standards Act. The work week will be considered Sunday through Saturday.

Supervisors will keep a daily record of the time worked for individual employees (time clock cards, sign-in/sign-out rosters, time sheets) whether “exempt” or “non-exempt.”

Supervisors of non-exempt employees will ensure an agreement or understanding with the employees regarding the form of compensation for overtime (money or compensatory time off) prior to the employee accruing the overtime duty. The supervisor will maintain a record indicating the employee was notified of the type of compensation to expect.

Supervisors are authorized to grant a non-exempt employee who works beyond the regular working time permission to delay arriving for work the succeeding day by the same amount of time, hour-for-hour. The appropriate notation should appear on the employee’s time card.

A supervisor may arrange for an employee’s work schedule to change within a given work week with the understanding that the total number of hours worked would not exceed 40.

Overtime work may be required on occasion because of emergency situations or the need to complete specific work by a certain date. Employees are expected to perform such work if given notice of at least one day, except in emergency situations. Supervisors will give employees as much advance notice as possible of required overtime work, and employees who refuse such assignments may be subject to discipline. Repeated refusals to work overtime may constitute grounds for dismissal.

When an employee is required, for personal reasons, to be absent from work for a portion of the workday, the employee may, with advance permission, “make-up” the time, hour for hour, at a date and time mutually convenient to both the employee and the supervisor, provided, the time is “made up” within the same work week and the time cards reflect both the lost time and the made-up time. Such arrangements can be made only if the employee’s type of work and work location are amenable to such arrangements.

SUBSTITUTE TEACHERS

Reference: AAC 290-3-2-.03(h)

Reference - Procedures: Substitute Teachers

Date Adopted: December 11, 2007

STUDENT TEACHERS/INTERNSHIPS

The board recognizes the potential value to public education of cooperation with higher educational institutions in improving the quality of teacher training through student teaching opportunities and/or internship programs operating in the school system. Accordingly, the approval of the superintendent or his/her designee for the implementation of such programs within the school system is encouraged.

Date Adopted: December 11, 2007

NON-TEACHING RESPONSIBILITIES

Teachers are expected to share in non-teaching responsibilities that are considered by the principal, at his/her discretion, as necessary or desirable to the proper functioning of the total school program. Teachers also are expected to share in the responsibility for supervising co-curricular activities. Extra duty should be assigned as equitably as possible, at the principal's discretion.

Date Adopted: December 11, 2007

GIFTS TO STAFF MEMBERS

Staff members may accept gifts from students on special occasions provided the cost of any such gift is not excessive and its acceptance does not violate the code of professional ethics or state law.

Date Adopted: December 11, 2007

TUTORING FOR PAY

Teachers tutoring for pay are restricted to tutoring only students who are not enrolled in their classes. Teachers may not receive money or its equivalent for any outside tutoring of pupils in their classes. Tutoring for any form of non-school board remuneration may not occur during regular school hours nor may it occur on school property.

NON-SCHOOL EMPLOYMENT

Reference: Alabama Code - §36-25-5

Date Adopted: December 11, 2007

CONSULTING

Reference: Alabama Code - §36-25-5

Date Adopted: December 11, 2007

EXCHANGE TEACHING

Employees may participate in international exchange programs upon the recommendation of the superintendent in accordance with approved procedures.

Date Adopted: December 11, 2007

COACHING NON SCHOOL SYSTEM ATHLETIC TEAMS

No employee may receive compensation for services in any way relating to any non Mobile County Public School System school athletic team. There is a conflict of interest and a division of loyalties created in such a situation because of the ability of the employee to steer Mobile County Public School System athletes to non Mobile County Public School System school athletic teams to the detriment of the Mobile County Public School System athletic programs.

Reference: ASHAA Handbook, p. 55, Section 12. Recruiting (2012-2013 ed.)
Adopted: August 12, 2013

EVALUATION

Certified Staff

The State Department of Education's Professional Education Personnel Evaluation Program of Alabama (PEPE) will be used for evaluating certified staff performance. The board may use PEPE results for summative purposes.

Classified Employees

Each supervisor will evaluate each classified employee under his/her immediate supervision every school year. An assistant superintendent or other senior level administrator must approve the final evaluation report. At the beginning of the evaluation period, the supervisor will inform each employee of the components of his/her work performance that will be evaluated. The employee is expected to indicate to his/her immediate supervisor which of the components he/she will focus on for continued improvement. Nonetheless, evaluation results can be used for summative purposes as well. Step pay increases, if appropriate, shall be withheld if the annual evaluation of a classified employee is less than satisfactory.

Date Adopted: December 11, 2007

TRANSFER

Reference: Alabama Code - §16-24-5
Alabama Code - §16-24-6
Alabama Code - §16-24-7
Alabama Code - §36-26-105
Alabama Code - §36-26-106
Alabama Code - §36-26-107

Date Adopted: December 11, 2007

RESIGNATION

Certified Staff

Reference: Alabama Code - §16-24-11

Classified Staff

A non-professional employee who wishes to terminate his/her services with the board must notify his immediate supervisor at least two weeks prior to the proposed date of termination. The two weeks' notice begins on the day that the resignation is received. The immediate supervisor will notify the assistant superintendent of Human Resources.

Date Adopted: December 11, 2007

PROBATION

Certified

Reference: Alabama Code - §16-24-1
Alabama Code - §16-24-2
Alabama Code - §16-24B-2
Alabama Code - §16-24B-3

Classified

Reference: Alabama Code - §36-26-100
Alabama Code - §36-26-101

Date Adopted: December 11, 2007

REPRIMAND

Classified

Reference: Alabama Code - §36-26-111
Alabama Code - §36-26-112
Alabama Code - §36-26-113
Alabama Code - §36-26-114
Alabama Code - §36-26-115

Date Adopted: December 11, 2007

SUSPENSION

Certified

Reference: Alabama Code - §16-24-14
Alabama Code - §16-24-15
Alabama Code - §16-24-16
Alabama Code - §16-24-17
Alabama Code - §16-24-18
Alabama Code - §16-24-19
Alabama Code - §16-24-20

Classified

Reference: Alabama Code - §36-26-108
Alabama Code - §36-26-109
Alabama Code - §36-26-110
Alabama Code - §36-26-111
Alabama Code - §36-26-112
Alabama Code - §36-26-113
Alabama Code - §36-26-114
Alabama Code - §36-26-115

Date Adopted: December 11, 2007

TERMINATION/CANCELLATION

Certified

Reference: Alabama Code - §16-24-8
Alabama Code - §16-24-9
Alabama Code - §16-24-10
Alabama Code - §16-24-20
Alabama Code - §16-24-21

Classified

Reference: Alabama Code - §36-26-103
Alabama Code - §36-26-104
Alabama Code - §36-26-114
Alabama Code - §36-26-115

Date Adopted: December 11, 2007

REDUCTION IN FORCE

A reduction in force may take place when the board determines that a financial exigency, program change, serious natural disaster or other legitimate business reason requires the reduction of personnel through contract termination and approves acting under this policy. Such a determination constitutes the necessary cause for dismissal.

Prior to the implementation of a reduction in force, the board will determine, upon the recommendation of the Superintendent, the organizational levels/areas to be reduced. The board should determine whether organizational levels/areas (i.e., elementary, food service) are to be considered distinct categories. The personnel within these levels may be considered separately (i.e., elementary and secondary, physical education, music, etc.). In addition, the superintendent will, to the extent possible, use attrition and non-renewal to achieve staff reduction.

The superintendent's recommendation will address the organizational areas(s) or level(s) to be reduced, the level of employees to be affected and the particular employees to be terminated.

Irrespective of a reduction in force, if a non-tenured or probationary employee is non-renewed in accordance with state law, this policy does not apply to those individuals and in such circumstances, there will be no right to recall pursuant to this policy. This policy applies to non-tenured and probationary employees only to the extent that the individual would have been rehired by the school the following year but for the reduction in force. Otherwise, non-tenured and probationary employees are not granted any retention or recall rights by this policy except as provided under state law. Unless there are no qualified tenured or non-probationary employees for a particular position, non-tenured and probationary employees will be reassigned or terminated before any tenured or non-probationary employee.

Certified Employees

1. Tenured Employees

Non-tenured employees will be reassigned or terminated prior to tenured employees except as follows. Non-tenured employees will be retained when a tenured employee is terminated only if the tenured employee is not legally qualified (based on state certification and federal highly qualified standards) to teach in the position the non-tenured employee occupies.

If more than one legally qualified tenured employee is being considered for dismissal, the following criteria, in the order stated, will be used to determine which will be retained:

- a. Highly qualified status. A tenured employee who is highly qualified for the position under federal guidelines will be given consideration over a tenured employee who is not highly qualified for the position.

- b. Certification in a teaching position which is being retained and is open. A tenured employee with regular (non-provisional) certification for the retained position will be given consideration over a tenured employee with a provisional certification.
- c. Seniority in continuous, uninterrupted, full-time certified employment with the board, beginning on the date employed.
- d. Effectiveness as reflected by the three most recent performance evaluations.
- e. Professional education and work experience related to the current or projected assignment.

If, based upon these factors, two or more tenured faculty are equally qualified for the position, then lots will be drawn.

Any tenured employee terminated or demoted pursuant to this policy shall have a one-time recall right to a position for which he or she is certified and legally qualified for one calendar year from the effective date of his or her termination or demotion. Tenured teachers dismissed through staff reductions will, for one year, be offered re-employment if legally qualified and competent in the area of need in reverse order of dismissal before non-tenured teachers in the same teaching area are added to the staff. If a former employee refuses any offer of employment pursuant to this provision, his or her right of recall is forfeited.

2. Non-Tenured Employees

Again, this policy in no way gives non-tenured employees a contractual right to employment. The state law right to non-renew remains with the board in all respects. However, if a reduction in force is declared by the board and the principal of a particular school designates a non-tenured employee as an individual that would have been rehired but for the reduction in force, that employee shall have a one time recall right to a position for which he or she is certified and legally qualified for one calendar year from the effective date of his or her termination or demotion that resulted only because of a reduction in force IF there is no tenured employee legally qualified based on state certification and federal highly qualified standards to teach in the position wherein an employee is to be recalled. In such a circumstance, the following criteria shall be followed:

- a. Highly qualified status. A non-tenured employee who is highly qualified for the position under federal guidelines will be given consideration over a non-tenured employee who is not highly qualified for the position.

- b. Certification in a teaching position which is being retained and is open. A non-tenured employee with regular (non-provisional) certification for the retained position will be given consideration over a non-tenured employee with a provisional certification.
- c. Seniority in continuous, uninterrupted, full-time certified employment with the board, beginning on the date employed.
- d. Effectiveness as reflected by the three most recent performance evaluations.
- e. Professional education and work experience related to the current or projected assignment.

Support Employees

1. Non-Probationary Employees

Probationary employees will be reassigned or terminated prior to non-probationary employees except as follows. Probationary employees will be retained when a non-probationary employee is terminated only if the non-probationary employee is not qualified by experience and/or education to occupy the position the probationary employee occupies.

If more than one non-probationary employee is considered for dismissal, the following criteria in the order stated will be used to determine which employee will be retained:

- a. Seniority in continuous, uninterrupted, full-time employment with the board beginning on the date employed.
- b. Effectiveness as reflected by the three most recent performance evaluations.
- c. Education and work experience related to the current or projected assignment.

If, based on these factors, two or more non-probationary employees are equally qualified for the position, then lots will be drawn.

Any non-probationary employee terminated or demoted pursuant to this policy has a one-time recall right to the position from which he or she was terminated or demoted for one calendar year from the effective date of his or her termination or demotion, in reverse order of the dismissal or demotion. If a former employee refuses any offer of employment pursuant to this provision, his or her right of recall is forfeited.

2. Probationary Employees

Again, this policy in no way gives probationary employees a contractual right to employment. The state law right to non-renew remains with the board in all respects. However, if a reduction in force is declared by the board and the principal of a particular school designates a probationary employee as an individual that would have been rehired but for the reduction in force, that employee shall have a one time recall right to a position for which he or she is certified and legally qualified for one calendar year from the effective date of his or her termination or demotion that resulted only because of a reduction in force IF there is no non-probationary employee qualified with the appropriate experience and education for the position wherein an employee is to be recalled.

In such a circumstance AND if more than one probationary employee is considered for retention, the following criteria in the order stated will be used to determine which employee will be retained:

- a. Highly qualified (HQ) status if required for the position.
- b. Continuous uninterrupted, full-time employment with the board beginning on the date employed.
- c. Highest score as reflected by the most recent performance evaluation.
- d. Education and work experience related to the current or projected assignment.

PERSONNEL RECORDS

Reference: Alabama Code - § 16-22-14

Reference – Procedures: Personnel Records

Date Adopted: December 11, 2007

GRIEVANCES

An investigation will be made whenever grievances are registered against school board employees. Employees against whom charges are made will have the opportunity to understand the charges made against them and to present pertinent facts bearing upon those charges before official action is taken. Persons making grievances are required, before any action is taken, to submit complaints in writing or to sign prepared statements summarizing their charges.

Issues pertaining to salary, placement on the salary schedule, assignment to a compensation step, assignment to a job family or to a pay grade, or to any other concern pertaining to the compensation of individual employee or groups of employees are addressed annually during the board's adoption of the subsequent budget-year salary schedule. Those issues are excluded from consideration under this policy and its accompanying Grievance Procedures.

Before filing a grievance, an employee is encouraged to discuss the issues with his/her immediate supervisor. Employees should exhaust all means of remedying grievances prior to seeking board action.

Employees unfamiliar with the process to be observed in airing grievances may contact the Employee Relations Personnel Administrator or his/her superior or other designee to request guidance.

Reference – Procedures: Grievances

Date Adopted: December 11, 2007

PROFESSIONAL DEVELOPMENT OPPORTUNITIES

Certified

Reference: Alabama Code - §16-1-8.1

Certified and Classified

Reference: Alabama Code - §16-13-231(b)(1)(e)(3)

Date Adopted: December 11, 2007

PROFESSIONAL AND EMPLOYEE ORGANIZATIONS

Attendance at all meetings to deal with matters pertaining to employee and professional organizations and which professional personnel are affiliated is voluntary and is separate from meetings sponsored by the school system.

Principals may excuse from regular duties personnel to play important leadership roles in programs and activities sponsored by professional and employee organizations. Such leave must receive advance approval from authorized personnel within the Human Resource Division.

Employees attending meetings approved consistent with this policy may receive their regular salaries, and the board may pay the full cost of substitutes serving in their absence.

Date Adopted: December 11, 2007

ANNUAL LEAVE/OPTIONAL VACATION DAYS

Twelve month employees are designated either 240 or 260 day employee type, depending on their hire date as a 12-month employee. They are entitled to annual leave, sick days, personal leave, and holidays. Because of a hire date prior to July 1, 1999, 240 day employees are entitled to additional days off (optional vacation days).

Annual leave or optional vacation days may be taken at intervals during the year so long as arrangements are pre-approved by the supervising administrator and so long as time taken does not exceed time earned. Unused annual leave will be allowed to accumulate up to the maximum of forty-five (45) as of the attendance reporting date for the June 30th payroll.

Annual leave is earned on an accrual basis. It is not awarded in advance of time worked. Employees leaving the system shall be paid for unused accumulated annual leave.

The number of holidays can vary in number at the board's discretion. Generally, these holidays are:

- July 4th 1
- Labor Day 1
- Veterans Day 1
- Thanksgiving 2
- Christmas 2
- New Years 2
- Martin Luther King 1
- President's Day 1
- Mardi Gras 2
- Memorial Day 1

Total 14

The superintendent and board may desire to have certain offices/departments/divisions of the system open and adequately staffed for the public on non-holidays. Division heads and supervisors may be required to ensure staffing and supervision during these times.

Benefit days must be reported in half-day increments for record-keeping purposes.

Based on the nature of their work, some employees are scheduled to work on holidays (e.g. security guards) for which they will be compensated accordingly. Failure to work on holidays as scheduled will result in disciplinary action. Non-exempt employees who are called in to perform emergency work on holidays will also be compensated accordingly (e.g. emergency maintenance personnel).

| | 12-Month Employees Hired Before July 1, 1999 | 12-Month Employees Hired After July 1, 1999 |
|----------------------------------|--|--|
| Employee Type | 240* | 260* |
| Number of Holidays | 14 | 14 |
| Number of Annual Leave Days | 10 – first 12 months 15 – after 120 months | 5 – first 12 months of employment 10 – 13-120 months of service 15 – 121-240 months of service 20 – after 240 months of service |
| Number of Optional Vacation Days | 7 to 9 Depending on what day of week July 1 falls and if it is a leap year | None |

*Hourly/Daily rate of pay is calculated on employee type.

The number of annual leave days for employees who move from a 10-month work calendar to a 12-month work calendar is determined by the total number of months as an employee as shown in the table above under “12-Month Employees Hired After July 1, 1999.”

OPTIONAL VACATION DAYS

Unused optional vacation days as of June 30th of each year can be converted to accumulated annual leave. If an employee wishes to carry over the unused optional vacation days to sick leave instead of annual leave, a signed request must be on file in the Payroll Department before the June 1st deadline for carryover requests.

Employees leaving the system may convert accrued optional vacation days to count as sick leave.

Legal Reference: Alabama Code §16-1-18.1; §16-8-26.

Date Adopted: December 11, 2007

ADMINISTRATIVE LEAVE

The superintendent or his or her designee may place any employee on paid administrative leave when investigating alleged misconduct by the employee, when disciplinary actions are pending, or when required in the best interest of the school system.

PROFESSIONAL LEAVES AND ABSENCES

The board believes that providing leaves and absences to employees for continued professional growth helps to attract and retain employees who will continue to grow professionally.

Certified Employees:

Tenured certified staff is eligible for leave for professional study up to, but not exceeding, one full scholastic year or calendar year. In all cases, assignment of an individual to the same school or work location upon return from professional leave is not guaranteed.

Classified Employees:

Classified employees may be allowed to take an unpaid Educational Leave of Absence with approval from Human Resources for a period of up to one year. Employees must be in a non-probation status prior to the requested period of leave.

Employees must be enrolled in an educational program leading to a degree in teaching. Proof of enrollment shall be provided prior to approval of the leave and proof of completion of courses shall be provided at the end of each semester or quarter.

Any employee who fails to return to work with the school system after the expiration of Educational Leave shall be considered to have abandoned his/her job and will be recommended for termination.

EMERGENCY, LEGAL LEAVE

Absences necessitated or occasioned by unforeseen emergencies and other extenuating circumstances not covered by other policies may be authorized by the superintendent. Authorization of such absences and compensation for same will be in accordance with approved procedures.

Employees are to be excused from their regular duties to serve on juries and to testify as witnesses, if subpoenaed by proper authorities. Under such circumstances, an affected employee is entitled to his/her full regular salary.

Date Adopted: December 11, 2007

SICK, MATERNITY/PATERNITY LEAVE

If any employee is absent from work for more than ten consecutive workdays: he/she or an immediate family member must provide a physician's statement or legal documentation which verifies sickness, disability, birth or adoption of a child and apply for a leave of absence. Should circumstances (such as, but not limited to, frequent or excessive absences) warrant it, a supervisor may require a physician's statement or legal documentation for any absence.

Tenured And Non-Probationary Full Time Employees

All tenured and non-probationary full time employees are eligible for the following leaves of absence. The first twelve weeks of these leaves of absence will be credited as Family Medical Leave Act (FMLA) coverage.

1. Sick Leave: Up to one year from the date of disability (as defined in Alabama Code - §16-1-18.1).
 - a. The employee must apply for a leave of absence by filling out form HR-124 and submit it along with the proper medical documentation covering the period requested on the leave request.
 - b. Should the employee be medically cleared to return to work within three weeks of the end of a school quarter, that employee may be required to remain off work until the beginning of the next quarter.
 - c. These leaves of absence may be in a paid status if Accumulated Sick Days are available or they may be in an unpaid status.

2. Maternity/Paternity Leave: Up to one year from the initial date of disability or birth/adoption of a child, whichever is earlier.
 - a. If any employee requests a maternity/paternity leave, he/she must apply for a leave of absence by filling out form HR-124 and submit it along with the proper medical or legal documentation that verifies the birth or adoption of a child covering the period requested on the leave request.
 - b. For maternity/paternity leaves of absence, the employee must state on the HR-124 the beginning and ending dates requested.
 - c. Due to the issues of long-term substitutes, employees will not be returned from a maternity/paternity leave of absence prior to the expiration of the requested ending date.
 - d. Should the employee request to be cleared to return to work within three weeks of the end of a school quarter, that employee may be required to remain off work until the beginning of the next quarter.
 - e. Except for the above example, maternity/paternity leaves will not be extended beyond the originally requested ending date or one year from the beginning date of the leave, whichever is earlier.
 - f. Except for any period of medically documented disability, maternity/paternity leaves of absence shall only be in an unpaid status.

Non-Tenured And Probationary Full Time Employees

Non-tenured and probationary full time employees, if eligible in accordance with the Family Medical Leave Act, may be granted a leave of absence up to twelve (12) weeks.

Period of Leave

The total period, at any one time, a tenured or non-probationary employee is allowed to take for a leave of absence is limited to twelve (12) months. If eligible for FMLA coverage, the total period, at any one time, a non-tenured or probationary employee is allowed to take for a leave of absence is limited to twelve (12) weeks. If not eligible for FMLA coverage, a non-tenured or probationary employee is not allowed to take a leave of absence. Any employee remaining off beyond these time limitations will have to resign, retire (if eligible) or be recommended for termination.

Miscellaneous Provisions

An employee who fails to apply for sick or maternity/paternity leave as outlined in this policy shall be considered to have abandoned his/her job and may be recommended for termination.

Failure to provide proper documentation may result in denial of the leave of absence and if the employee does not report to work, he/she shall be considered to have abandoned his/her job and may be recommended for termination.

An employee who fails to return to work after the expiration of any period of leave (without approval of an extension of the leave) shall be considered to have abandoned his/her job and may be recommended for termination.

Employees are not allowed to work during any leave of absence in which a physician or mental health provider certifies disability. For maternity/paternity leaves, employees are not allowed to work unless it is part time work outside their normal working hours. However, this would not apply to a part time job at night or on the weekend. Violators will be considered to have abandoned his/her job since they are working elsewhere when they could be working for the school system and may be recommended for termination.

Reference: US Code - Title 29, Chapter 28 (Family and Medical Leave)

Reference: Alabama Code - §16-1-18.1 (Accumulation of Sick Leave)

Resource: Family Medical Leave Act Advisor

Resource: U.S. Department of Labor Employment Law Guide: Chapter 1 – Family Medical Leave Act

Adopted: February 26, 2008

SICK LEAVE BANK

The board supports and establishes a Sick Leave Bank open to all employees in accordance with state law. Specific procedures and regulations for the operation of the Sick Leave Bank will be developed and approved as directed by state law.

Reference: Alabama Code - §16-22-9

Reference - Procedures: Sick Leave Bank

Date Adopted: December 11, 2007

PERSONAL LEAVE

All regular full-time employees are eligible for up to two personal leave days in each school year without loss of pay. Personal leave may not be accrued from year to year.

Teachers may be reimbursed at the end of the school year for each day of unused personal leave. The amount of the reimbursement will be at the same daily rate approved for substitute teachers.

No employee is required to divulge his/her reasons for requesting personal leave. Unused personal leave will roll over to sick leave after the June 30th payroll is processed.

Reference - Procedures: Personal Leave

Employees starting work after December 31st are entitled to one day personal leave for that school year. Employees starting work after March 31st are entitled to no days of personal leave for that school year.

Legal Reference: Alabama Code - §16-8-26.

Date Adopted: December 11, 2007

MILITARY LEAVE

An employee who is to be on military leave is to inform his/her administrative supervisor by presenting his/her military orders and filling out a request for a leave of absence.

Reference: Alabama Code - §31-2-13 (pay)

Alabama Code - §31-12-1

Alabama Code - §31-12-4

Alabama Code - §31-12-5

Alabama Code - §31-12-7

Reference: Procedures for Military Leave

Resource: Attorney General's advisory opinion 2002-90 (federal and state duty)

Resource: Attorney General's advisory opinion 2002-270 (determining pay rate)

Resource: USERRA Guide

RELIGIOUS LEAVE

Reference - Procedures: Religious Leave

Date Adopted: December 11, 2007

BEREAVEMENT

Reference: Alabama Code - §16-1-18.1

Reference - Procedures: Bereavement

Date Adopted: December 11, 2007

JOB-RELATED INJURY

Reference: Alabama Code - §16-1-18-1

Reference - Procedures: Job-Related Injury

Date Adopted: December 11, 2007

JOB ABANDONMENT

Any employee who has been absent from work for more than 10 consecutive work days and who has not obtained approved leave or otherwise accounted for the absences will be considered to have abandoned his/her job. After supervisors have completed each of the procedural steps and the employee has not returned to work, the superintendent will consider recommending to the board that the employee's contract be terminated.

Reference – Procedures: Job Abandonment

Date Adopted: December 11, 2007

COMMUNICABLE DISEASE

In the event that an employee contracts a communicable disease, the regulations for the control of communicable disease, as recommended by the Mobile County Health Department, will be followed. In the event that an employee contracts a communicable disease not presently controlled by the regulations, the Mobile County Health Department will be requested to advise the superintendent and board whether the employee should be excused from the workplace.

The superintendent or his/her designee may place any infected employee on immediate administrative leave with full pay until such time as a determination may be made whether or not the employee's presence on the job poses a serious potential threat to the health or welfare of students or employees.

DRUG-AND ALCOHOL-FREE WORKPLACE

Employees are required to report to work with no alcohol or illegal drugs or mind altering substances in their bodies. Employees are prohibited from using, possessing, manufacturing, distributing or making arrangements to distribute or purchase alcohol or illegal drugs while on school property or attending school-related activities. Employees under the influence of alcohol or illegal drugs while on duty will be subject to termination.

The board will require drug or alcohol testing under the following conditions, in addition to randomly testing those employees who are required to have a commercial driver's license (CDL):

- All prospective employees who have been offered employment contingent on negative test results for the presence of alcohol or illegal drugs;
- All employees who operate school system vehicles or motorized equipment who are not required to have CDL are subject to random testing; and
- All employees as to whom there is a reasonable suspicion of the influence of alcohol or illegal drug use while on duty.

All employees are subject to testing for alcohol and any and all illegal drugs, including but not limited to amphetamines, cannabinoids, cocaine, opiates and phencyclidine. Such tests will be arranged by the drug program coordinator.

For Positions/Personnel Requiring a Commercial Driver's License:

The Department of Human Resources in conjunction with the Transportation Department will develop and distribute to all personnel or persons in positions requiring a CDL who have been given an offer of employment for positions requiring a CDL a copy of the board's Drug and Alcohol CDL Testing Guidelines and Procedures. These guidelines will include this policy in addition to addressing the specific information required under Part 382 of Title 49 of the Code of Federal Regulations. Applicable personnel and persons receiving the guidelines shall sign a statement certifying that they have received the materials.

For All Other Personnel:

Prospective Employees

Pre-employment substance screening by a school system-approved drug testing agency will be required for prospective employees after being offered employment contingent on a negative result.

Prospective employees are required to sign a consent/release form before submitting to screening. Prospective employees will be disqualified for hire if they test positive, refuse to submit to a test, or refuse to execute the required consent/release form.

The cost of the drug test is the responsibility of the prospective employees.

Current Employees

1. Reasonable Suspicion

All employees may be required to submit to screening whenever a supervisor observes circumstances which provide reasonable suspicion of drug or alcohol use. The supervisor's determination that reasonable suspicion exists should be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or odors of or emanating from the employee.

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the work by employees acting within the line and scope of employment. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test.

Refusal to submit to a reasonable suspicion test request will be considered grounds for dismissal.

The assistant superintendent or executive manager of Human Resources or his/her designee or coordinator of the drug program should be notified whenever possible or feasible prior to referring the employee for reasonable suspicion testing.

The coordinator of the drug program or his/her designee will make arrangements for reasonable suspicion drug and/or alcohol testing.

If an employee is required to take a reasonable suspicion drug and/or alcohol test, transportation to and from the testing site will be arranged.

2. Random Testing

Random, unannounced drug screening of all employees who drive school system vehicles or motorized equipment will be conducted.

Random selection for testing of the above employees will adhere to the same guidelines as those followed for employees with a CDL.

3. Post Accident Testing

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver or equipment operator:

1. Property damage of a substantial nature.
2. Physical injury to any person.

Drivers or motorized equipment operators must make themselves readily available for testing, absent the need for immediate medical attention.

Prescription Drugs

The proper use of medication prescribed by a physician is not prohibited; however, the misuse or abuse of prescribed (or over the counter) medications is prohibited.

All employees who are using drugs at the direction of a physician must notify their supervisor prior to beginning work when those drugs may affect their job performance.

Employees who are subject to this must provide documentation from their physician stating that the substance does not adversely affect their ability to perform their duties in a safe manner.

Employee Education

The board will provide to employees subject to this policy, educational material and the names of treatment facilities for alcohol and substance abuse.

The Mobile County Public School System shall comply with the requirements of Alabama Code Annotated §16-1-24.1 and the policies and procedures of the Mobile County Public School System, as amended from time to time, shall be established and/or modified as necessary to comply with the aforesaid section.

Legal Reference: Alabama Code Annotated § 16-1-24.1

Date Adopted: December 11, 2007

Hearing Dates: March 19, 2013; March 25, 2013

Date Amended: March 25, 2013

SUBSTITUTES AND TEMPORARY POSITIONS

SUBSTITUTE EMPLOYEES. Persons employed to work on a daily basis or for a period of brief duration to replace persons absent or on approved short-term leave are substitute employees. Persons in this category include teachers, school clerks, bus drivers, bus aides, and campus custodial and CNP assistants. Substitute and temporary employees are not eligible for benefits and privileges available to permanent, part-time and full-time employees. Pay for substitute employees is paid at a rate set by the board.

SUBSTITUTE TEACHERS. Substitute teachers must be certified by the State Department of Education as a substitute teacher. The Division of Human Resources is responsible for administering the procedures for persons to become substitute teachers.

A principal or his/her designee is responsible for securing substitutes from the approved list in case of absence of a regular teacher. Individual school guidelines pertaining to calling substitutes will be outlined in writing and given to each teacher at each school. Substitute teachers are expected to carry out instructions provided by the principal and regular teachers and to prepare such daily reports as are ordinarily required of the regular teacher.

Principals should ensure that substitute teachers are reported to payroll and are paid only in accordance with board-approved substitute pay rates. Regular teachers are prohibited from making their own arrangements for paying substitutes. The principal and the regular teacher should see that the substitute teacher has the necessary instructions, materials to teach effectively, lesson plans as well as textbooks, class rolls, seating charts and an outline of local school procedures.

In emergency situations, such as the inability to secure a substitute for a regular teacher who must leave school unexpectedly because of an emergency, the principal may utilize regular teachers to cover the classes.

TEMPORARY EMPLOYEES: Extra persons employed to work on a regular full-time basis for a limited period of time are considered temporary, and, as such, are not eligible for those benefits and privileges available to permanent, full-time employees.

POLITICAL ACTIVITIES

Employees are prohibited from engaging in political activities in support of or in opposition to specific candidates while officially discharging their responsibilities.

Chapter 7.00 – Fiscal and Business Management

- 7.10 Fiscal Year
- 7.11 Fund Balance
- 7.12 Chief Financial Officer
- 7.20 Annual Budget
- 7.21 Priorities
- 7.22 Deadlines and Schedules
- 7.23 Budget/Adjustments
- 7.24 Funding Proposals and Applications
- 7.30 Investments
- 7.31 Revenues from School-Owned Property
- 7.32 Fees, Payments, Rentals
- 7.33 Grants from Private Sources
- 7.34 Gifts and Bequests
- 7.40 Deposit and Expenditure of Funds
- 7.41 Authorized Signatures/Check Writing Services
- 7.42 Bonded Employees and Officers
- 7.43 Internal Accounts
- 7.44 Audits
- 7.45 Worthless Checks
- 7.50 Purchasing Authority
- 7.51 Bidding Requirements
- 7.52 Local Purchasing
- 7.53 Surplus Equipment and Supplies
- 7.54 Stale Checks
- 7.55 Cash in School Buildings
- 7.551 Petty Cash Accounts
- 7.56 Vending Machine Contracts
- 7.60 Liability
- 7.61 Insurance Program
- 7.62 Inventory Control
- 7.70 Payrolls
- 7.71 Salary Deductions
- 7.72 Non-Travel Expense Reimbursement
- 7.721 Travel Expense Reimbursement
- 7.73 Use of Vehicles and/or Equipment
- 7.80 Child Nutrition Program Management
- 7.81 Sanitation Inspections
- 7.82 Price and Payment of School Food Services
- 7.83 School Sale of Competitive Food and Beverages
- 7.84 Special Functions
- 7.85 Food Safety Program
- 7.86 Charged Meal Policy

FISCAL YEAR

Reference: Alabama Code - §16-13-1

Date Adopted: December 11, 2007

FUND BALANCE

For purpose of this policy, one month's operating balance is defined as all general fund expenditures, including transfers out, as of September 30, divided by twelve (12) months.

The Board of School Commissioners of Mobile County recognizes that the management of school system funds necessitates the development of an adequate fund balance to guard against pro-ration, natural disasters and emergencies, and as required by Act No. 2006-196.

The Board of School Commissioners of Mobile County will maintain a minimum of one month's operations in the General Fund, as calculated using data from the September 30 General Purpose Financial Statement.

Reference – Procedures: Fund Balance

Statutory Reference: School Fiscal Accountability Act (Act No. 2006-196)

Date Adopted: December 11, 2007

CHIEF FINANCIAL OFFICER

The board shall appoint a chief financial officer who will supervise the Finance Department under the direct supervision of the superintendent.

ANNUAL BUDGET

The superintendent is responsible for the preparation and presentation of the annual school budget to the board for its consideration. Budget development will incorporate the board's strategic plan initiatives and goal of maintaining one month's reserve fund. The budget development process will be carried out in accordance with state law and State Board rules.

Legal Reference: Alabama Code - §16-13-140; *§16-13A-10*
Date Adopted: December 11, 2007

PRIORITIES

Appropriations made by the board shall be made in the following order:

1. Payment of all charges required by legislative act;
2. Payment of all interest charges and sinking fund for the retirement of all existing indebtedness; and
3. Operation, maintenance, and support of all other departments, institutions, agencies, and charges.

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

Note: Based on local act which is inconsistent with current law and practice.

DEADLINES AND SCHEDULES

A budget, showing the entire expenses and income of the public schools of Mobile County, shall be prepared and be submitted in an open meeting for final adoption.

Note: Based on local act which is inconsistent with current law and practice.

Legal Reference: Local Act 1932 (S.246 C raft) pg. 111
Date Adopted: December 11, 2007

BUDGET ADJUSTMENTS

The superintendent monthly will give a progress report on the relationships between revenues and expenditures in the budget.

The superintendent will inform the board concerning the status of the budget and recommend for board approval revisions as needed.

FUNDING PROPOSALS AND APPLICATIONS

The board will seek sources of revenue to supplement the funds provided through local taxation and the basic aid offered by the state.

To ensure coordination in developing proposals and making application for specially funded programs, the superintendent will establish guidelines for the preparation of proposals and their review as appropriate.

Date Adopted: December 11, 2007

INVESTMENTS

Funds will be invested to earn the highest yield possible in a qualified public depository as defined by state law. Interest earned from such investments will be deposited to the respective fund. The superintendent will oversee a prudent investment program.

Legal Reference: Alabama Code - §14-14A-1 *et seq.*
Date Adopted: December 11, 2007

REVENUES FROM SCHOOL-OWNED PROPERTY

School properties may be rented at rates which offset direct costs. School lands will be managed as an income-producing enterprise. School lands may be rented or leased for various purposes at a rate comparable to market value for the specific land and use.

Fees collected will be transmitted to Business Operations in accordance with steps outlined in the rental agreement.

FEES, PAYMENTS, AND RENTALS

The superintendent will recommend to the board for approval all plans for fees, rental and tuition income.

GRANTS FROM PRIVATE SOURCES

Reference: Alabama Code - §16-13-32.

Date Adopted: December 11, 2007

GIFTS AND BEQUESTS

All gifts and bequests shall become the property of the board. The board may, under unique situations, accept gifts or requests which do not become board property.

Date Adopted: December 11, 2007

DEPOSIT AND EXPENDITURE OF FUNDS

Deposits

All income payable to the board shall be deposited with qualified depositories, as defined by law, in the manner outlined by the chief financial officer.

Expenditures

The superintendent or his or her designee may spend funds budgeted for operations without board approval unless the expenditure involves a personal services contract or is subject to the bid law.

All expenditures of the board shall be made by check.

All expenditures shall be systematically recorded in line with the various sections of the budget in order that a true and accurate relationship between classified expenditures and the budget can be determined at all times.

All invoices shall be paid regularly, month by month, in order that the financial status of the Mobile public schools can be accurately determined at all times and invoices covering all expenditures of the board other than those supported by personnel payrolls shall be systematically filed.

**AUTHORIZED SIGNATURES/
CHECK WRITING SERVICES**

Checks drawn on the general fund or any special fund, with the exception of the local school activity fund, require the signature of the superintendent and the chief financial officer. Checks drawn on local school activity funds require the signature of the principal.

All checks used will be prenumbered. All checks drawn on board funds may be signed by a machine provided by the board, under the direct supervision of the Business Services Department.

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

Legal Reference: Alabama Code - §Act 16-13A-8

Date Adopted: December 11, 2007

BONDED EMPLOYEES AND OFFICERS

Board employees and officers responsible for handling or expending school funds or property shall be adequately bonded at all times as prescribed by State Board of Education regulations.

Legal Reference: Alabama Code - §16-13A-12
Date Adopted: December 11, 2007

INTERNAL ACCOUNTS

Internal accounts shall be established for local schools. All internal accounting will be in accordance with standards of a uniform accounting system prescribed or approved by the State Department of Education. Principals have the authority and responsibility for receipt, disbursement and adequate accounting of all internal school funds.

AUDITS

Internal:

Internal accounts are audited annually. The internal auditor, prior to submitting the findings to the board, shall advise each principal of the findings. Within ten working days, the principal will, in writing, respond to the findings and/or outline his/her plans for alleviating the major criticisms, if any. His/her written response will become part of the report submitted to the board.

The internal program auditor may be provided representation in civil and criminal proceedings in which he is sued, subpoenaed, or charged in this individual capacity when the actions for which representation reasonably appears to have been performed within the scope of the employee's employment and providing representation would otherwise be in the interest of the board.

When the internal program auditor believes he/she is entitled to representation by the board in a civil or criminal proceeding he/she should submit a written request for the representation together with all process and pleadings served upon her/him to the superintendent. Unless the superintendent concludes that representation is clearly unwarranted, he/she will submit in a timely manner to the board's attorney a statement containing his/her findings as to whether the internal program auditor was acting within the scope of his/her employment and his/her recommendation for or against providing representation. The statement should be accompanied by all available factual information. In emergency situations, the board attorney may initiate conditional representation after a telephone request from the superintendent or by a majority vote of the board. In such cases, the written request and appropriate documentation must be subsequently provided.

Upon receipt of the internal program auditor's request for counsel, the board attorney will determine whether the internal program auditor's actions reasonably appears to have *been* performed within the scope of his/her employment and whether providing representation would be in the best interest of the board. In circumstances where considerations of professional ethics prohibit review of the fact by the board attorney because of the existence of a possible inter defendant conflict, the board attorney may delegate the fact finding aspects of this function to a private attorney at the board's expense.

The board may assume responsibility for legal expenses incurred for representation of the internal program auditor under the provisions of this policy when in its judgment the action taken by the internal program auditor which forms the basis for the legal action against him/her was clearly within the purview of the board's policies.

Legal Reference: Alabama Code Act 07 § 16-13A-7

Date Adopted: December 11, 2007

WORTHLESS CHECKS

The Board of Education authorizes the superintendent to charge a fee for worthless checks and to implement procedures for collection of worthless checks written to the school system, including referring the matter to the district attorney for prosecution.

Uncollected fund balances in the Child Nutrition Program will not be carried over from one fiscal year to the next. Monies will be taken from non-public funds at the end of the fiscal year to cover the amount of the worthless checks. When payment has been received, the funds will be deposited into the non-public fund account.

PURCHASING AUTHORITY

The Purchasing Department will strive to obtain maximum value for money spent for equipment, materials or services. Insofar as possible, the department will propose standards and specifications for all equipment, materials, supplies and services to be purchased.

Purchases will be initiated by a written requisition bearing the signature of the appropriate administrator. The Purchasing Department has authority to question the quality, quantity and kind of material requested. In unusual or emergency situations, the Purchasing Department is authorized to make purchases by telephone to be followed by a confirming purchase order.

Date Adopted: December 11, 2007

BIDDING REQUIREMENTS

Reference: Alabama Code - §41-16-50

Alabama Code - §41-16-51

Alabama Code - §41-16-53

Alabama Code - §41-16-54

Alabama Code - §41-16-57

Legal Reference: Alabama Code - §41-16-2 et seq.

Date Adopted: December 11, 2007

LOCAL PURCHASING

The principal is responsible for assuring all purchasing at the school level conforms to board policies, business office procedures and regulations.

All purchases exceeding \$500 are to be approved by the chief financial officer. Principals are prohibited from entering contracts on behalf of the local school.

Date Adopted: December 11, 2007

SURPLUS EQUIPMENT AND SUPPLIES

Obsolete, uneconomical or inefficient surplus property which serves no useful purpose may be disposed of in accord with state law and regulations. Prior to disposal, reasonable attempts should be made to salvage all or part of any item of property for school use.

When it is no longer practical that property be retained, it shall first be offered for sale or transfer to other state agencies. When not disposed of in this manner, the property may be offered for sale to the public.

The sale of equipment and supply items will be conducted on a competitive basis by use of sealed bids at a public auction to the highest bidder.

The director of Purchasing is responsible for administering all sales, but transactions and procedures will have prior approval of the chief financial officer.

Any remaining surplus property may be declared unusable and disposed of in a reasonable, environmentally sound manner, including donation to appropriate nonprofit groups.

STALE CHECKS

Each year the treasurer-comptroller shall make a complete list of all checks written off, showing check number, payee, amount of check and date of check. Banks shall be furnished a list of all outstanding checks written off and shall be instructed not to cash such checks.

Date Adopted: December 11, 2007

CASH IN SCHOOL BUILDINGS

All monies collected within the schools shall be prudently handled and safeguarded.

Monies collected by employees for any purpose shall be submitted to the school principal or his designee who shall provide for its prompt and proper deposit. Money shall not be left overnight in classrooms. Monies totaling \$25.00 or more are to be deposited and not left on school premises overnight.

Date Adopted: December 11, 2007

PETTY CASH ACCOUNTS

Petty cash accounts are prohibited.

Date Adopted: December 11, 2007

VENDING MACHINE CONTRACTS

Principals and department managers may allow vending machines in their respective schools and departments only in accordance with the current vending contract approved by the Board and signed by the Superintendent.

It is the responsibility of the vendor and the principal to insure all State Laws and Child Nutrition Guidelines regarding the operation of vending machines are met.

Reference – Procedures: Local School Accounting Procedures, Section I

State References: Alabama’s Healthy Snack Standards for Foods and Beverages at School
Alabama Department of Education Log #FY02-3005

Legal References: USDA Rule, 7 CFR 210.11 and 220.12

Date Adopted: July 24, 2008

LIABILITY

Liability claims shall be referred to the State Board of Adjustment.

Date Adopted: December 11, 2007

INSURANCE PROGRAM

The Business Division and Facilities Division will develop and implement an insurance program to cover the buildings and property owned by the Board, taking into consideration financial feasibility, advice from professionals in the field, availability of State Insurance Program coverage and self-insurance options. The program should be evaluated periodically and the analysis submitted to the superintendent and Board for review.

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

INVENTORY CONTROL

The superintendent is responsible for implementing and maintaining inventory on all fixed assets and equipment.

The primary responsibility for inventory control rests with Business Operations and will be regulated in accordance with standard accounting procedures and practices.

Principals are responsible for reporting changes in inventory to Business Operations, Local School Accounting Office. The principal will be held accountable for inventories at the local school and will be held personally accountable for any unreported losses. The principal has the prerogative to hold the individual teacher in the assigned classroom areas responsible for losses of equipment, should said losses not be reported to the principal as they occur.

A physical inventory of all fixed assets and equipment will be made on an annual basis by the financial division. Other physical inventory of supplies may be made at the discretion of appropriate staff.

Legal Reference:

Date Adopted: December 11, 2007

PAYROLLS

All employees of the board shall be paid on the basis of payrolls approved by the supervisor responsible for the employee (i.e., principal, director, etc.) except as otherwise directed by the superintendent.

The treasurer-comptroller shall pay promptly all payrolls.

All regular employees of the board will be paid at least monthly with checks distributed according to a schedule annually established by the superintendent.

Date Adopted: December 11, 2007

SALARY DEDUCTIONS

With the exceptions of deductions for absences not covered by paid leave and those required by law, all categories of deductions from salary must be approved in writing by the employee.

Reference: Alabama Code - §16-22-6
Alabama Code - §16-22-17

Date Adopted: December 11, 2007

NON-TRAVEL EXPENSE REIMBURSEMENT

Expenses, other than travel expenses, incurred in the performance of duties shall be reimbursed, provided said expenses are authorized by the appropriate official in charge of the budget account incurring said expense and appear to be reasonable amounts for the charges incurred and with the approval of the supervisor as spelled out in the procedures of the division incurring the expense. Expenses shall be reimbursable up to \$100.00.

Date Adopted: December 11, 2007

TRAVEL EXPENSE REIMBURSEMENT

Employees: Student Sponsors

Local school funds may be used to reimburse actual documented expenses of professional employees who serve as sponsors on student educational excursions.

Employees: In-County

Employees traveling within Mobile County on approved travel shall be reimbursed for personal vehicle usage expenses at the cost-per-mile rate currently accepted by federal and/or state laws applicable at that time.

Employees: Out-of-County

Travel related expenses incurred in the performance of duties or assignments is reimbursable, provided said employee has obtained prior approval for travel from the superintendent or his/her designee and provided the expenses are reasonable and are authorized by the appropriate officials in charge of the budget account to be charged. All authorized expenses with the exception of personal vehicle usage expenses will be reimbursed at actual cost to the employee for all eligible expenses. Personal vehicle usage expenses will be reimbursed at the cost-per-mile rate currently accepted by federal and/or state laws applicable at that time. Documentation of expenses is required. Board personnel shall travel by tourist class when on authorized travel, but will be eligible for first class travel when tourist class is not available.

Board Members: Out of County

Board members shall inform the other members of the board of any plans to travel on official board business. If possible, notice should be provided in advance and in writing. Board members will be reimbursed for actual expenses while on official business travel provided that necessary documentation is submitted and costs are reasonable in light of the event and location. Personal vehicle usage expenses will be reimbursed at the cost-per-mile rate currently in use by the system. If air travel would have been less costly, the vehicle usage expenses only will be reimbursed based on the average cost of advanced-purchased coach travel. All board travel reimbursement requests are to be shared with all board members.

Board members are expected to travel economically and will travel tourist class when on official business travel. Board members will be eligible for full reimbursement for first class travel only if tourist class is not available.

Legal Reference: Alabama Code - §16-1-6; §16-13-14

Date Adopted: December 11, 2007

USE OF VEHICLES AND/OR EQUIPMENT

Board vehicles and/or equipment may not be used for personal business.

The assignment of system-owned vehicles and/or equipment to supervisory personnel is strictly for the purpose of expediting the delivery of services by board employees and should not be construed by employees as a fringe benefit.

Reference – Procedures: Use of Vehicles and/or Equipment

Date Adopted: December 11, 2007

CHILD NUTRITION PROGRAM MANAGEMENT

The Child Nutrition Program (CNP) shall provide food service for breakfast and lunch in all schools where feasible. The CNP management shall be coordinated within the Business Operations Division, with the local school principal responsible for its management in his/her school.

Date Adopted: December 11, 2007

SANITATION INSPECTIONS

The principal has primary responsibility in seeing that the child nutrition staff meets applicable rules and regulations relative to sanitation. The principal may request assistance from the Business Operations Division in discharging this responsibility.

Date Adopted: December 11, 2007

PRICE AND PAYMENT OF SCHOOL FOOD SERVICES

Students and employees are eligible to participate in a Mobile County Child Nutrition Program. Meals and a'la carte items are for consumption during the regular school day. Except for meals provided for officially approved field trips, all food must be consumed on campus unless authorization for take-out meals is given by the chief financial officer.

The unit price of breakfast and lunch paid by students and adults in local schools will be approved by the superintendent. Only students officially approved for free or reduced-price meals in accordance with state and USDA guidelines may be served food and/or beverages without charge or at a reduced price. Cashiers will collect all payments due for meals, extra portions and a'la carte items at the time the food service is provided.

The principal may invite parents and other guests to have a meal at school on special occasions or when the guest is at the school performing volunteer services. Guests served by the Child Nutrition Program shall pay the adult price for the meal unless the cost of the meal is paid by the principal who extends the invitation. Meals and a'la carte foods may not be sold to guests or the public on a request and/or carry-out basis.

Date Adopted: December 11, 2007

SCHOOL SALE OF COMPETITIVE FOOD AND BEVERAGES

During meal service times, “Child Nutrition Program” may sell only those competitive foods and beverages which make a significant contribution to the students’ daily requirement for nutrients. Food services operated for profit in the school, separate and apart from the non-profit breakfast and lunch program, may not operate. All income from concessions or extra sale items being vended or sold during meal service periods must be deposited into the Child Nutrition Program account.

Reference: State Board of Education Resolution (as amended) July 12, 2005

Resource: Statewide Committee to Review the State of Health of America’s Youth with Particular Emphasis on Alabama’s Youth: Implementation Guidelines for Exercise and Nutrition

Legal Reference: P.L. 108-265 Section 204
Date Adopted: December 11, 2007

SPECIAL FUNCTIONS

Special functions include the preparation of any meals, food or beverage by the Child Nutrition staff other than for programs (breakfast and lunch) approved under the official Child Nutrition application. Principals are authorized to approve special functions provided they conform to all approved policies and procedures, do not interfere with the serving of meals to students, and do not result in expenses to the Child Nutrition Program for food, supplies, utilities or labor. A report of each special function should be made to the Business Operations Division on an approved form and attached to the monthly child nutrition financial report.

FOOD SAFETY PROGRAM

For purpose of this policy, each school within the Mobile County Public School System will implement and maintain a food safety program based on the Hazard Analysis Critical Control Point (HACCP) guidelines as required by the United States Department of Agriculture.

The Board of School Commissioners of Mobile County recognizes that the food safety programs in the schools participating in the National School Lunch Program or the School Breakfast Program will conform to Section 111 of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) amended section 9(h) of the Richard B. Russell National School Lunch Act.

The Board of School Commissioners of Mobile County will maintain a food safety program in each school following HACCP guidelines for the preparation and service of school meals served to children.

CHARGED MEAL POLICY

It is the intent of the Mobile County Public School System to provide an opportunity for every student to eat a nutritious breakfast and lunch during the school day. It is also the intent of the Mobile County Public School System to comply with all federal program regulations pertaining to the National School Breakfast and National School Lunch programs. Program regulations do not allow for meal charges to the Child Nutrition Program. Students must remit payment for meals at the time of service.

Each local school principal, at their discretion, may develop a written contingency plan to provide meals to a student in the event the student does not have available funds. If a student cannot pay for a meal, and there is no written contingency plan in effect, an alternate meal consisting of: 2 oz. bread/grain, 2 oz. meat/meat alternate and a carton of milk will be provided to the student. Students who have documented dietary needs will be given a meal that meets the nutritional guidelines and the specifications of their diet restrictions if an alternate meal is needed.

Date Adopted: December 11, 2007

Chapter 8.00 – School Land/Facilities and Support Services

- 8.10 School Lands and Sites
- 8.11 Leases, Sales, Exchange of School Land
- 8.12 Emergency Sale and Cut of Timber
- 8.20 Long-Range Capital Planning
- 8.21 Project Planning
- 8.22 Bids and Quotes
- 8.23 Change Orders
- 8.30 Naming School Properties
- 8.31 Plaques to Honor Citizens
- 8.40 Building and Grounds Management
- 8.50 Long-Range Maintenance Program
- 8.51 Maintenance Records
- 8.52 Repairs
- 8.53 Vandalism
- 8.54 Cleaning Program
- 8.60 Traffic and Parking Controls

SCHOOL LANDS AND SITES

School lands will be supervised by the general direction of a Facilities/Land manager, who reports to the superintendent.

A complete and systematic file will be kept on all board property, including deeds and plats of school sites.

Date Adopted: December 11, 2007

LEASES, SALES & EXCHANGE OF SCHOOL LANDS

The paramount objective relative to lease, sale and exchange of school lands is the production of the maximum income possible from such lands, consistent with sound managerial practices, without unduly diminishing long-range benefits to be derived from such lands, or the use thereof.

1. The board may sell real property on a negotiated basis or through competitive bid procedure. The Business Office will handle all real property sales with the review and approval of the board.
2. The board is vested with and exercises the power to sell, lease, or exchange any of its real property subject to restrictions under state law including Alabama Act No. 87-280.
3. The sale or exchange of such property, irrespective of the value, shall be supported and substantiated by an appraisal obtained by the board. If the appraisal of the property to be sold or exchanged has already been obtained by the board and is on file dating back beyond a two-year period, such appraisal shall be disregarded and a new or updated appraisal obtained.

Reference – Procedures: Agricultural Leases, Hunting Leases

EMERGENCY SALE & CUTTING OF TIMBER

The superintendent and Facilities manager are authorized to approve the cutting and sale of timber immediately following a timber fire or damage to timber due to adverse weather or other casualty conditions when the deferment of action until a regular board meeting, in all probability, would result in economic loss to the school system.

Date Adopted: December 11, 2007

LONG-RANGE CAPITAL PLANNING

A program for long-range needs determination will be developed and continually updated. All divisions will participate. Included within this program shall be an evaluation of present and future needs. The program should encompass such areas as the following: obsolescence determination, instructional needs, enrollment projections, sites, cost, and revenue information. The superintendent will coordinate the efforts of all divisions.

Reference: Alabama Code - §16-13-231(e)(1)

Date Adopted: December 11, 2007

PROJECT PLANNING

Each capital project involves extensive planning by representatives of all divisions. The implementation and organization of this plan rests with the superintendent.

Educational specifications will be developed by the staff with extensive involvement from principals and teachers. Other personnel will be involved as determined by administrative staff with approval of the superintendent.

BIDS AND QUOTATIONS

Reference: Alabama Code - §39-2-2
Alabama Code - §41-16-50
Alabama Code - §41-16-52
Alabama Code - §41-16-55
Alabama Code - §41-16-56
Alabama Code - §41-16-58
Alabama Code - §41-16-59
Alabama Code - §41-16-60
Alabama Code - §41-16-61

Legal Reference: Also see generally - Alabama Code - §32-2-1 *et seq.*; Alabama Code - §41-16-50 through 63
Date Adopted: December 11, 2007

CHANGE ORDERS

Change orders costing less than \$1,000 will be approved by the superintendent and will be reported to the board.

Change orders which exceed the amount of \$1,000 will be approved by the board.

Date Adopted: December 11, 2007

NAMING SCHOOL PROPERTIES

At the discretion of the board, schools, building and facilities may be named or renamed to commemorate individuals, whether living or deceased, who have made outstanding contributions to society. If a school, building or facility is named or renamed for a living individual, that individual must be at least 70 years old and for at least the preceding five years, must not have been an elected official in the State of Alabama or an employee of the school system.

Only the board has the authority to name properties owned by the board in accordance with the procedures set forth. Furthermore, the action of the board to name or rename such properties must be pursuant to a unanimous board vote.

Reference - Procedures: [Naming of School Properties](#)

Date Adopted: December 11, 2007

PLAQUES TO HONOR CITIZENS

The board may approve as a tribute for citizen service placing a plaque on premises noting the honoree's contributions.

Date Adopted: December 11, 2007

BUILDING AND GROUNDS MANAGEMENT

Changes to buildings and grounds must be coordinated through the Facilities Division.

Date Adopted: December 11, 2007

LONG RANGE MAINTENANCE PROGRAM

A maintenance plan, including summer projects, will be developed as a part of a comprehensive maintenance program. This plan will be considered as part of the board's long range capital outlay plan and annual budget and should be reported annually to the superintendent.

Date Adopted: December 11, 2007

MAINTENANCE RECORDS

A complete system of records on the maintenance of school buildings will be kept. The records system must be sufficient in scope to allow for cost analysis. An annual report will be made to the Facilities manager.

REPAIRS

The maintenance crews are responsible for all regular maintenance and repairs on school buildings and fixing equipment associated with individual schools, consistent with board policy. Specialized maintenance that cannot be handled by regular maintenance crews will be referred to the Facilities manager, who will arrange or approve arrangements to accomplish needed repairs.

In emergency situations, requests for assistance may be made directly to the Maintenance Department.

VANDALISM

The board will not tolerate vandalism, theft, or any other forms of property destruction or misuse. The principal is to report all acts of vandalism and theft to the police, the Facilities Division, and General Administration and cooperate with officials in the investigation and prosecution of suspected vandals, thieves and burglars.

Date Adopted: December 11, 2007

CLEANING PROGRAM

The school's cleanliness is the responsibility of the principal. The Facilities Division shall provide two eight-hour in-service training meetings for custodial staff per year. The Maintenance Department will arrange assistance as needed and be available to aid in the maintenance of the adequate cleaning program for each school and to evaluate the effectiveness of such program.

TRAFFIC AND PARKING CONTROLS

The Facilities Division will provide leadership in developing traffic and parking controls in and around school facilities in conjunction with other divisions, building administrators and City/County traffic engineers.

Local principals oversee traffic and parking at their schools. Any changes should be approved through the Facilities Division.

Chapter 9.00 – Public and Organizational Relations

- 9.10 Parental/Family Involvement
- 9.11 Visitors to the Local School
- 9.12 Interviews with Students
- 9.20 General Government Relations
- 9.21 News Media Relations
- 9.22 Military Recruiters

PARENTAL/FAMILY INVOLVEMENT

The board encourages parental and other family member involvement in all facets of the child's educational development and school life. The board urges staff to develop programs to involve parents and families when possible and to engage in ongoing communication.

Title I Schools

A parents' meeting will be held at least once annually at each Title I school to discuss the program and develop a parental involvement policy for Title I schools.

Reference: Model Notification of Rights under the Protection of Pupil Rights Amendment

Reference: Model Notification of Rights under FERPA for Elementary and Secondary Schools

Reference: Model Notice and Consent/Opt-Out for Specific Activities

Reference: Model Notice for Directory Information

VISITORS TO THE LOCAL SCHOOL

All persons not assigned to a school shall report directly to the office when visiting in a school.

Parents or guardians who come to school in support of or pursuant to business on behalf of their child, school board employees, persons approved by the principal to come to the school for instructional purposes such as resource persons or volunteer aides, or those invited by central administration and/or the local principal shall be permitted to visit schools with the principal's permission during the time classes are in session.

All other persons must receive a letter of introduction to the local school principal from the deputy superintendent. This includes, but is not limited to, those desiring to visit a school in order to interpret, sell and/or promote products, special interests or services, and/or to promote the interest of commercial or non-school agencies or organizations of a political, partisan, controversial or sectarian nature. Based upon an investigation, the deputy superintendent may deny the request for a letter of introduction. If approved, the letter shall be presented to the local school principal. The local school principal may exercise his/her discretion in developing procedures for the scheduling of visits, thereby governing individuals visiting in the school.

The local school principal shall have the authority to prevent disruptions in the school. Any visitor visiting the campus, whether by letter of introduction or not, who disrupts or interferes with the normal activities of the school may be removed from the school by the principal or, if necessary, upon his request by a constituted law enforcement agency. The local school principal shall have the administrative discretion to anticipate a visitor's substantial and material disruption of school activities or discipline and shall have the authority to remove the visitor prior to the foreseen actual disruption.

Upon request of the superintendent, the principal shall certify whether any sales persons, persons who are advocates of employee organizations or special groups advocating special causes have been authorized to visit in the local school and permitted to utilize any instructional time, including faculty or in-service meeting time.

In recognition of the importance of time in news reporting, the principal or his designee shall respond immediately to media requests for school visitation or information, so long as the control of the school remains under the supervision of the principal.

Date Adopted: December 11, 2007

INTERVIEWS WITH STUDENTS

Interviews with students, teachers, and other local school employees on school campuses sponsored and conducted by the mass media shall have the approval of the principal or such other person as may be responsible for the school at that time by virtue of any other provisions of these policies.

Interviews held with students on school campuses or when a student is under the supervision of the school at off-campus activities sponsored by the school shall be observed by the student's parent or guardian or by a professional member of the local school staff except as otherwise approved by the principal, with the prior approval of the parent or guardian.

GENERAL GOVERNMENT RELATIONS

The board will cultivate cooperative working relationships with local, county, state and federal governmental bodies which impact public education.

Date Adopted: December 11, 2007

NEWS MEDIA RELATIONS

The news media is a vital means of maintaining communication with the general public. The board shall endeavor to utilize mass media in an effort to keep the public informed about the schools. The Office of Communication shall serve as the primary contact for assisting media representatives in securing information and in dissemination of the news. The Office of Communication shall be authorized to seek out, identify, and analyze new developments associated with the school system as a basis for writing feature stories for consideration by mass media representatives.

The Office of Communication shall alert mass media representatives in writing of factual errors in reports made to the public which deal with public education through furnishing correct information on subjects treated.

In the interest of maintaining time-on-task at the local schools, news media representatives are requested to contact the Office of Communication prior to going to a school.

MILITARY RECRUITERS

Reference: Ala. Code § 16-1-25 (on campus recruiting).

Reference: USDE Oct. 9, 2002, letter (access to students/records).

Legal Reference: U.S.C. 7908, Section 9528 as amended by P.L. 107-110 and P.L. 107-107 (National Defense Authorization Act for Fiscal Year 2002), Section 54.

Date Adopted: December 11, 2007

REFERENCES

Procedures

| | |
|--|-------|
| Equal Opportunity, Complaints, Appeals | 3.30 |
| Internet Acceptable Use | 3.50 |
| Middle School Promotion-Retention | 4.45 |
| Qualifications and Duties | 6.221 |
| Selection of Department Chairperson | 6.224 |
| Substitute Teachers | 6.33 |
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| Sick Leave Bank | 6.632 |
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| Job-Related Injury | 6.67 |
| Job Abandonment | 6.68 |
| Fund Balance | 7.11 |
| Use of Vehicles and/or Equipment | 7.73 |
| Agricultural Leases | 8.11 |
| Hunting Leases | 8.11 |
| Naming of School Properties | 8.30 |

**PROCEDURE:
EQUAL OPPORTUNITY, COMPLAINTS, APPEALS FOR NON EMPLOYEES**

Normal steps in reaching a resolution to individual concerns are listed below:

1. In the event an individual or group believes there is a basis for complaint, that person or group will initiate informal discussion within 5 days after he/she knew, or should have known of the occurrence leading to the possible concern.
2. If the complaint is not resolved at the informal level, the complainant may FILE a written complaint and supporting evidence with the superintendent or his specified designee.
3. Within ten days, the superintendent's designee will discuss the matter with the complainant; thereafter a thorough investigation will be conducted to gather all relevant information. Equal rights for discussion will be given to other appropriate parties.
4. If the complaint is not settled through the discussion process the superintendent may designate a hearing officer, and a formal hearing will be scheduled to permit both parties to present evidence before the hearing officer.
5. If satisfaction is not reached with the hearing officer's formal recommendations, the grievant may request a hearing before the school board.

**PROCEDURE:
INTERNET ACCEPTABLE USE**

In order to match electronic resources as closely as possible to the approved district curriculum, district personnel must comply with Board Policy IFAC governing the selection of instructional materials. In this manner, school personnel will provide developmentally appropriate guidance to students as they make use of Internet resources to conduct research and other studies related to the district curriculum. All students will be informed by teachers of their rights and responsibilities as users of telecommunication networks prior to gaining access to any network service, either as an individual user or as a member of a class or group.

As much as possible, access to Internet information resources will be designed in ways which point students to those resources that have been reviewed and evaluated by the teacher prior to use. Since students may be able to move beyond those resources to others which have not been evaluated by teachers, they shall be provided with guidelines and lists of resources particularly suited to the learning objectives. Students may pursue research on the Internet independent of teacher supervision only if they have been granted parental permission and have submitted all required forms. Permission is not transferable and may not be shared.

With the complex networking and easy access to systems available worldwide through the Internet, users and the parents of users should understand that school district personnel cannot control the content of information residing on Internet. Users and parents of users should be advised that some locations on the Internet may contain materials considered to be defamatory, inaccurate, abusive, obscene, sexually oriented, or illegal. The Mobile County Public School System does not condone the use of such materials and does not permit usage of such material in the school environment. Parents should be aware of the existence of such materials and monitor home usage of the Internet (if available). Students bringing such materials into the school environment will be dealt with according to the Code of Conduct along with the termination of access privileges.

Core Rules for Use of Internet

The use of Internet resources is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges as well as punishment for such violations as prescribed in the Code of Conduct. Unacceptable uses of Internet include the following:

- Using profanity or obscenity.
- Copying and/or distributing commercial software in violation of copyright law.

- Ordering services or merchandise from other agencies that have Internet access. All matters concerning the merchandise and services ordered from a seller, including but not limited to purchase terms, payment terms, warranties, guarantees, maintenance and delivery, are solely between the seller and the user. The Mobile County Public School System makes no warranties or representations whatsoever with regard to any goods or services provided by the seller and expressly forbids these transactions originating from the school system Internet access. The Mobile County Public School System and school system personnel shall not be a party to these transactions or be liable for any costs or damages arising out of the actions of sellers.
- Using the network for financial gain, for commercial activity, or for any illegal activity.
- Altering and forwarding personal communication without the author's prior consent.
- Spoofing or otherwise attempting to send anonymous messages of any kind.
- Lending your password to other students and/or adults.
- Using the network to access a file that contains pornography, inflammatory material, inappropriate material, or any material not specifically related to the instructional lesson, objective, or assignment.
- Using copyrighted materials in reports without permission.
- Publicizing your home address or phone number.
- Creating a computer virus and placing it on the network.
- Using the network for sending and receiving a large number of personal messages.
- Using the network to send/receive inflammatory messages.

All users should be aware that the inappropriate use of Internet information resources can be a violation of local, state, and federal laws.

STUDENT CONTRACT REGARDING THE USE OF INTERNET

I, _____, accept and agree to abide by the following legal rules.

I agree to abide by all rules which are listed in the Mobile County Public School System Procedures for Internet Use.

I realize that the primary purpose of the Mobile County Public School System’s Internet connection is educational, and that as such, educational purposes shall take precedence over all others.

I realize that the use of Internet is a privilege, not a right. I accept that inappropriate behavior may lead to penalties, including revoking of Internet access, disciplinary action, and/or legal action.

I agree not to participate in the transfer of inappropriate or illegal materials through the Mobile County Public School System’s Internet connection. I realize that in some cases the transfer of such material may result in legal action against me.

I agree not to allow other individuals to use my account for Internet activities nor will I give anyone my password.

I agree not to download any shareware or freeware programs from the Internet.

I agree not to bring software from home into the computer lab or library media center.

Signed _____

Date _____

Please complete and return this form if you agree to allow your child access to the Mobile County Public School System's Internet connection.

PARENTAL CONTRACT REGARDING THE USE OF INTERNET

As the parent or guardian of this student, I have read the terms and conditions for system Internet access privileges. I understand this access is for educational purposes and that the Mobile County Public School System has taken available precautions in forewarning and educating all interested parties of the controversial material that is accessible on the Internet. I also recognize that it is impossible for the Mobile County Public School System to restrict access to all controversial materials. I will not hold the Mobile County Public School System nor its employees responsible for materials acquired by my son/daughter on the network in violation of the Internet Acceptable Use Policy and Procedures for Internet Acceptable Use. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting.

I hereby give my permission to the Mobile County Public School System to issue Internet access privileges to my son/daughter.

Signed _____

Date _____

**PROCEDURE:
MIDDLE SCHOOL PROMOTION-RETENTION PROCEDURES**

In order to be promoted to the next grade level, middle school students must:

Receive a passing yearly grade in all required core curriculum courses.

Students who fail to meet this requirement may be promoted to the next grade upon successful completion of the requirement during summer school.

**PROCEDURE:
QUALIFICATIONS AND DUTIES**

**ASSIGNMENT AND APPOINTMENT OF CERTIFIED ADMINISTRATIVE AND
CERTIFIED SUPERVISORY POSITIONS**

Assistant Principal, Principal, and Certified Central Office Supervisory positions are key management positions essential to the operation of a responsive, effective and efficient school system. The selection of the best available leaders is critical to meeting high standards of achievement.

Administrative vacancies will be filled through processes set forth in these Procedures.

PREREQUISITES FOR APPLYING - All candidates for any certified administrative and supervisory position must meet the following requirements to be listed on the Eligible Candidate Roster (ECR):

1. Produce evidence of having spent at least three years of fulltime teaching experience.
2. Submit three letters of professional references within the last three years. One letter should be from the applicant's current immediate supervisor; the other two letters should be from other supervisors or colleagues who are knowledgeable about the applicant's work experience and performance.
3. Official transcript(s) for all degrees and administrative courses must be on file in Human Resources.
4. Provide evidence of holding valid Alabama Leadership Certificate in Educational Leadership, Education Administration and/or Supervision, as required by State Board of Education rule.
5. Show evidence of successful completion of the MCPSS Human Resources Administrative Writing Exercise. (Please note: The applicant can take the Writing Exercise for a total of three times only, two times in the same year and the third time in a subsequent year.)
6. Submit all qualifications/credentials by the established deadlines.

**ENTRY LEVEL REQUIREMENTS FOR CERTIFIED ADMINISTRATIVE AND SUPERVISORY POSITIONS (CENTRAL OFFICE)
APPLICATIONS FOR POSTED POSITIONS OF ASSISTANT PRINCIPAL, PRINCIPAL, AND OTHER CERTIFIED ADMINISTRATIVE POSITIONS WILL ONLY BE ACCEPTED FOR THOSE CANDIDATES ON THE ELIGIBLE CANDIDATE ROSTER (ECR).**

Applicants for an assistant principal position

- Must have applied for a posted position within the advertisement period.
- Preferred - at least two years as a school site administrator if the applicant is not a current MCPSS employee.

Applicants for a principal position

- Must have applied for a posted position within the advertisement period.
- Preferred - at least a minimum of two years school site administrative experience.
- Preferred - at least two years as a principal if the applicant is not a current MCPSS employee.

Applicants for a certified supervisory (Certified Central Office) position

- Must have applied for a posted position within the advertised period.
- Preferred - at least a minimum of two years work in central administration if the applicant is not a current MCPSS employee.

Formal Steps to be used in Selecting Administrators to Fill Vacancies

1. Determination made of administrative position vacancy.
2. Human Resources issues announcement of vacancy and posts/advertises the vacancy.
3. Human Resources accepts applications from interested individuals who are on the Eligible Candidate Roster (ECR). Current employees must complete the Alabama State Department of Education on-line Internal Employee Application and submit a resume. If the applicant is not a current MCPSS employee, he/she must complete the Alabama State Department of Education on-line application and submit a resume.
4. After posted deadline, Human Resources will submit eligible applicants to the appropriate assistant superintendent.
5. The assistant superintendent in whose area the vacancy occurs reviews the applications and determines which applicants will be called for a face-to-face interview with a committee.
6. Committee interviews are held. In all cases, a minimum of three candidates are interviewed for each vacant position.

For principal vacancies, an Assistant Superintendent for Academic Affairs will chair the interview committee which will be composed of

- ✓ Other Academic Affairs Assistant Superintendents
- ✓ A principal selected by the Assistant Superintendent who is chairing the committee
- ✓ Central office representative from Curriculum and Instruction
- ✓ A community or parent representative of the school where the vacancy occurs
- ✓ A representative from Human Resources

For assistant principal vacancies, an Assistant Superintendent for Academic Affairs will chair the interview committee which will be composed of

- ✓ Other Academic Affairs Assistant Superintendents
- ✓ Principal of the school where the vacancy occurs
- ✓ Central office representative from Curriculum and Instruction
- ✓ A community or parent representative of the school where the vacancy occurs
- ✓ A representative from Human Resources

For certified central office supervisory vacancies, the Assistant superintendent in whose division the vacancy occurs will chair the interview committee which will be composed of

- ✓ Other inter-divisional professional staff
- ✓ Supervisors from appropriate departments within the division
- ✓ A representative from Human Resources

Each committee will meet at a time and a place determined by the presiding assistant superintendent to review the records of all persons to be interviewed, to develop interview question, and to conduct the interviews. Each person interviewed will be asked the same questions and each answer will be assessed by the committee members using the same rubric or scoring guide.

All scores are tallied and ranked. The presiding assistant superintendent recommends a top candidate to the Superintendent in a letter giving the names of the interview committee, the date of the interview, and the names of all the candidates interviewed.

The Superintendent recommends to the Board of School Commissioners one candidate for approval.

**PROCEDURE:
SELECTION OF DEPARTMENT CHAIRPERSON**

Job Description - The Department Chair will:

1. Serve as a liaison between the Curriculum supervisors and the school administration. This should include the following items but should not be limited to the following:
 - Provide assistance with textbook problems
 - Provide information on in-service opportunities
 - Provide information on curriculum revisions
 - Check email at least once daily
 - Send requested information back to supervisor in a timely manner
 - Provide supervisor with copies of monthly agendas and sign-in sheets, and weekly minutes from collaboration meetings
 - Provide CRT information and study guides
2. Serve as liaison between the local school administration and the teachers.
3. Assist in curriculum matters as needed, such as scheduling of classes.
4. Conduct regular department meetings.
5. Serve as department representative on the school SAE committee.
6. Coordinate and maintain inventories of materials, manipulatives, resource materials and books, inventories, and supplies.
7. Coordinate the ordering of chemicals, equipment, and supplies.
8. Coordinate department monies with school bookkeeper.
9. Coordinate equipment and lab facilities.
10. Mentor new and inexperienced teachers.
11. Coordinate participation in local, county, and regional competitions and fairs.
12. Attend all scheduled and called department chair meetings.
13. Facilitate and monitor the use of best practices in the alignment of curriculum, instruction, assessment, and improvement.
14. Use comparison trend and benchmark data to drive instruction and assess the rate of school/classroom improvement.
15. Participate in one week of mandatory summer training (stipend will be provided).
16. Assist with data collection and analysis in area of content responsibility.
17. Perform other duties as assigned by the principal.

Qualifications:

The person selected to be department chair should have the following:

1. Have a minimum of three (3) years teaching experience.
2. Have a valid teaching certificate and meet HQ status in core related field.
3. Have good people, organizational, and communication skills.
4. Have a minimum of one year experience at the current school.
5. Have received at least a satisfactory on most recent evaluation.

Selection Process:

The department chair will be selected by the principal based on the required qualifications.

**PROCEDURE:
SUBSTITUTE TEACHERS**

In the event of teacher absence, the supervising principal or his designee will make arrangements for the employment of a qualified substitute teacher, either by reporting electronically to Sub Finder or directing the teacher to report to Sub Finder.

Substitute teachers are expected to carry out instructions provided by the regular teachers and to prepare daily reports normally required of the regular teacher.

To ensure the highest level of quality and continuity in the instructional program, in-service programs for substitute teachers will be conducted under the leadership of the assistant superintendent of Curriculum and Instruction in partnership with Human Resources. Such programs also should cover board policies and procedures, particularly those related to student safety.

**PROCEDURE:
PERSONNEL RECORDS**

The following procedures will govern requests to review folders:

1. Any employee desiring to review his folder is required to give the Division of Human Resources a 24-hour notice.
2. Within the 24-hours after a request is made to review the folder, the secretary or staff member receiving the request should have the secretary of the assistant superintendent of Human Resources or a designee to check the record and make sure that the folder is in order by having those confidential materials placed in a folder clearly marked "confidential" and inserted in the front of the regular personnel folder. After the folder is in order, the appropriate staff member should set an appointment with the requesting employee indicating the time that the folder may be viewed in his presence.
3. When the professional staff member permits the employee to review his folder, make sure that no items are removed from the folder by the employee.
4. In the event the employee raises a question about certain materials, policy has to be followed in this regard and his request should be brought to the attention of the assistant superintendent of Human Resources.
5. Should the employee desire to provide information about any material included in his folder, policy permits the opportunity to him to submit this written copy.

Procedures for employees obtaining copies of information from personnel folders.

1. These specific requests from the employees should be made in writing addressed to the assistant superintendent of Human Resources. In the event a telephone request is received, the above should be called to the attention of the employee.
2. Upon written request and prepayment at the rate of fifteen (\$.15) cents per page the division will proceed to duplicate the requested copies.
3. This financial deposit shall be paid in cash, cashier's check, or postal money order - only. (No personal checks will be accepted.)
4. Any Human Resources Division employee receiving a request for copies of information which may not come under the details of #1 and #3 above should call this to the attention of the assistant superintendent of Human Resources or his designee for clarification and assistance.

**PROCEDURE:
GRIEVANCES**

Note: Employees unfamiliar with the process to be followed in filing “grievances” may contact the Employee Relations Personnel Administrator or his/her designee and request guidance.

General Provisions and Definitions:

Grievance: A grievance is a complaint brought by an employee alleging that either an administrator or employee has taken one of the following actions:

1. A violation, misinterpretation, or misapplication of an existing board policy, administrative rule or administrative procedure;
2. Unprofessional conduct directed towards the grievant or impugning his/her personal good name or professional reputation;
3. The change in a recognized administrative practice which has been consistently followed for at least one calendar year which imposes a hardship on the employee.

Matters not covered by definition of grievance: The term “grievance” does not include:

1. Matters dealing with denials of promotions, or requests for voluntary transfers unless an identified board policy or administrative procedure has also been violated or misinterpreted;
2. Matters dealing with involuntary transfers, or terminations which are covered by the Teacher Tenure Act or the Fair Dismissal Act;
3. Alleged violations of State or Federal law or existing Court Orders; or
4. Issues pertaining to salary, placement on the salary schedule, assignment to a compensation step, assignment to a job family or to a pay grade, or any other concern pertaining to the compensation of individual employee or groups of employees.

Days: The term “days” when used in this procedure shall mean working school days as established by the Board adopted 12-month calendar for the applicable school year. At all Steps in the grievance policy procedures, the employee or his/her representative and the relevant administrator may mutually agree to suspend the relevant time frame requirements.

Newly discovered information: At each Step beyond Step I, if an employee wishes to present new documentation or information bearing on the merits of his/her grievance, then he/she may present said documentation or information to the administrator before whom the grievance is presently pending.

STEP I (Local School)

An employee who feels that he/she has a grievance shall present the matter in appropriate written form, within thirty (30) days of the alleged grievance, to his/her principal or immediate supervisor. Failure by the grievant to file the grievance within thirty (30) days of the alleged grievance will result in the automatic denial of the grievance. The grievant shall provide a statement of the grievance and the relief sought.

Should the employee receive satisfaction, the matter is considered closed.

The principal or immediate supervisor has fifteen (15) work days, except in emergency - not to exceed ten (10) additional work days - from receipt of written grievance form to conduct a conference with the employee to discuss the grievance.

After the Step I conference is held, the principal or immediate supervisor shall submit a written disposition report setting forth the reasons for his/her disposition within five (5) days after the conference has been held. If the grievance calls for relief or action which the Step I supervisor cannot provide, the Step I supervisor shall deny the grievance on this basis.

Upon receipt of the Step I disposition report by the employee's principal or immediate supervisor, the grievant shall have no longer than ten (10) days to file for an appeal should he/she desire.

Failure of grievant to file a timely appeal automatically forfeits any further appeal for relief at any other advanced step of the grievance procedure.

STEP II (Employee Relations)

If the grievant files a written notice of appeal, the Employee Relations Personnel Administrator or his/her designee will schedule a meeting/hearing with the employee, the immediate supervisor and any representative within thirty (30) days after receiving written notification of appeal.

The Employee Relations Personnel Administrator may consolidate grievances arising out of the same or similar circumstances providing that it will not change the time requirements.

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Additional documentation may be submitted by the employee or the immediate supervisor. A hearing shall be conducted at which time the employee and his/her representative and the principal or immediate supervisor will have the opportunity to present their positions regarding the grievance in dispute. The employee and the principal or immediate supervisor may present witnesses and whatever documentary evidence he or she may wish to present in support of his or her position regarding the grievance. A party shall have the right to call and question his/her witnesses. A full presentation by all witnesses present and other pertinent testimony shall be considered by the Employee Relations Personnel Administrator or his/her designee. However, the hearing will not be a formal, adversarial hearing governed by normal legal rules of evidence or procedure.

An official recording will be made for each conference by the Employee Relations Personnel Administrator or his/her designee. A grievant desiring a transcript of the conference shall be responsible for the taping and transcribing of the hearing. Parties are expected to conduct the hearing within a reasonable period of time.

The parties shall submit to the Employee Relations Personnel Administrator or his/her designee at least four (4) days prior to the scheduled hearing a list of those witnesses whom he/she desires for the Board to require to be present at the hearing, along with a statement regarding the materiality of the witnesses' testimony. The attendance at the Step II hearing of any material witnesses employed by the board is required as requested by the hearing officer. Material witnesses are those witnesses who will offer relevant, non-redundant factual testimony. If a material witness is unable to appear, or if the administration is unable to procure the attendance of a witness at the scheduled hearing, then the parties can agree to a postponement of the hearing for the purpose of obtaining the testimony in question.

In the event individuals responsible for serving as a hearing officer or designating a hearing officer are listed as witnesses by the grievant and the grievant furnishes the statement listing the reasons for calling said witness, the superintendent or his/her designee shall appoint a hearing officer who has no direct, personal or first-hand knowledge of the matters in controversy.

The Employee Relations Personnel Administrator or his/her designee shall have fifteen (15) work days after the conference to provide a written decision. The written decision shall explain the reasons for the Employee Relations Personnel Administrator's decision. If the grievance is solved, or no further action is requested in writing, the matter is considered closed.

The principal, immediate supervisor and grievant shall have no longer than ten (10) work days to file for an appeal of any unfavorable decision.

Failure of the grievant to comply with the steps above automatically forfeits any further appeal for relief at any advanced step of the grievance procedure.

Mediation Procedure: In those cases where there are multiple grievances filed by multiple grievants and the grievances arise out of the same or similar facts or circumstances, then the Employee Relations Personnel Administrator or his/her designee has the discretion to try and resolve the dispute through informal mediation and to make every reasonable effort to arrive at a fair and equitable solution.

After thirty (30) days or thereafter from the start of mediation, the grievant(s) shall have the right to decide that the mediation is no longer worthwhile, and the grievance(s) will then be heard at Step II in compliance with the provisions of this policy.

STEP III (Superintendent or Designee)

If the grievant or supervisor is dissatisfied with the preceding Step II decision, a written appeal should be submitted to the superintendent or his/her designee within fifteen (15) days.

The superintendent or his/her designee shall, within thirty (30) days, review the tape of conference and documentation accumulated at Step II. The superintendent or his/her designee shall provide either a written statement adopting the decision of the Step II administrator or a written decision explaining the basis and rationale for his/her decision to the grievant.

If the grievance is resolved or no further action is requested in writing, the matter is considered closed.

The grievant and the principal or relevant administrator shall have no longer than ten (10) days to file for an appeal of any unfavorable decision.

Failure of the grievant to comply with the steps above automatically forfeits any further appeal for relief at any advanced step of the grievance procedure.

STEP IV (Board of School Commissioners)

If the grievant or supervisor is dissatisfied with the Step III decision, a written request for review should be submitted within ten (10) days to the superintendent or his/her designee requesting a review of all tapes and documentation by the Board of School Commissioners.

After receiving such written request, the superintendent or acting superintendent shall submit available tapes and documentation to each board member for their review as a part of the bi-monthly action at one of the next three (3) bi-monthly board meetings. In the event an emergency prevents to submission of the available tapes and documentation to the board members on one of the next three (3) bi-monthly board meetings, the available tapes and documentation should be submitted to the board members within a reasonable time.

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The board's decision to uphold the superintendent's decision or overturn the superintendent's decision shall be made during one of the next three (3) bi-monthly board meeting following the date of submission of the available tapes and documentation as described in the preceding paragraph.

The superintendent or acting superintendent will inform the grievant of the board's decision within fifteen (15) days after the board renders a decision.

**PROCEDURE:
SICK LEAVE BANK**

The purpose of the Sick Leave Bank (SLB) shall be to provide a loan of sick leave days up to the maximum allowed by law for participants in the SLB after their accumulated sick leave days have been exhausted. The SLB shall also manage sick leave days donated to a member for catastrophic illnesses or injuries. All operations of the SLB shall conform to Alabama Code, Section 16-22-9 and 16-1-18.1. Should any of these procedures conflict with state or federal law, then the applicable law will take precedence over the conflicting provision of the SLB procedures.

GENERAL LOAN GUIDELINES

- A. Any full-time or part-time employee of the Board of School Commissioners (BOARD) who receives accumulated sick days as a benefit is eligible to join the SLB. Participation shall be on a voluntary basis. Employees must join or withdraw at the beginning of the school year no later than the last business day in September otherwise they will not be eligible to participate until the following school year. New employees may join the SLB within the first four (4) weeks following their employment date.
- B. Forms to join the SLB will be available from the Division of Human Resources and the office at each school site. To join the SLB, the employee shall complete and sign the authorization form to contribute two (2) sick leave days OR to commit two (2) sick leave days for deposit in the SLB. Pledged days shall be deposited from the first two (2) sick leave days earned by the employee. To avoid any per diem salary deduction during this time frame, the participant may apply to the Committee for a loan should the participant need sick leave.
- C. The Business Division/Payroll Office and Division of Human Resources will maintain accurate records of contributors eligible to participate in the SLB.
- D. The membership shall not be allowed to borrow or owe in excess of fifteen (15) days, unless fifty (50%) or more of the SLB members vote to extend this limit.
- E. To be eligible for a loan from the SLB, a participating member must have exhausted all accumulated sick leave in his/her personal account. Also, the applicant must have missed at least three (3) days due to the same illness (not a recurring illness such as headache or sinus infection) before applying for a loan from the SLB. Any sick leave drawn from the SLB by a participating employee shall be used in accordance with the definition of sick leave as set forth in state statutes and BOARD policies/procedures.

- F. The SLB Committee shall determine the number of days loaned to an applicant. Factors to be considered in making this decision shall include but are not limited to: (1) the applicant's need; (2) the circumstances of the illness; (3) years of service in the system and (4) the availability of days currently on deposit.
- G. The SLB Committee shall require a statement from the applicant's attending doctor certifying the nature of the illness and disability as a prerequisite for awarding a loan.
- H. In cases where the applicant is incapacitated, the employee may authorize a designee to apply to the SLB on the contributor's behalf.
- I. An individual cannot leave the school system without repaying any outstanding debt of leave days from the SLB. If the employee has no sick leave days remaining in his/her record, then his/her final pay check shall be reduced in an amount equal to the number of days of debt times the employee's daily rate of pay. Such moneys collected shall be converted to equivalent sick leave days and re-deposited in the SLB.
- K. Any member who is retiring from the school system may withdraw his/her contributed days to be applied toward the person's retirement credits.
- L. Sick leave days owed to the SLB shall be paid back at a rate of one per month beginning with the next available earned sick leave day and continuing in this manner until the entire debt has been repaid. To avoid any per diem salary deduction during this repayment time should the participant need sick leave; the participant may apply to the Committee for a loan.

CATASTROPHIC PROVISIONS

- A. In accordance with state law, an employee must be a member of the SLB to receive or donate days for catastrophic illnesses or injuries.
- B. A catastrophic illness is defined as "any illness or injury so certified by a licensed physician which causes the employee to be absent from work for an extended period of time." The "extended period of time" will be determined on a case-by-case basis by the SLB Committee in the system where the beneficiary employee works.

- C. In accordance with state law, before sick leave days for a catastrophic illness may be donated, the employee who is to receive such days shall have no sick leave days or personal leave remaining in his/her personal account. Also, a participating member must borrow and utilize days from the SLB up to the maximum number of days allowed from the SLB (currently 15 days). Any donated days may be used to repay the loan days borrowed. No employee may donate more than thirty (30) sick leave days to a single employee. However, no limit is established on the number of days a beneficiary employee may receive from donors. Donated days will be at the donor's discretion.
- D. The applicant must have missed at least three (3) days due to the same illness (not a recurring illness such as headache or sinus infection) before applying for a catastrophic donation from the SLB. Sick leave days may be donated to a beneficiary employee to be used for the same reasons covered in the Sick Leave Policy of the BOARD.
- E. The SLB Committee is required to forward sick leave days donated by participants to another SLB for use by a particular employee who is suffering a catastrophic illness.
- F. A beneficiary employee may earn regular sick leave while on catastrophic leave donated by other employees; however, the beneficiary employee must use the day earned each month as it is earned.
- G. Donated days not used by the beneficiary employee shall revert to employees who donated the days on a prorated basis. Odd days shall be distributed by random selection. After the beneficiary employee returns to work, unused days are returned to the donors after thirty (30) days.
- H. A signed statement is required from the beneficiary employee or the chairperson of the SLB Committee stating that the beneficiary agrees to use the donated days.
- I. To donate or receive catastrophic sick leave days, the donating employee and the beneficiary employee must complete the transfer authorization form required by the committee.

ESTABLISHMENT OF THE COMMITTEE

- A. The SLB Committee shall be composed of five (5) members. Four members are elected by secret ballot of SLB participants. The superintendent, with the approval of the BOARD, appoints one member to the committee. The four elected members of the committee shall be comprised of two certified employees and two classified employees.
- B. Members of SLB Committee are elected for a term of one (1) year. Persons may not serve for a term longer than five (5) years.
- C. The SLB Committee is charged with the responsibilities as dictated by state law, federal law and BOARD policy for the administration and operation of the SLB. Decisions and actions of the SLB may only occur by a majority vote. The attendance of at least three persons is required to constitute a quorum.
- D. The duties of the Sick Leave Bank Committee shall consist of:
 - 1) The SLB Committee will elect by majority vote one of its own as chairperson. Elections for this position shall occur on the first meeting of the new committee. The chairperson may succeed him/her self in this position.
 - 2) Meetings of the Committee shall be set by the Committee on a schedule to convene at least once a month. Additional meetings may be called by the chairperson or by the request of at least two members of the Committee. A representative from Employee Relations shall attend as an ex officio participant.
 - 3) The Committee shall investigate any alleged abuse of the SLB. All Due Process rights shall be afforded the employee. A finding of abuse shall require the violator to repay all sick leave credits to the SLB. The superintendent or BOARD may impose additional disciplinary actions.
 - 4) The committee shall develop guidelines, procedures and forms for the operation of the SLB. The guidelines shall be approved by the membership by secret ballot. Any changes to these guidelines and procedures shall be either recommended by the committee or brought to the committee by a petition of 5% of the membership. These changes will then be presented to the membership for approval by secret ballot. No recommended changes shall be submitted for a vote that conflict with state or federal law.

**PROCEDURE:
PERSONAL LEAVE**

1. The employee shall submit the Application for Leave Form (HR-124) to his supervising administrator as early as practical prior to the leave data so that arrangements can be made for assigned duties to continue in his absence. A signed copy of the form shall be returned to the employee and the original filed in the employee's personnel file.
2. The supervising administrator shall properly code his information on the Time Sheet regularly submitted to the Treasurer's Office.
3. The Treasurer's Office shall arrange to reimburse employees for unused personal leave time at the same daily rate approved for substitute teachers.
4. Reimbursement for all employees shall be included in a supplemental payroll by the last day of August.

**PROCEDURE:
RELIGIOUS LEAVE**

A written request for leave in order to observe recognized religious holidays should be made by the employee to his/her immediate administrative supervisor. If the supervisor recommends that approval is given, a written recommendation is to be made to the assistant superintendent of Human Resources. If approval is given, the assistant superintendent of Human Resources will write a letter of confirmation.

**PROCEDURE:
BEREAVEMENT**

Any absence due to bereavement of a member of the immediate family is to be reported on the absence report form (HR-124). The relationship of the bereaved is to be indicated on the form.

Any absence due to the bereavement of a nonmember of the immediate family is to have the approval of the employee's immediate supervisor.

In cases of extenuating circumstances, relationship or extended time, the employee must make a request to his/her immediate administrative supervisor. The supervisor is to make a recommendation to the assistant superintendent in charge of Human Resources. The assistant superintendent confirms his approval or disapproval in writing (original and two copies). The original goes to the administrative supervisor; a copy goes to the employee. The employee is to submit his copy, attached to the absence report form which is to be sent with the time sheet (payroll), to Human Resources at the end of the payroll period. A copy is retained in the Human Resources files.

**PROCEDURE:
JOB-RELATED INJURY**

Job Related Injuries are to be reported immediately to the Department of Human Resources Office/Employee Health Programs Nurse on the appropriate forms by the employee's administrator or designee.

An employee injured on the job shall report any and all injuries immediately to his administrator or designee and complete a Report of Injury Form (SS433). An Accident Report Form (SS431) shall be filed as soon as possible.

THE FOLLOWING PROCEDURES WILL BE USED BY THE EMPLOYEE TO CLAIM BENEFITS UNDER THE PAY CONTINUATION PROGRAM.

1. If the injury requires no apparent medical treatment.
 - A. The administrator or designee will:
 - (1) Complete the Report of Injury Form (SS433)
 - (2) Provide the employee with a copy of the Report of Injury (SS433).
Should the employee seek medical care after work hours, he/she will take the copy of the Report of Injury (SS433) to the treatment site. The employee will notify his administrator or designee the next work day if treatment is obtained after work hours.
 - (3) Complete the Accident Report Form (SS431).
 - (4) Send the Report of Injury (SS433) and Accident Report Form (SS431) to the Health Services Office via Mail Bag.
 - B. The Office Nurse will send copies of these forms to the Department of Human Resources/Employee Relations for the employee's file.

2. If injury requires medical treatment:
 - A. The administrator or designee shall:
 - (1) Fax Report of Injury (SS433) to and call the Office Nurse:
 - (2) Send the employee to the treatment site with the I.D. Card or Letter, Report of Injury (SS433) and the Physician Statement Form;
 - (3) Complete the Accident Report Form (SS431).
 - B. The Office Nurse faxes the Report of Injury (SS433) and the Release of Information Form and calls the treatment site.
 - C. The injured employee goes to the treatment site and presents the Report of Injury (SS433), ID Card or Letter and the Physician Statement Form.
 - (1) Immediately after treatment, the Physician Statement Form, or other treatment form from the treatment site, must be presented to the Health Services Office Nurse in order to determine work status. The Physician Statement Form, or other treatment form from the treatment site, is faxed by the treatment site to the Office Nurse or taken by employee or designee to his/her administrator who will call or fax the report to the

Office Nurse. If injuries prevent the employee or designee from complying with the above guidelines, the employee or designee must call the Office Nurse so she may obtain needed information from the treatment site.

- D. The Office Nurse will provide copies of documentation to the Department of Human Resources/Employee Relations.
3. Continuation of Pay for days missed.
 - A. With proper documentation from the examining physician and responsible administrator or designee, the injured employee, who is declared unable to return to work, will receive full salary, not to exceed ninety (90) work days.
 - B. The absence will be coded as Code 9 on the payroll report and the pay will continue as approved by the assistant superintendent of Human Resources or designee.
 - C. If the employee fails to report for their assigned regular duty when released by the treating physician, and assigned by the supervisor, or refuse light duty as recommended by the treating physician and accepted and assigned by his/her administrator, the request will be handled by the Reimbursement process. The request for board approval for the Reimbursement process must take place within forty-five (45) working days after the employee is released from the physician and returns to work.
 4. Reimbursement from State Board of Adjustment.
 - A. Code of Ala. 1975, § 41-9-60 provides that an employee may apply to the State Board of Adjustment for any expenses not covered by insurance or days of work missed exceeding ninety (90) days. The statute requires that a claim be filed within one year of the date of injury.

THE FOLLOWING PROCEDURES WILL BE USED BY THE EMPLOYEE TO CLAIM BENEFITS UNDER THE REIMBURSEMENT PROGRAM.

1. If injury requires no apparent medical treatment.
 - A. The administrator or designee will:
 - (1) Complete the Report of Injury Form (SS433);
 - (2) Provide the employee with a copy of the Report of Injury (SS433).
Should the employee seek medical care after work hours, he/she will take the copy of 'the Report of Injury (SS433) to the treatment site. The employee will notify his administrator or designee the next work day if treatment is obtained after work hours.
 - (3) Complete the Accident Report Form (SS431).
 - (4) Send Report of Injury (SS433) and Accident Report Form (SS431) to the Health Services Office via Mail Bag.
 - B. The Office Nurse will send copies of these forms to the Department of Human Resources/Employee Relations for employee's file.

2. If the injury requires medical treatment:
 - A. The administrator or designee shall:
 - (1) Fax Report of Injury (SS433) to and call the Office Nurse;
 - (2) Send the employee to the treatment site with the I.D. Card or Letter, Report of Injury (SS433) and the Physician Statement Form;
 - (3) Complete the Accident Report Form (SS431).
 - B. The Office Nurse faxes Report of Injury (SS433) and the Release of Information Form and calls the treatment site.
 - C. The injured employee goes to the treatment site and presents the Report of Injury (SS433), ID Card or Letter and the Physician Statement Form.
 - (1) Immediately after treatment, the Physician Statement Form, or other treatment form from the treatment site, must be presented to the Health Services Office Nurse in order to determine work status. The Physician Statement Form, or other treatment form from the treatment site, is faxed by the treatment site to the Office Nurse or taken by employee or designee to his/her administrator who will call or fax the report to the Office Nurse. If injuries prevent the employee or designee from complying with the above guidelines, the employee or designee must call the Office Nurse so she may obtain needed information from the treatment site.
 - D. The Office Nurse will provide copies of documentation to the Department of Human Resources/Employee Relations.
3. Reimbursement of days missed.
 - A. With proper documentation from the examining physician and responsible administrator or designee, the injured employee can file for reimbursement of days missed, not to exceed thirty (30) work days, after he/she returns to work. Proper documentation is filed by the employee with the Department of Human Resources/Employee Relations. The claim will be approved or disapproved by the Board.
 - B. No reimbursement shall be considered unless the request is made within forty-five (45) work days following the employee's return to work.
 - C. If the employee lost sick leave days for time missed due to an approved job related injury, the lost sick leave days will be reimbursed. If the employee did not have enough sick days to cover days missed due to an approved job related injury and his salary was docked, the employee's lost salary will be reimbursed. An employee can not be reimbursed salary when sick leave days were used.
4. Reimbursement from State Board of Adjustment.
 - A. Code of Ala. 1975, § 41-9-60 provides that an employee may apply to the State Board of Adjustment for any expenses not covered by insurance or days of work missed exceeding thirty (30) days. The statute requires that a claim be filed within one year of the date of injury.

**PROCEDURE:
DETERMINING JOB ABANDONMENT**

For whatever reason, employees who are away from work more than ten (10) consecutive work days must apply for approved leave.

Employees are required to report their absences daily: priority one, notify the principal or immediate supervisor; and priority two, log the absence into the Sub finder System or other approved electronic system for recording time and attendance.

An employee who is away from work because of illness for more than ten (10) consecutive work days must present a medical doctor's excuse to the principal or supervisor. In cases in which the employee has excessive absences, the principal or supervisor may require a medical doctor's excuse for each absence.

If an employee has not reported any of his/her absences or applied for approved leave at the end of ten consecutive days, the principal or supervisor must contact the employee by telephone or some other reasonable means. The means or effort to contact the employee must be fully documented with time of day, frequency of effort, and date.

If the principal or supervisor is not able to reach the employee by telephone or an alternate means, the principal or supervisor within two days after the first attempt must send a certified, return receipt letter to the employee. The letter must contain language that requires that the employee contact the principal or supervisor within three (3) days after the receipt of the letter. The principal or supervisor must forward a copy of the letter sent to the employee to the Division of Human Resources. Other documentation, such as the postal receipt, must be preserved.

Not more than twenty (20) work days after the employee's last day of work, the principal or supervisor shall notify in writing the Division of Human Resources that a potential for job abandonment exists. Human Resources will determine if all efforts of the supervisor to contact the absent employee have been exhausted, based on the thoroughness of the documentation.

Human Resources may determine that additional efforts to contact the absent employee may be necessary. Human Resources will document Human Resource's efforts in writing. Any communication that Human Resources has with the absent employee must warn of the potential for termination because of job abandonment if the employee does not return to work.

Within ten (10) days after the supervisor has notified Human Resources of the absent employee, the assistant superintendent for Human Resources may give, if necessary, to the superintendent a recommendation for termination because of job abandonment.

**PROCEDURE:
FUND BALANCE**

- The superintendent and staff will develop fiscally prudent operating budgets utilizing budget year funding allocations.
- During the normal course of business, the superintendent and staff will monitor budgets on a monthly basis to ensure that expenditures do not cause the fund balance to fall below one month's operating balance and provide documentation to the board evidencing compliance.
- Any excess revenue over expenditures balances that may occur annually will be added to the general fund balance until it reaches one month's operations, as required by Act No. 2006-196.
- In the event of pro-ration, natural disasters or emergencies, the board must approve expenditures that could potentially cause the fund balance to fall below one month's operation.

**PROCEDURE:
USE OF VEHICLES AND/OR EQUIPMENT**

1. Mobile County Public School System Vehicles are provided for the following purposes:
 - a. Transporting materials, tools or equipment used by employees in their daily job assignment.
 - b. Transporting employees whose job assignments require extensive travel within the system.
2. Driver Qualifications
 - a. Driver must hold a valid license for the operation of the type of vehicle to be driven.
 - b. Driver's experience record shall not prevent his/her insurability with the system's insurance carrier.
3. Each driver must exert every reasonable effort to assure that his/her assigned vehicle is maintained in a safe operating condition. The driver shall perform a visual daily inspection to detect need for any obvious necessary adjustments or repairs. This inspection should include, but not necessarily be limited to, tires, glass, lights, horn, windshield wipers, brakes, exhaust system, etc. Any defects noted should be reported to the employee's supervisor for corrective action.
4. In the event of an accident on the public streets involving a system vehicle, the driver should:
 - a. Render such assistance as warranted to any injured person(s)
 - b. Report the accident to appropriate law enforcement authorities dependent upon the geographic location.
 - c. Secure the name(s) of the insurance carrier of all vehicle(s) involved in the accident as well as the names and addresses of all persons involved in the accident along with those people who witnessed the incident.
 - d. Immediately report the accident to his/her respective system supervisor for information and/or assistance. However, the driver should exercise caution not to:
 1. Leave the accident scene until authorized to do so by the investigating police.
 2. Make any statements at the scene accepting responsibility for the accident.

5. No system employee shall operate a system vehicle while under the influence of alcohol, drugs, or any controlled substance. A legal conviction for the violation of this provision shall be cause for dismissal.
6. A vehicle owned by the system shall not be used by an employee for personal use nor may it be driven by a member of the employee's family.
7. The use of system credit cards shall be limited to purchases of fuel for system owned vehicles or as otherwise approved by the administrator who issued the cards.
8. The personal use of system vehicles is strictly prohibited. The misuse of system vehicles or gasoline credit cards could result in the criminal prosecution of the offending individual(s).
9. A contemporaneous log shall be maintained in each system owned vehicle. The log shall be kept on approved system log forms. Each supervisor shall be responsible for approving the logs.
10. Vehicle must use system services for normal and routine fueling purposes while operating in the system area. The responsibility for fueling a vehicle and maintaining the proper crankcase lubricating oil level is placed on the assigned driver.
11. The vehicle should be securely locked at all times in the absence of the assigned driver.
12. All vehicles must be stored overnight in system facilities unless otherwise authorized for potential emergencies which might arise during non-use hours as approved by the superintendent or his designee. Personnel who may be required to return to duty on an emergency basis, using personal transportation for the event, shall be reimbursed at the established rate per mile. The employee shall keep a log to document such travel.
13. All procedural statements concerning vehicles shall apply as applicable to equipment.
14. All system owned vehicles will be marked with the system emblem and vehicle identification number. Exception to the rule must be made in writing by the superintendent.
15. The Fixed Assets Department will notify the Local School Accounting Office of changes in vehicle status. The Local School Accounting Department will place and maintain proper insurance coverage on each system vehicle during the period of system ownership.

In the event of an accident involving the vehicle, the department head will submit to the Local School Accounting Department a Vehicle Accident Report within 24 hours of the accident. The Local School Accounting Department will file the necessary reports (claims) with the insurance carrier.

**PROCEDURE:
AGRICULTURAL LEASES**

Facilities shall conduct a survey of all school board lands leased for grazing, pasture, farming, nursery, hunting, and for all purposes to make certain that such lands have been properly categorized and assessed for such purposes. The conduct of such survey shall be carried out under the supervision and direction of the Facilities manager with the Chairman of Facilities and Lands Committee serving in an advisory and liaison capacity between the personnel directly responsible for the conduct of such survey and the board and superintendent.

Soil test borings shall be conducted when the same is considered necessary by the Facilities manager to determine the type soil and the best and highest income-producing purpose for which the parcel or section of property is best suited.

The services and assistance of the Mobile County Soil Conservation Office, the County Farm Agent, and the State Conservation Department shall be sought in carrying out the responsibilities and duties outline above if such action is considered necessary by the persons responsible for carrying out the duties and assignments mentioned herein.

All farming, woodland grazing, and improved pasture leases shall have initial terms of one to five years. All such leases shall run for consecutive one year periods from January 1 of each year to December 31 of the same year, with all rents due January 1 of each year and delinquent after January 10 of the same year.

All delinquencies shall be reported to the board in their first regularly held meeting following January 10 of each year.

All of the general policies (NAD) herein which hold implication for agricultural leases are incorporated herein by reference and are applicable and binding on the holders of and all agricultural leases granted under this policy.

The board shall continue to use the same agricultural lease forms which are presently in use until such time a change is recommended by the superintendent to the board and approved in official board meeting.

All persons desiring to lease farming or improved pasture land must meet the minimum standards required to qualify for U. S. Department of Agriculture, A.S.C.S., and S.C.S. Assistance Programs.

**PROCEDURE:
HUNTING LEASES**

Hunting leases shall only be consummated with responsible, corporate clubs, corporate groups, and lastly with responsible, bona fide resident citizens of Mobile County who own real property within the City and/or County of Mobile in their own individual right.

Hunting leases shall run for consecutive one to five year periods from June 1 of each year to May 31 of the succeeding year with all rents due June 1 and delinquent after June 10 of the same year. All delinquencies will be reported to the Board in their first meeting following June 10 of each year.

Persons, clubs, and groups residing in the vicinity of school lands available for lease and persons holding agricultural leases or other leases on school lands shall be given first consideration for hunting leases on school lands.

Violation, by the lessee, of Federal, State and Local game laws shall be sufficient grounds for lease cancellation.

All of the General Policies (NAD) herein which hold implication for hunting leases are incorporated herein by reference and are applicable and binding on the holders of and all hunting leases granted under this policy.

**PROCEDURE:
NAMING OF SCHOOL PROPERTIES**

The following steps must be followed in requesting that a school, building or facility be named or renamed in accordance with policy 8.30:

1. Contact the board member for the district where the school is located and advise him of the request to name or rename a school, building or facility.
2. Contact persons and organizations whose collective memberships reflect a fair cross-representation of the community where the school is located. This may be teachers, alumni, churches and other organizations or governing bodies such as city or town councils.
3. Obtain from the representative persons or organizations, written evidence of their support of the proposed naming or renaming. This evidence may be in the form of a resolution, a letter on the organization's letterhead by persons authorized to sign on behalf of the organization, or signed petitions.
4. Present the evidence of support to the representative board member. Upon the satisfactory completion of the first three (3) items, the representative district board member may place the item on the Board's Action Agenda for consideration by the board along with all pertinent documents.

REFERENCES

REFERENCES

CODE OF ALABAMA

The *Code of Alabama* can be accessed online at the following website.

<http://www.legislature.state.al.us/CodeofAlabama/1975/coatoc.htm>

ALABAMA ADMINISTRATIVE CODE

The *Alabama Administrative Code* can be accessed online at the following website.

<http://www.alabamaadministrativecode.state.al.us/>

U. S. CODE

The *U. S. Code* can be accessed online at the following websites:

US Code

<http://www.gpoaccess.gov/uscode/browse.html>

Code of Federal Regulations

<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>