

MAEF Public Charter Schools, Inc.

POLICY MANUAL



Adopted August 25, 2020
Dr. Marlon Firle, Superintendent

**ACCEL DAY AND EVENING ACADEMY POLICY MANUAL
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CHAPTER 1.0 – PHILOSOPHY

1.10 SCHOOL MISSION AND GUIDING PRINCIPLES

ACCEL Day and Evening Academy is the only public school in our area that focuses on serving uniquely vulnerable populations – those who are disinterested in the traditional learning environment, those who are disconnected from the learning environment, and those who are over-aged, under-credited, or have already dropped out of school. Our goal is to re-engage and inspire youth to unlock their academic potential by connecting to students’ gifts and passions through personalized learning pathways that build students’ social and emotional well-being, academic skills, and professional mindsets, so they are prepared for college, careers, and civic life.

1.11 SCHOOL LEGAL STATUS

ACCEL Day and Evening Academy was created by approval of the Alabama Public Charter School Commission in October 2016 and is operated and administered in accordance with its charter contract, applicable federal and state laws, applicable Alabama State Board of Education regulations, and policies approved by the Board of Directors of MAEF Public Charter Schools, Inc. (the “board”).

1.15 COMMUNITY INVOLVEMENT IN DECISION MAKING

The school encourages community participation in establishing its goals and initiatives. The parents and students of ACCEL Day and Evening Academy are encouraged to express ideas, concerns, and judgments about the schools to the school administration, the staff, to advisory committees, and the board.

CHAPTER 2.0 – BOARD GOVERNANCE AND ORGANIZATION

2.10 SCOPE OF THE SCHOOL

ACCEL Day and Evening Academy is governed by the Board of Directors of MAEF Public Charter Schools, Inc. (the “board”). The board has final authority and responsibility for the academic, financial, and organizational performance of ACCEL pursuant to the provisions and minimum standards prescribed by Alabama statutes and ACCEL’s charter contract.

2.11 QUALIFICATIONS AND TERMS OF BOARD MEMBERS

Many desirable characteristics are needed to be a Director on the Board for MAEF Public Charter Schools, Inc., such as a willingness to give time and effort; a belief in the spirit and need for public education; the ability to motivate other people; the capacity to understand people; the insight which is needed to work as a part of a cooperative body; and a devotion to the concept of a better society through education.

Qualifications and rules for being a Director are governed by ACCEL’s charter contract and board’s bylaws, which are both available upon request. The number of Directors shall be fixed from time-to-time by the Directors but shall consist of not less than five (5) nor more than fifteen (15) Directors, including the Chief Executive Officer (“CEO”), who shall serve as an ex officio Director but without right to vote. At least twenty percent (20%) of the Directors shall be parents of students attending the Schools. Directors shall be appointed by the Mobile Area Education Foundation (“MAEF”) prior to the annual meeting of the Corporation. Subject to Section 2 below, Each Director shall be appointed for a three-year term. Each Director shall be eligible to serve as a Director for up to two (2) consecutive terms of office. Thereafter, such Director must cease to serve for at least one year before being eligible for appointment to the Board of Directors.

The initial ten (10) Directors were seated in June of 2017 and served two (2) years through June of 2019. To establish staggered terms, the initial Directors have been split into three (3) classes (Class A, Class B, and Class C) with staggered terms, which each class as nearly equal in number as possible. The initial Class A Directors shall serve through June of 2020, the initial Class B Directors shall serve through 2021 and the initial Class C Directors shall serve through 2022. When the number of Directors is changed, any increase or decrease in the number of Directors shall be apportioned among the classes so as to make all classes as nearly equal as possible.

Directors shall be nominated by a nominating committee of the Corporation, which shall then be referred to the full board of MAEF for final consideration and approval. No member of a local school board shall serve on the Board, if the charter school organized by the Corporation is located in that member's district. At any time fewer than twenty percent (20%) of the Directors may also serve simultaneously on the Board of Directors for MAEF. Vacancies in the Board, including vacancies resulting from an increase in the number of directors, shall be filled by MAEF, and each person so elected shall be a director to serve for the balance of the unexpired term.

2.12 BOARD MEMBER ORIENTATION AND TRAINING

Board members will pursue ongoing training, when available, to develop and enhance their knowledge and effectiveness as board members and to improve board governance and operations.

2.13 REMOVAL OF BOARD MEMBERS

The Board may, by affirmative vote of a majority of the directors in office, remove from office the Chairman, Vice Chairman, the Secretary, the Treasurer or any other officer or agent of the Corporation whenever, in its judgment, the best interest of the Corporation will be served thereby, with or without cause, without prejudice to the contract rights, if any, of the individuals so being removed. Any officer may be removed for cause only after reasonable notice and opportunity to be heard.

2.19 BOARD CODE OF CONDUCT

The Board desires to operate with the highest standards of stewardship and principles of public service possible and to that end the board adopts this Board Code of Conduct.

Conduct of Individuals

- Attends and participates in regularly scheduled and called board meetings.
- Reads and prepares in advance to discuss issues to be considered on the board agenda.
- Recognizes that the authority of the board rests only with the board as a whole and not with individual board members.
- Upholds and enforces applicable laws, rules and regulations of the board, the school's charter contract, rules and regulations of the Alabama Public Charter School Commission, and court orders pertaining specifically to the school.
- Renders all decisions based on available facts by exercising independent judgment instead of the opinion of individuals or special interest groups.
- Works with other board members and the Superintendent to establish effective policies to further the educational goals of the school.
- Makes decisions on policy matters only after full consideration at public board meetings.
- Communicates in a respectful, professional manner with and about fellow board members and the Superintendent.
- Takes no action that will compromise the board or school administration.
- Refrains from using the position of school board member for personal or partisan gain or to benefit any person or entity over the interests of the school.
- Informs the Superintendent and fellow board members of business relationships or family members or close associates or private interests.
- Abstains from voting on or seeking to influence personnel or other actions involving family members or close associates or private interests.
- Communicates to the board and the Superintendent public reaction to board policies and school programs.
- Advocates for the needs, resources, and interests of the school's students and the school.
- Safeguards the confidentiality of nonpublic information.
- Shows respect and courtesy to staff members.

Conduct of Individuals at Board Meetings

- Work with other board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during the discussion and resolution of issues at board meetings.
- Take actions that reflect that the first and foremost concern is for the educational welfare of all students attending the school.

- Make decisions in accordance with the interests of the school as a whole based on school finances available to accomplish education goals.
- Abide by and support all majority decisions of the board.
- Act on personnel recommendations of the Superintendent in a timely manner, particularly when there are financial implications of such decisions.
- Approve operating budgets and budget amendments that are aligned with school goals and objectives and are fiscally responsible.
- Honor and protect the confidentiality of all discussions during executive session of the board.

Conduct of the Board as a Whole

- Recognize that the Superintendent serves as the chief executive officer and secretary to the board and should be present at all meetings of the board except when his or her contract, salary or performance is under consideration.
- Honor the Superintendent's authority for the day-to-day administration of the school.
- In concert with the Superintendent, regularly and systematically communicate board actions and decisions to students, staff, and the community.
- Review and evaluate the effectiveness of policies and programs to improve school performance.
- Develop, in concert with the Superintendent, the vision and goals for the school to address student needs, advance student performance, and monitor the implementation of policies and programs.
- Provide opportunities for all members to express opinions prior to board action.

2.20 BOARD RESPONSIBILITIES AND DUTIES

The Board is a non-profit 501(c)(3) tax-exempt corporation that is responsible for policy and operational decisions of the school, and, consistent with the school's charter contract, it shall be the employer of school employees. Nothing shall prevent the Board from delegating decision-making authority for policy and operational decisions to officers, employees, and agents of the school.

2.21 ORGANIZATION AND OFFICERS OF THE BOARD

The officers of the Board shall be a Chairman, one or more Vice Chairmen, a Treasurer, and a Secretary and such other officers as the Board may, in its discretion, elect or appoint. The Board may also have such agents, if any, as the Board may, in its discretion, appoint. So far as is permitted by law, any two or more offices may be held by the same person, but an officer shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or the Articles of Incorporation or these Bylaws to be executed, acknowledged, or verified by two or more officers. The Chairman, Vice Chairman, Treasurer, and the Secretary shall be elected by the Board at its annual meeting, by vote of a majority of the full Board for a term not exceeding one (1) year. Such other offices of the Corporation as may be created in accordance with these Bylaws may be filled at such meeting by vote of a majority of the full Board, or at any other time, by vote of a majority of the directors then in office.

Each officer shall hold office until the next annual meeting of the Board or until his or her successor has been selected and qualified or until his or her earlier death, resignation or removal. Any officer may resign at any time upon written notice to the Board. A resignation is effective when the notice is delivered unless the notice specifies a future effective date. If a resignation is made effective at a future date and the Board

accepts the future effective date, the Board may fill the pending vacancy before the effective date if the Board provides that the successor does not take office until the effective date. The Board shall have power to fill any vacancies in any office occurring for whatever reason and may remove any officer at any time with or without cause. Any officer, agent, or employee may be removed by the Board when in its judgment the best interests of the Board will be served thereby, but such removal shall be without prejudice to the contract rights of any person so removed.

The Chairman shall preside at meetings of the Board of Directors and perform such other duties incident to the office of chairman, including the general supervision of the CEO in carrying on the business and affairs of the Corporation. The Chairman shall sign with the Secretary or any other proper officer of the Corporation, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these bylaws to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed. The Chairman shall also perform such other duties as directed by the Board of Directors.

The Vice Chairman or Vice Chairmen shall perform such duties as may be assigned to him, her or them by the Chairman or Board of Directors. In the absence of the Chairman, or in the event of his death, inability or refusal to act, the Board of Directors shall designate which Vice Chairman or other person shall perform the duties of the Chairman. When acting in this capacity, such Vice Chairman or other person shall have all the powers of and be subject to all the restrictions upon the Chairman.

Further descriptions of officer duties may be found in the MAEF Public Charter Schools, Inc. bylaws.

2.22 BOARD MEETINGS

All Board meetings shall be open to the public, and all informal meetings and conferences involving board members shall be conducted as public meetings unless specifically exempted by Alabama Statutes. The Board may take no official action at any time other than at an open meeting.

Regular, special, and emergency meetings of the Board shall be held on the school's campus, unless changed in the manner prescribed herein. Regular meetings are scheduled on the last Tuesday of each month at 8:30 a.m. in the school's cafeteria unless another place is designated in the call of the meeting. Any regular or special meeting may be held at any other appropriate public place within Mobile County by giving prior public notice. There shall be at least 6 regular meetings per year.

The regular meeting date may be changed by Board action at the organizational meeting held in June, at any previous meeting, or at the direction of the Superintendent and/or Chairman, provided that each member is notified. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.

Special meetings of the Board may be held at any time and at any place when called by one or more Directors, upon reasonable notice, stating the time, place and purpose of said meeting, given to each Director. Notice to a Director of any meeting shall be deemed to be sufficient if given personally, by first-class mail or electronic mail not less than two (2) days prior to such meeting. Attendance of a Director at a meeting constitutes a waiver of notice of the meeting, except where a Director attends a meeting for the

express purpose of objecting, at the beginning of the meeting, to the transaction of any business because the meeting was not lawfully called or convened.

Emergency meetings may be held at any time by the Superintendent, either upon his/her initiative or upon the Chairman's request. An emergency meeting may be called, and the public shall be notified. Board members shall be given a tentative agenda during the notification.

Board members shall receive notice of each regularly scheduled board meeting, including an unapproved agenda, in accordance with open meetings laws and board bylaws. The Superintendent shall, whenever possible, notify or cause to be notified, all board members at least twenty-four (24) hours prior to special meetings.

All ACCEL Day and Evening Academy meetings shall be conducted in accordance with the latest edition of Roberts' Standard Rules of Order. A quorum of the Board consists of a majority of the Directors in office immediately before a meeting begins. If a quorum is present when a vote is taken, the affirmative vote of a majority of Directors present is the act of the Board unless applicable law, the Articles or the Board's Bylaws require the vote of a greater number of directors.

Order of Business: The Board shall generally adhere to the following order of business when conducting regular meetings:

- Call to order, welcome of visitors
- Establish quorum
- Additions or corrections to written agenda
- Approval of agenda items
- Approval of minutes
- School Leader's reports
- Consideration of specific agenda items
- Adjourn

Participation Procedure: All citizens are encouraged to attend open meetings of the ACCEL Day and Evening Academy.

Addressing the Board: Delegates desiring to address the Board may be permitted to address the Board at all regular board meetings according to established procedures. No delegations shall be permitted during special meetings, unless the board votes to suspend the rules to allow them. The delegate shall be allowed a maximum of five (5) uninterrupted minutes to make his/her presentation. The delegate shall present his/her views, concerns, suggestions and recommendations in an objective manner, free of profanity and obscenity. One (1) person at a time is allowed to speak at the podium. If more than one person/group wants to speak on the same issue, one person should be designated to speak at the podium. The character, reputation, or good name of an individual shall not be discussed in an open board meeting. (See Policy 9.90 Public Comments.)

Resolution Factors: All members of the ACCEL school community are urged first to seek resolution with school employees directly involved and/or school administrators before requesting to be on the board agenda. If a concern or concerns stated are not specific or resolution has not been attempted, the resident seeking resolution shall be referred back to school personnel before the board can take action. To facilitate

resolution, delegations are encouraged to meet with the Superintendent to outline problems. The Board may determine that they do not have the means or authority to legislate or attempt resolution for a given concern and may vote to dismiss a given item as a valid Board business item.

Quorum: A majority shall constitute a quorum for any Board meeting. Unless a majority is present, no meeting can be convened. There shall be no representation by proxy of any Board member.

Minutes: The official minutes of the Board shall be kept as prescribed by ACCEL’s charter contract and Alabama statutes. The minutes shall be kept in a safe place by the Superintendent and shall be made available as prescribed by ACCEL’s charter contract and law.

Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the name of the person who seconds the motion; and the vote or action thereon must be recorded. Other relevant information as determined by the Superintendent may be recorded.

Executive Session: The ACCEL Day and Evening Academy may vote in a legally called meeting and, upon approval of the majority of the whole board, may hold executive sessions for specific purposes. Such purposes shall be limited to those involving the character or good name of a person or pending litigation in which the board is a party. Executive sessions shall be attended only by members of the Board, the Superintendent, counsel if necessary, and persons necessary to ensure due process for the individual discussion. All matters discussed by the Board in executive session shall be regarded as confidential by all persons in attendance and shall not be divulged to the public. No minutes shall be kept of executive session discussions. Nothing having the effect of regulation, policy or official action of any kind shall be decided in executive session.

Notification of Meetings: Public notice shall include the time, date, and place of ACCEL Day and Evening Academy meetings. Persons wishing to receive individual notice by email must notify the Superintendent in writing of their request. Persons requesting such notice shall be responsible for having a valid email address and are responsible for informing the Superintendent of any changes of address. The board is not responsible for email that is not deliverable for whatever reason. The Superintendent may remove any address for which email is undeliverable via the Internet. The Superintendent shall establish a notification system for members of the public.

Reference(s): Alabama Legislative Acts 91-161, 93-536, and 2005-40 (Alabama Open Meetings Act)

2.23 POLICY ADOPTION, DISSEMINATION AND SUSPENSION

Policy Adoption: The Superintendent of ACCEL, with Board approval, shall formulate policies by which its schools shall be managed.

No ACCEL Day and Evening Academy policy shall be construed to create or confer any contractual right, property right, entitlement of, expectancy of, or other legal cognizable interest in employment or continuing employment. Nothing in any policy shall be construed to create or grant employment rights greater than or in addition to those expressed in law or written contract.

As a charter school, ACCEL has no duty to consult with the local employees’ professional organization whose parent organization represents the majority of school employees statewide. If the Superintendent

chooses to accept input from the applicable professional organization on any occasion, it shall not constitute a continual waiver of this right. All policies shall be made available to all persons affected and employed by the ACCEL Day and Evening Academy and, on occasions, to the public pursuant to open records laws.

Policy Dissemination: Board policies and administrative rules and regulations shall also be made accessible to all members of the ACCEL Day and Evening Academy, students and members of the community served by the school. Board policies shall be available to employees, parents, students, and the public on the school website.

Policy Suspension: All policies established at any time by the Board are implemented with the expectation that they will apply under routine circumstances. No policy is intended to restrict the Board's general authority to exercise all powers necessary and proper for the administration and management of the school. Therefore, whenever in the Board's opinion it would be in the best interest of the school to suspend one or more policies, the Board may acknowledge that fact, suspend the application of the policies, and take whatever action it deems appropriate. Any such action taken by the Board under this policy shall not be a violation of any suspended policy, provided the minutes of the Board reflect the Board's determination that the best interest of the school justified the suspension of the policy.

Administration in the Absence of Policy: The Board authorizes the Superintendent to take reasonable and prudent action when the Board has provided no guidelines for administrative action. The Superintendent shall have the power to act unless the power to take such action is invested solely in the Board by law.

2.24 BOARD MEMBER COMPENSATION

The Directors shall serve without compensation for their services as such; provided that the directors may be reimbursed for their reasonable expenses.

2.25 SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY

ACCEL Day and Evening Academy shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to its charter contract and rubrics set by the charter commission.

2.26 SPECIAL COMMITTEES OF THE BOARD

The Board may, by resolution adopted by a majority of the Directors in office, establish one or more committees of the Board as are deemed desirable, including an executive committee, nominating committee and/or one or more other committees. The Board may from time to time designate or alter, within the limits permitted by this Section 9, the duties and powers of such committees or change their membership, and it may at any time abolish such committees or any of them. Any committee shall be vested with such powers of the Board as the Board may determine in the vote establishing such committee or in a subsequent vote of a majority of directors then in office. Each member of a committee shall hold office until the next annual meeting of the Board (or until such other time as the Board may determine, either in the vote establishing the committee or at the election of such committee member) and until his or her successor is elected and qualified, or until he or she sooner dies, resigns, is removed, or is replaced by change of membership, or until the committee is sooner abolished by the Board. Committees shall comply with open meetings laws as applicable.

2.30 LEGAL COUNSEL

The ACCEL Day and Evening Academy attorney, obtained from outside the board's membership, shall act as legal advisor to the Board and the Superintendent. When approved by the Board, special counsel may be retained to assist in any litigation or other matter.

2.31 BOARD AND SUPERINTENDENT RELATIONS

The operation of a public charter school is a complex undertaking. Important to success is the quality of relationship that exists between the board and the Superintendent and his/her staff. In some cases, the duties and prerogatives of each can be clearly defined; while in others, functions necessarily overlap.

The Board may appoint and employ a CEO (Superintendent or some other title) who shall serve at the will of the Board. The CEO shall administer the directives of the Board and shall have such other power and authority as may from time to time be granted to him/her by the Board. The CEO shall be a Director Ex-Officio, and shall be entitled to attend all regular meetings of the Board and its annual meeting, except executive sessions (unless invited), to report to the Board and to participate in deliberations, but shall not be counted in determining the number of directors authorized, nor be counted in a quorum nor be entitled to vote.

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3.10 ADMINISTRATIVE ORGANIZATION

The Superintendent shall prepare and submit for Board approval an organizational chart that shall serve as a guideline for organizing administrative responsibilities within ACCEL Day and Evening Academy. A current organizational chart shall be published and disseminated upon adoption by the Board.

3.12 CALENDAR, LENGTH OF SCHOOL DAY AND SCHOOL YEAR

The Board shall approve a school calendar as prepared by the Superintendent to be released to the school prescribing or announcing the opening and closing dates of the school, legal holidays, reporting periods, and due dates of official reports. The annual school calendar for the upcoming school year should be announced from the Superintendent's office prior to the April board meeting.

The length of the school day and of the school year for students will be in keeping with the intent of State laws and applicable Alabama State Board of Education rules and regulations.

The board has discretionary power to establish holidays to be observed during the school year with the exception of certain state and federally mandated holidays. The board shall extend the school year when necessary to meet the minimum requirements set regarding the number of days that school shall be in session if applicable.

3.13 SUPERINTENDENT SELECTION

The Board may appoint the Superintendent as provided its bylaws. As of August 2020, The Board may appoint and employ a CEO (Superintendent or some other title) who shall serve at the will of the Board. The CEO shall administer the directives of the Board and shall have such other power and authority as may from time to time be granted to him/her by the Board. The CEO shall be a Director Ex-Officio, and shall be entitled to attend all regular meetings of the Board and its annual meeting, except executive sessions (unless invited), to report to the Board and to participate in deliberations, but shall not be counted in determining the number of directors authorized, nor be counted in a quorum nor be entitled to vote.

3.20 QUALIFICATIONS OF THE SUPERINTENDENT

The preferred qualifications for the Superintendent of the ACCEL Day and Evening Academy shall be as follows:

- Hold a degree from an accredited four-year college or university;
- Preferably experience as a teacher, principal, supervisor or superintendent;
- Prior years administrative experience, preferably a broad range of charter school experience;
- Demonstrated ability in group dynamics and in working with people who have varying backgrounds and interests;
- Ability to view all aspects of issues and deal fairly when views differ from his/her own;
- Demonstrated knowledge of school finance;
- Demonstrated knowledge of educational research and methods of research;
- Ability to delegate authority;

- Preferably hold an Alabama certificate in administration and supervision;
- Possess good character, high moral standing and integrity; and,
- Any other qualifications that the Board deems necessary and proper

3.21 CONTRACT OF THE SUPERINTENDENT

The Board shall contract with the duly selected Superintendent, subject to such conditions and limitations as are prescribed by the Board's bylaws or by the school's charter contract.

The Board shall determine the salary, additional benefits, vacation entitlement and other leave of the Superintendent. Additional considerations, benefits, and privileges may be negotiated by the Board and Superintendent.

The Superintendent may also be provided, as determined by the board, with an annual travel allowance.

3.22 RESPONSIBILITIES OF THE SUPERINTENDENT

The Superintendent shall be responsible for the administration of the entire school as provided in his or her contract and ACCEL Day and Evening Academy policies. The Superintendent shall keep the Board informed regarding all facets of the school.

The Superintendent serves as the secretary and executive officer of the ACCEL Day and Evening Academy. He/she shall be responsible for keeping such minutes and records as may be necessary to set forth clearly all actions and proceedings of the Board. The Superintendent shall inform ACCEL Day and Evening Academy employees of any Board action relating to them.

All members of the instructional and non-instructional staff shall be under the general supervision of and subject to the direction of the Superintendent.

The Superintendent shall have the authority to issue directives and to prescribe such procedures as may be necessary to carry out the purpose of ACCEL Day and Evening Academy policy.

3.24 OPENING AND CLOSING OF SCHOOL

The time set for the opening and closing of ACCEL Day and Evening Academy are thirty (30) minutes prior to the time students are to report to homeroom/first class and thirty (30) minutes after the last class period each day. Between these times and throughout the school day, school personnel will be on duty and available to supervise care for students. However, school personnel should not and are not expected to assume responsibility for students whose parents permit their child(ren) to arrive at school before the time noted above and/or to remain at school after the time noted above.

3.25 EMERGENCY CLOSINGS

In case of emergency, the Superintendent may close school. The members of the Board shall be informed of any event or condition that requires the closing of school.

In the event of a declared state of emergency, school personnel shall retain control of pupils until they are released from school or, in the case of transported pupils, until the students depart from the school bus. School administrators in will take necessary precautions to ensure the safety and well-being of students.

The Superintendent shall establish and disseminate procedures to be followed in emergency school closings that include means of notifying students, parents, and employees.

The school officials shall cooperate with emergency management authorities in the event of a natural or man-made disaster. In the event of a violent act, riot, or similar condition, the principal shall cooperate with law enforcement.

3.26 CARE OF STUDENTS BEFORE AND AFTER SCHOOL

Parents/guardians are expected to take responsibility for seeing that their child arrives before the beginning of school and is picked up after the end of school within the time frames stated in Policy 3.24 Opening and Closing of School. If for any reason parents are not able to comply with the times noted, a conference should be scheduled with the principal to discuss the matter.

Students Not Picked Up Promptly After School: Due to the necessity of having to supervise students closely and the fact that teachers and other school personnel have many responsibilities after the regular school day, parents/guardians must assume the responsibility for picking up their child(ren) promptly after the school day ends. In situations where parents do not abide by the school dismissal schedule and fail to pick up their child(ren) within the specified time frame, approved procedures will be used to ensure compliance.

Before and After-School Supervision Plan: The school principal is directed to develop a plan for supervising students who arrive prior to the time set for the opening of school and for students who remain after the time set for the closing of school. Such plan should incorporate minimal requirements and be submitted to the Superintendent annually.

Notification: The principal is directed to give notice to the parents/guardians of all students of the content and intent of this policy. The notification shall be given in written form (newsletters, student handbooks, newspaper articles, etc.) at the beginning of each school year.

3.30 RESPONSIBILITIES OF PRINCIPAL

The principal, or Dean of Students, is assigned essential responsibilities for the school and serves as the administrative and supervisory assistant to the Superintendent on campus. The principal is responsible for the enforcing of ACCEL Day and Evening Academy policies, code of conduct, and directives of the Superintendent. The principal shall carry out all duties as reflected in the board-adopted job description.

3.40 SAFE AND SECURE SCHOOLS

ACCEL Day and Evening Academy has as its first obligation to provide a safe, secure, and orderly learning environment at its campus and at all school-sponsored activities.

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An orderly environment can only be achieved by developing procedures to control students, personnel, and other persons on school property and attending ACCEL Day and Evening Academy or school-sponsored events or activities. All procedures shall reflect the following provisions:

- No persons other than ACCEL Day and Evening Academy students and employees shall be on a school campus during school hours unless they have been approved by the front office.
- A student who is suspended or expelled is not in good standing and is not permitted on a school campus or school grounds unless invited by the Superintendent.
- Any person on a school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. The principal shall keep a written record of such incidents that shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify a building administrator.
- Individuals who enter ACCEL Day and Evening Academy property, a ACCEL Day and Evening Academy meeting, or attend a school-sponsored activity without a legitimate reason and create a disturbance or refuse to leave the property or activity when asked by the Board Chairman, Superintendent or designee, principal or person in charge are subject to criminal penalty as provided in Alabama statutes. The person in charge shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school property or activity and take appropriate actions to have the offender punished as prescribed by law. The Superintendent shall be notified of any such action at ACCEL Day and Evening Academy or school activities.

Emergency Preparedness Plans: The Board directs the Superintendent to develop a safety program for the school that meets the standards set forth by the Alabama State Department of Education.

The Superintendent shall establish a uniform format for the development of the schools' emergency management and preparedness plans. The school shall develop and maintain an up-to-date plan based upon the uniform guidelines and including the applicable provisions of Alabama law, applicable State Board of Education rules, and other applicable regulations. The school safety plan shall include provisions for training of school personnel and procedures for monitoring the school's procedures for preventing, managing, reporting and addressing issues of disruptive and/or dangerous student behavior in accordance with applicable rules and regulations.

School alarms shall be monitored, and malfunctions shall be reported for immediate repair.

Emergency evacuation drills (fire, bomb threat, terrorist, tornado, other disaster, and school bus-if applicable) shall be held in compliance with legal requirements. (See Policy 3.41 Emergency Drills.)

School Safety Communication and Emergency Media Plan: The primary objective for effective media use by the school is to inform the school's community of all relevant information in the event of a school emergency. The ACCEL Media Communications Plan for emergency situations includes the following guidelines:

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- The designated communications coordinator and/or the Superintendent shall communicate with the media. All media requests shall be directed through these individuals. The Superintendent shall serve as the spokesperson for the school.
- The Superintendent shall assign a location for the media that is convenient for them and that meets the requirements of the media and school.
- Students shall not be interviewed without parent approval. When requests for student interviews are granted, the interview will be completed with minimum loss of instructional time, minimum disruption of the learning environment, and upon approval of the Superintendent.
- Teachers and/or other employees may agree to be interviewed by the media when the interview will not interrupt the performance of the employee's responsibilities. Such interviews shall be only be allowed with approval of the Superintendent.

Violence Prevention: Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to designated personnel of ACCEL Day and Evening Academy. Professional development shall include training appropriate school personnel in positive behavioral support and management of disruptive or dangerous student behavior in order to limit and reduce the use of seclusion and restraint to protect students. (See Policy 5.30.2 Physical Restraint and Seclusion and Policy 3.46 Prohibition of Violence and Threats of Violence.)

Security: The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions. The principal shall conduct an annual review of each school's security provisions and submit a written report to the Superintendent.

The school's emergency plan shall include security provisions including emergency lockdown procedures.

All doors and exits shall remain unlocked from the interior during school hours and shall meet the required codes.

The Superintendent shall require that all state statutes regarding safety, security and discipline be carried out.

3.41 EMERGENCY DRILLS

ACCEL Day and Evening Academy requires that at least one (1) emergency drill be held during each month school is in session, including summer school session(s). Emergency drills include fire drills, severe weather drills, and lock down drills as described in the school safety plans. The principal or designee is responsible for:

- Developing and posting emergency evacuation routes and procedures;
- Assigning and training staff members in specific responsibilities to ensure prompt, safe and orderly evacuation and re-entry; and,
- Identifying and reporting hazardous areas requiring corrective measures.

A fire drill shall require complete evacuation of the building. A lockdown drill for safety and security emergencies is to be scheduled during the first six weeks of each semester. Additional lockdown drills, fire drills, and weather drills may be scheduled at any time to complete the requirement of one (1) drill per month.

Training for faculty and staff on procedures for all emergency drills as well as information in the school safety plan shall be conducted at least annually.

The principal shall report the dates of annual safety training as well as dates of all safety drills in the manner prescribed by the State Department of Education and the Superintendent. Failure of a principal to conduct and report safety drills and training according to prescribed rules shall result in appropriate disciplinary action.

3.42 PROHIBITION OF ALCOHOL AND ILLEGAL DRUGS AT SCHOOL ACTIVITIES

ACCEL Day and Evening Academy places the highest priority on the elimination of substance abuse in the schools and in the community. The use, possession, or transmitting of illicit substances in the schools will not be tolerated and will be met with firm and consistent disciplinary measures.

ACCEL Academy is also committed to a humanitarian, constructive, and supportive approach to all students who exhibit drug abuse problems and to the families of such students. Assistance to students and their families shall include referral to appropriate outside agencies as well as support from school system professional staff.

Prohibited Substances

Students enrolled at ACCEL Academy are prohibited from possessing, using, selling, transmitting, intending to transmit, or being under the influence of any of the following:

1. Drugs (stimulants, depressants, hallucinogens, inhalants, opiates) including, but not limited to, narcotic drugs, amphetamines, barbiturates, marijuana, cocaine, or any contraband or controlled substance or prohibited drug;
2. Alcoholic beverages or intoxicants of any kind;
3. Prescriptive medicine or drugs with or without medical cause or medical permission. In some specific cases, students may be allowed exceptions to the prohibition of prescription medicine at school but only with the specific written permission of school officials.

Parental permission to have or use substances prohibited by this policy, including alcohol or prohibited substances, does not exempt a student from this policy.

It shall be the policy of ACCEL Academy that the school principal or authorized official of the school shall automatically suspend any student possessing, using, transmitting, or intending to transmit, or being under the influence of prohibited substances as described in this policy in the following circumstances:

1. On or near school grounds or property;

2. On a school bus traveling to or from school or at any school activity, function or event, or on any other school-sanctioned and authorized vehicle for transportation;
3. At any school function or school-sanctioned function, wherever held, during or after regular school hours.

Persons in violation of this policy are subject to disciplinary actions as described in the School Handbook/Code of Conduct.

3.43 PROHIBITION OF SEXUAL HARASSMENT/TITLE IX POLICY

ACCEL prohibits all forms of sexual misconduct in its community. “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal Financial assistance.” 20 U.S.C. Section 1681(a). This Policy is to be utilized as a grievance procedure in the event a complaint is made by any person alleging sexual misconduct has taken place during an ACCEL education program or activity.

Definitions

The following definitions apply for the purpose of this policy:

Sexual harassment is defined as conduct on the basis of sex that meets one or more of the following:

- (1) An employee of ACCEL conditioning the provision of an aid, benefit or service of ACCEL on an individual’s participation in unwelcome sexual conduct (quid pro quo sexual harassment);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution’s education program or activity; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

Formal Complaint is a document or electronic submission filed by a complainant or signed by a Title IX Coordinator, alleging sexual harassment, against a respondent, and requesting that the recipient investigate the allegation of sexual harassment.

Complainant is any individual who is alleged to be the victim of sexual harassment.

Respondent is any individual who is reported to be the perpetrator of sexual harassment.

Actual Knowledge is notice of sexual harassment or allegations of sexual harassment to a recipient’s Title IX Coordinator or any official of the recipient who has authority to institute corrective measures on behalf of the recipient, or to any employee of an elementary or secondary school.

Supportive Measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Education program or activity includes any location, event or circumstance over which ACCEL exhibits substantial control over both the alleged harasser and the context in which the harassment occurred.

Responsibility of Title IX Coordinator under this Policy

The Title IX Coordinator for ACCEL is Ms. Cherish Franklin and the Title IX Investigator is Michelle Parson. The Title IX Coordinator manages the process with investigative and decision-making authority allocated to others. The Title IX Coordinator is required to promptly contact the complainant confidentially (even if a formal complaint has not been filed) to:

- a. Discuss the availability of supportive measures, which may include counseling, course modifications, schedule changes, increased monitoring or supervision, etc.
- b. Consider the complainant's wishes regarding supportive measures.
- c. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint.
- d. Explain the process for filing a formal complaint. See the section below regarding Coverage and Complaint Process.

The supportive measures mentioned above should be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party involved. They are non-disciplinary, non-punitive and individualized.

Reporting

Any person may report sex discrimination or sexual harassment regardless of whether the person is the alleged victim. Reporting may be accomplished by mail, telephone or email to the Title IX Coordinator, or by any means that results in receipt by the Title IX Coordinator. It is ACCEL's duty to respond promptly to a sexual harassment complaint in a manner that is not deliberately indifferent. Any employee who learns of situations involving student sexual harassment, sexual violence, or sexual discrimination has an obligation to report those circumstances to the Title IX Coordinator. Any employee who learns of situations involving allegations of sexual discrimination or harassment involving students must promptly report such allegations to the Title IX Coordinator, Ms. Cherish Franklin (251-476-0002; email: cfranklin@accelacademymobile.com). The report will be investigated by the Title IX Investigator, Michelle Parson who can be reached at mparson@maef.net. Any student who knows of situations involving sexual harassment, sexual violence, or sexual discrimination can and should report the incident to any adult member of the ACCEL community. Any student associated with ACCEL engaging in such improper conduct will be appropriately disciplined, which could result in dismissal for misconduct. Any reported cases will be reviewed for possible referral to the appropriate legal authorities. A deliberately false accusation is considered misconduct and may result in appropriate disciplinary action.

Coverage and Complaint Procedures

Title IX protections cover ACCEL's "education program or activity" as defined above. It does not extend to off-campus activities or locations outside the institution's control or to persons or activities outside of the United States.

The complainant may file a formal complaint with the Title IX Coordinator by any method made available by ACCEL. At the time of filing, the complainant must be participating in or attempting to participate in the educational program or activity of ACCEL.

The Title IX Coordinator may also sign a complaint, but this does not make the Title IX Coordinator a party in the grievance process. Please note that a third-party reporter cannot file a formal complaint. Once a

complaint is filed, this triggers the need to conduct an investigation to protect ACCEL from a charge of deliberate indifference.

The complaint must be dismissed if the allegations do not constitute sexual harassment as defined, did not occur in the educational institution's program or activity or did not occur against a person in the United States. The complaint may also be dismissed if complainant notifies the Title IX Coordinator at any time that he/she wishes to withdraw the complaint or an allegation if the respondent's enrollment or employment ends, or if specific circumstances prevent the educational institution from gathering evidence (e.g., passage of several years between complaint and alleged conduct, noncooperation of complainant, etc.). Notice of dismissal must be provided to both parties to include the reasons for dismissal.

The right of confidentiality, both of the complainant and of the accused, will be respected consistent with the law and with the necessity to investigate allegations of misconduct and to take corrective action when misconduct has occurred.

ACCEL cannot offer to facilitate an informal resolution process (i.e., mediation, restorative justice) unless a formal complaint has been filed. In the instance of a complaint made by a student against an employee, an informal resolution process is not available. At any point during the formal complaint process, ACCEL may offer to facilitate an informal resolution that does not require a full investigation as long as both parties receive written notice of their rights and the parties provide written, voluntary consent. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. ACCEL cannot offer informal resolution in the context of a complaint alleging that an employee harassed a student.

Investigation

ACCEL must investigate allegations outlined in a formal complaint. In conducting an investigation, ACCEL must provide both parties with an opportunity to present facts and expert witnesses and evidence to support their positions, with no restrictions on the parties' ability to discuss the investigation. Both parties must have equal opportunity to attend any proceeding, along with their advisor, to which they are entitled (advisor does not have to be a lawyer). ACCEL must notify any party expected to participate in any proceeding of the date and purpose of the proceeding with sufficient time for the party to prepare.

Prior to completing the investigative report, ACCEL must provide each party and the party's advisor with all the evidence obtained in the investigation at least 10 days to review and comment in writing. The investigator then prepares an investigative report summarizing the relevant evidence that is provided to the parties at least 10 days prior to a hearing. Each party has the right to file a written response to the investigative report.

Rules for Procedure

Changes to Title IX in 2020 prescribe for a consistent, transparent grievance process for resolving formal complaints of sexual harassment. These procedures are intended to provide a prompt and equitable resolution of complaints. These grievance procedures do not bar individuals from filing claims in other forums to the extent permitted by state and federal law. ACCEL shall treat complainants and respondents equitably. Further, ACCEL recognizes the need for complainants to receive remedies where a respondent is determined responsible and for respondents to face disciplinary sanctions only after a fair process determines responsibility.

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A complaint must be filed as designated in this Policy above. If the parties would like to participate in an informal resolution process, both must make a written request within 10 business days after receiving knowledge of the complaint. The informal process must be consistent with this Policy. The Investigator shall evaluate objectively all relevant evidence, both inculpatory and exculpatory, without making creditability determinations based on a party's status as complainant, respondent or witness. The Title IX Coordinator, the investigator(s), the decision-maker(s), and persons who facilitate informal resolutions shall to be free from conflicts of interest and bias and trained to serve impartially without prejudging the facts at issue. The informal resolution process should provide a resolution within 30 days after the complaint is filed unless the parties agree to extend the deadline or circumstances dictate that more time is needed.

There is no presumption of responsibility of respondents until the conclusion of this procedure and a finding of facts. In the event the parties do not agree to an informal resolution process, the Investigator shall make every attempt to complete his/her investigation within 30 days of receiving the complaint and notify the parties of results of the investigation within 45 days of receiving the complaint. Extensions of the deadlines may only be given by agreement of the parties or in cases of extraordinary circumstances.

The Title IX Coordinator shall inform all parties of critical information about the recipient's procedures including:

- a. the range of remedies and disciplinary sanctions a recipient may impose;
- b. the standard of evidence applied by ACCEL/the decision-maker to all formal complaints of sexual harassment under Title IX (which must be either the preponderance of the evidence standard or the clear and convincing evidence standard);
- c. the appeal procedures; and
- d. the range of supportive measures available to both parties.

Either a resolution meeting or live hearing will be provided within 15 days after receiving the results of the investigation unless the parties agree to an extension or unless circumstances dictate otherwise. ACCEL staff shall protect any legally recognized privilege from being pierced during this process. Participation in a live hearing is a decision to be made by the parties. If the parties do not choose a live hearing, the decision-maker will make his/her decision based on written submissions and evidence. Please note that either party can request that the live hearing take place with the parties in separate rooms connected with technology that allows the decision-maker(s) and all parties to see and hear one another. At ACCEL's discretion, the live hearing may be conducted virtually. However, a hearing is not required. With or without a hearing, ACCEL must provide each party the opportunity to submit, after completion of the investigative report, written, relevant questions that the party wants asked of another party with the answers and provide for limited follow-up questions.

The decision-maker must issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant. The written determination must be sent simultaneously to the parties along with the information on how to file an appeal. This determination will be made within 15 days of the submission or live hearing unless circumstances dictate otherwise.

ACCEL must offer both parties the right to appeal any determination regarding responsibility and any decisions to dismiss a formal complaint. An appeal must be allowed on procedural irregularities that impacted the outcome, new evidence that was not available prior to the decision that could impact the

outcome, or conflict of interest or bias on the part of any institutional representative. ACCEL may allow appeal on additional grounds, so long as the opportunity is available to both parties. The decision-maker for the appeal can never be the Title IX Coordinator, the investigator or the initial decision-maker. The decision maker in a hearing shall be the ACCEL Superintendent. In the event an appeal is deemed appropriate, the ACCEL Academic Excellence Committee shall decide the appeal.

Confidentiality

ACCEL must keep confidential the identity of the complainants, respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.

Retaliation

Title IX expressly prohibits retaliation against complainants. Complaints alleging retaliation may be filed according to ACCEL's grievance procedure (Policy 5.33.1).

3.43.1 YOUTH SUICIDE AND PREVENTION POLICY

ACCEL Day and Evening Academy and its employees shall comply with all state and federal laws and regulations regarding the prevention and awareness of youth suicide.

- I. The *Jason Flatt Act*, which amends Code of Alabama § 16-28B-8 (1975), was passed to equip Alabama schools and their employees to recognize and act on signs of suicide risk in order to provide prevention, intervention and postvention with students at risk, their families and the communities who may be affected. This Act includes prevention of harassment and violence.
- II. According to the *Act*, ACCEL shall include these elements below as policy:
 1. Foster individual, family, and group counseling services related to suicide prevention.
 2. Make referral, crisis intervention, and other related information available for students, parents, and school personnel.
 3. Foster training for school personnel who are responsible for counseling and supervising students.
 4. Increase student awareness of the relationship between drug and alcohol use and suicide.
 5. Educate students in recognizing signs of suicidal tendencies and other facts and warning signs of suicide.
 6. Inform students of available community suicide prevention services.
 7. Promote cooperative efforts between school personnel and community suicide prevention program personnel.
 8. Foster school-based or community-based, or both, alternative programs outside of the classroom.
 9. Develop a strategy to assist survivors of attempted suicide, students, and school personnel in coping with the issues relating to attempted suicide, suicide, the death of a student, and healing.

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10. Engage in any other program or activity which the Board determines is appropriate and prudent in the efforts of the school to prevent student suicide.
 11. Provide training for school employees and volunteers who have significant contact with students on the current school policies to prevent harassment, intimidation, and threats of violence.
 12. Develop a process for discussing with students school policies relating to the prevention of student suicide and to the prevention of harassment, intimidation, violence, and threats of violence.
 13. Provide annual training for all certificated school employees in suicide awareness and prevention. This training may be provided within the framework of existing in-service training programs or as a part of required professional development offered by the school.
- III. Students are expected to treat other students with courtesy, respect, and dignity and comply with the Student Code of Conduct. Students are expected and required to (1) comply with the requirements of the law, policy, regulation, and rules prohibiting harassment, violence, or intimidation and (2) to comply with the school's prevention strategies related to suicide prevention, intervention, and postvention support.
- IV. Any person involved in a cause of action or omission resulting from the implementation of this suicide prevention policy or resulting from any training, or lack thereof, required by this section, shall be subject to state immunity law.

This policy and any procedures and rules developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication on the school's web site.

3.43.2 ANNALYN'S LAW

Pursuant to Annalyn's Law, the Superintendent shall be notified by local law enforcement when a low-risk juvenile sex offender is enrolled or attending school at ACCEL Day and Evening Academy for the purpose of appropriate supervision during the school day and during school activities.

- I. Definitions.
 - A. "Plan" refers to the "individualized student safety plan" developed following the Student's adjudication and/or enrollment in ACCEL to serve as a behavior contract between contract between the Student and the School.
 - B. "School" refers to "all school property and school-sponsored functions including, but not limited to, classroom instructional time, assemblies, athletic events, extracurricular activities, and school bus transportation" related to the Student's current school of record.

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- C. "Student" refers to "the low-risk juvenile sex offender" designated by a juvenile court judge as having a low risk of re-offense.
 - D. "Teachers and staff with supervision over the student" or "Supervision team" refers to ACCEL officials or staff who have a specific responsibility for the Student, including the school principal, the Student's assigned teachers and/or coaches, the Student's counselor, and if applicable, the Student's bus driver, during the subject school year and who will be privy to information regarding the Student's status. Teachers and staff with only passing and/or general contact with the Student shall not be privy to information regarding the Student's status.
 - E. "Victim" refers to the victim, if known by and attending the same school as the Student, of the offense for which the Student was adjudicated delinquent.
- II. Notification
- A. **Current Students-** In the event a currently enrolled Student is adjudicated delinquent and designated "low risk" by the juvenile court, local law enforcement is expected to notify the ACCEL Superintendent and principal in writing.
 - B. **Newly Enrolled Students-** In the event a Student seeks to enroll in ACCEL as a new student, and that Student has been previously designated as a low-risk juvenile sex offender, local law enforcement is expected to notify the ACCEL Superintendent and principal in writing.
 - C. **Students That Change Schools Within the District-** In the event a currently enrolled Student transfers to another school in the MAEF Public Charter Schools, Inc. charter school family or is promoted to another school in MAEF, the principal of the original school should notify designated law enforcement of the change as soon as practicable.

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

The new principal should review the Plan and meet with the Student, the Student's parent or guardian, and the anticipated new Supervision Team to determine whether the current terms are sufficient or should be adjusted based on the Student's circumstances.
 - D. **School Staff Changes-** In the event the principal or a member of the Supervision Team leaves his position or is no longer responsible for supervising the Student, a replacement team member should be named, if necessary and appropriate, and briefed by the principal or the most senior member of the Supervision Team regarding the Student's status and Plan.

The Student, his parent or guardian, and other members of the Supervision Team should be notified of changes to the Supervision Team within a reasonable timeframe.

III. **Plan Development and Maintenance**

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

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

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

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

IV. **Supervision**

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

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

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

V. **Students with Disabilities**

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

VI. **Violations of the Plan**

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

VII. **Challenges to the Plan**

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

VIII. **Confidentiality**

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

IX. **Retaliation**

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

X. **Procedures**

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

3.44 EQUAL OPPORTUNITY

No person shall, on the basis of race, color, religion, gender, age, ethnicity, marital status, disability if otherwise qualified, political or religious beliefs, national origin, social and family background, or on the basis of the use of a language other than English, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this school except as provided by law.

ACCEL Day and Evening Academy and MAEF Public Charter Schools, Inc. shall comply with the Americans with Disabilities Act of 1990 (ADA). This law makes it unlawful to discriminate against a qualified individual with a disability who can perform the essential functions of his/her job with reasonable accommodations.

Persons alleging such discrimination shall use the grievance procedure provided elsewhere in these policies as a remedy. The Superintendent shall develop procedures to notify ACCEL Day and Evening Academy employees, applicants for employment, and other affected groups.

ACCEL Day and Evening Academy shall visibly post any and all Equal Employment Opportunity Commission (EEOC) notices required by law and a notice of the school's commitment to a discrimination-free workplace in an area frequented by employees and applicants for employment. Further, the Board shall issue this Equal Employment Opportunity policy to all supervisors and administrators employed by the board.

3.45 PROHIBITION OF TOBACCO USE IN SCHOOL FACILITIES

ACCEL Day and Evening Academy prohibits the use or possession of tobacco in any form (cigarettes, cigars, pipes, vapor or e-cigarettes, chewing tobacco, snuff, or any other form of tobacco or nicotine) by students,

faculty, support personnel, or any other person on school property under the control of ACCEL Day and Evening Academy. This includes, but is not limited to, the school building, any potential off-campus school owned/operated properties, buses, vehicles, recreational area, athletic fields, parking, or other area.

Parents/guardians and other persons are hereby notified that they are prohibited from use or possession of tobacco in any form on ACCEL Day and Evening Academy property at any time.

The principal and other work site supervisors as may be designated are directed to post signs at the entrance of all school buildings and on the grounds of ACCEL Day and Evening Academy property designating the school property as a tobacco free facility.

ACCEL Day and Evening Academy employees found in violation of this policy are subject to disciplinary actions not limited to: reprimand, suspension, and termination of employment.

3.46 PROHIBITION OF VIOLENCE, THREATS OF VIOLENCE (ANTI-BULLYING)

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 identified by the ACCEL Day and Evening Academy in this policy and as defined in the Student Handbook/Code of Conduct. Students who violate this policy are subject to disciplinary actions described in the Student Handbook/Code of Conduct and/or consequences established by law.

Definitions: 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 (including “cyber-bullying”), 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 personal characteristics identified in this policy. 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.

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.

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.

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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.

The term “**student**” as used in this policy means a student who is enrolled in ACCEL Day and Evening Academy.

Description of Behavior Expected of Students: Students are expected to treat other students with courtesy, respect, and dignity and comply with the rules governing student behavior. 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.

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:

- Race;
- Gender;
- Religion;
- National origin; or,
- Disability.

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

Reporting, Investigation, and Complaint Resolution Procedures: Complaints alleging violations of this policy must be made on board-approved complaint forms available at the principal’s 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.

Upon receipt of the complaint, the principal or the principal’s designee will, in his/her sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal’s designee determines that the complaint alleges a serious violation, the principal or the designee will undertake an investigation of the complaint. The investigation will be conducted within a reasonably prompt time period, taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary actions/consequences 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.

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

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.

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 in the student handbook and on the school website.

In the event of potential sexual harassment, refer to Policy 3.43 for Title IX compliance.

3.50 PUBLIC INFORMATION

All public records pursuant to Alabama statutes shall be available for inspection or copying at reasonable times during normal office hours of ACCEL Day and Evening Academy office or other offices in which records are maintained, except those involving sensitive personnel records; pending criminal investigations; recorded information received by a public officer in confidence; or, other records for which disclosure would be detrimental to the public's interest.

To maintain appropriate public information about the school, the Superintendent shall:

- Keep the school's community adequately informed through all channels of communication on policies, programs, problems, and planning of ACCEL Day and Evening Academy and instruct schools to carry out this policy through their efforts and the office of the Superintendent.
- Seek input from community members.
- Encourage ACCEL Day and Evening Academy staff to cooperate in keeping the public informed of newsworthy events which would be of interest or concern to citizens and which would promote the welfare of the school, provided that any news release be approved by the principal or supervisor and that any adverse information of a serious nature or any release relating to the school as a whole be approved by the Superintendent.

3.51 COPYING OF PUBLIC RECORDS

Copies of ACCEL Day and Evening Academy public records may be obtained by making a request to the lawful custodian of the records. Charges for copies of public records will be based upon a fee schedule set by the Superintendent. Copies shall be made by the appropriate staff members and reproduced at a time that does not interfere with the normal work duty.

3.60 FLAG DISPLAY AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag shall be recited at the beginning of each school day in ACCEL Day and Evening Academy. Students shall have the opportunity to voluntarily recite the Pledge of Allegiance each day.

The United States flag and the Alabama state flag shall be displayed appropriately during the school year.

3.65 RELIGIOUS LIBERTY

ACCEL Day and Evening Academy does not discriminate against any student or parent on the basis of a religious viewpoint or religious expression in its public schools.

Student religious expressions and viewpoints are allowed in class assignments, coursework, homework, and artwork in the same manner as any non-religious expression or viewpoint. Students shall not be penalized or rewarded on the basis of the religious views expressed in their schoolwork.

Students may voluntarily pray or engage in religious activities or religious expressions before, during, and after the school day in the same manner and to the same extent that students may engage in nonreligious activities or expressions.

3.70 SCHOOL VOLUNTEERS

ACCEL Day and Evening Academy recognizes that volunteers can make many valuable contributions to the schools and can be used as effective learning resources. Therefore, the board endorses a volunteer program, subject to suitable regulations and safeguards. These regulations and safeguards shall include volunteers operating within the written authorization of the board and/or members of its administrative staff and under the supervision of board employees. (See also Policy 5.84 Non-Faculty Coaches.) These regulations shall be developed and promulgated by the Superintendent or staff in cooperation with the faculty of each school.

3.80 COMMUNICABLE DISEASES AND CONDITIONS

It is the intent of ACCEL Day and Evening Academy, in cooperation with county and state agencies, to carry out laws and regulations designed to protect and promote the health, safety, and general welfare of school children and board employees. **NOTE: This policy may be temporarily suspended and/or modified by the Superintendent without Board action in cases of emergency.**

Communicable/Infectious Diseases or Conditions: Students and/or employees having communicable diseases and/or conditions, including students wishing to enroll or potential employees, will be dealt with on an individual basis. Administrators and supervisors shall observe current regulations for the Control of Communicable Diseases in ACCEL Day and Evening Academy as required by the State and County Board of Health. The school's nurse(s) will maintain liaison with the State Board of Health and support the processing of cases.

A student with a communicable or contagious disease or a viable parasite (head lice, etc.) shall be ineligible to attend schools in the school for a period of time as may be prescribed by the state/local health department, school nurse, or a physician. In all cases, the school nurse and/or principal may require a statement of clearance from the Department of Health or physician before the student may re-enter the school. More information can also be found on this issue in the Student Handbook.

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

Exposure Control Plan and Staff Development: The Superintendent will direct the preparation of procedures for processing cases and an exposure control plan. Procedures will incorporate appropriate considerations of confidentiality. Employee training and communication of school procedures related to student health education, exposure control, communicable diseases and conditions, and standard precautions shall be implemented by the direction of the Superintendent.

3.90 PUBLIC COMPLAINT POLICY

Constructive criticism of ACCEL Academy is welcomed by the ACCEL Board of Directors whenever it is motivated by a sincere desire to improve the quality of the educational program or to equip the school to do its tasks more effectively. The Board has confidence in its professional staff and desires to support their actions in order that they may be free from unnecessary, spiteful, or negative criticism and complaint. Therefore, whenever a complaint is made directly to the Board as a whole or to a Board member as an individual, it will be referred to the school administration for study and possible solution.

Complaints and grievances should be handled and as close to their origin as possible. Student and Employee Grievance Policies are currently in place. In the event you are a student or employee and you feel that you have a grievance or complaint, please refer to those policies. However, there are times that the public or parents may need the opportunity to have their complaints heard. Therefore, the proper channeling of complaints involving instruction, discipline, or learning materials will be as follows: teachers, principal, designated administrative officers, and superintendent, and the Board.

The Board will consider hearing complaints when they cannot be resolved by the administration. Matters referred to the Board must be in writing and should be specific in terms of the action desired. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level following designated procedure

CHAPTER 4.0 – CURRICULUM AND INSTRUCTION

4.10 THE CURRICULUM

ACCEL Students will promote through three competency-based phases

- *Foundation Phase:* Students taking 9th and 10th grade required courses will be placed in the Foundation Phase. Students will demonstrate competency and be promoted to the next phase by successfully completing the following courses: English/Language Arts I, English Language Arts I, Algebra I, Geometry, Biology, Physical Science/Chemistry, and World History. Completion of these courses requires students to demonstrate proficiency on designated performance tasks (major projects/assignments) developed to show mastery along a set of phase-level competencies.
- *Preparation Phase:* Students taking 11th grade required courses will be placed in the Preparation Phase. Students will demonstrate competency and be promoted to the next phase by successfully completing the following courses: English/Language Arts III, Science Elective, US History I, US History II and Algebra II. Completion of these courses requires students to demonstrate proficiency on designated performance tasks (major projects/assignments) developed to show mastery along a set of phase-level competencies.
- *ACCEL Phase:* Students taking 12th grade required courses will be placed in the Preparation Phase. Students will demonstrate competency and be promoted to graduation by successfully completing the following courses: English/Language Arts IV, Science Elective, Government/Economics, Math Elective and a Science Elective. Completion of these courses requires students to demonstrate proficiency on designated performance tasks (major projects/assignments) developed to show mastery along a set of phase-level competencies. Additionally, ACCEL Phase students must successfully complete all state required electives (e.g. Fine Art, Foreign Language, Physical Education, Health, Career Tech, etc.) and earn a minimum of 24 total credits.

Teachers shall not present controversial material or issues that are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the question without bias or prejudice and shall permit each student to arrive at his/her own conclusions. When dealing with political issues, the positions of all parties will be presented on a non-partisan basis. (See Policy 4.31 Controversial Issues.)

The Superintendent shall set standards relating to graduation requirements, dual enrollment, promotion and retention, grading system, and methods of progress reporting.

The Superintendent or designee shall develop procedures to ensure that all aspects of curriculum development are implemented. There shall be a systematic and comprehensive evaluation of the instructional program and all related areas.

4.11 SPECIAL EDUCATION AND PROGRAMS FOR ACADEMICALLY AT-RISK STUDENTS

ACCEL Day and Evening Academy special education program shall conform to the provisions adopted by the board and shall function in accordance with the provisions of state and federal law, State Board of Education rules, and other applicable provisions of board rules.

Special education, related services, and supplementary aids and services are provided to students who meet the eligibility criteria. Information regarding services, supports, or referral procedures may be obtained from the school principal. All referrals, evaluations, and educational support are provided in accordance with the Individuals with Disabilities Education Act of 2004 and the Alabama Administrative Code Chapter 290-8-9 Special Education Services.

ACCEL Day and Evening Academy ensures that all children enrolled in the school receive the appropriate special education services. If would like to receive additional information regarding services for students with disabilities, contact Mrs. Rachel Davis, Student Support Coordinator.

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a civil rights statute that prohibits discrimination/harassment on the basis of a disability in any program or activity receiving federal financial assistance. Section 504 provides: "No otherwise qualified individual with a disability in the United States... shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance..." For questions ACCEL Day and Evening Academy 504 procedures, contact Mrs. Rachel Davis (504 Coordinator).

4.13 HOMEWORK

Students will be provided opportunities to enhance and expand their understanding of skills and concepts through appropriate homework assignments. Such assignments should logically relate to classroom activities. Homework may be assigned to individual students within a class and/or to the entire class based on teacher judgment.

Teachers are expected to assume the following responsibilities when homework is assigned:

- Assign homework on a regular but reasonable basis, keeping in mind the nature of the assignment, the age of the student, and demands that may be placed on students by other teachers.
- Assign homework that is related to instructional activities.
- Grade/check the homework and return it to students on a timely basis.
- Utilize homework as an important part of student evaluation.
- Expect all students to complete assignments.
- Refrain from assigning homework as punishment for disciplinary infractions.

4.14 SUMMER PROGRAMS

ACCEL Day and Evening Academy authorizes summer programs when needed and when funding is available.

Summer program requirements and extended school year services shall be developed by the Superintendent.

4.15 SUPPLEMENTAL SCHOOL DONATIONS

Where school funds are not otherwise available for consumable instructional supplies and personal items to meet the instructional needs of ACCEL Day and Evening Academy students, donations and fees may be solicited from students and parents with such donations and fees to be known as “School Supplemental Instructional Donations,” provided that any such solicitation has prior approval of the Superintendent. That being said, the Board is a 501(c)(3) organization and donations are welcome from the public in general.

Communications to parents and students in any format must clearly indicate that the response to such solicitation on the part of any student or his/her parents/guardians shall be voluntary, and no sanctions shall be imposed against the student or embarrassment caused a student or his/her parents/guardians for failure or refusal to make a donation or pay a fee.

4.16 STUDENT FEES, FINES AND CHARGES

The following ACCEL student fees will be due at the beginning of each school year. These fees may be subject to change and are set by the Superintendent.

Fee Type	Fee Amount*
Registration Fee (technology, e-software, e-books, first aid, postage, etc.)	\$150.00
Senior Fees (cap, gown, hood, diploma, tassel, senior activity, senior t-shirt)	\$155.00
*Note: Fees Subject to change. Any student experiencing significant financial hardship should discuss options with the school. All fees should be paid by December 1 st .	

Extracurricular Activity Fees – Students will be afforded opportunity to participate in grade level appropriate extracurricular clubs and organizations provided requirements for membership are met. Clubs and organizations will publicize membership requirements during appropriate member enrollment periods.

Additional Fee Information – Club *fees may change* due to pricing in travel, state/national registration, and supplies (i.e., t-shirt prices change according to size).

Students who have a financial obligation to the school may not register for the next school year until fees are paid or payment arrangements are discussed with school administration.

Graduating seniors may not participate in commencement unless all fees are paid or cleared. Parents/guardians should contact the school’s main office during 2nd semester prior to graduation to ensure all fees are cleared or arrangements made.

Fee for Damaged Textbooks and instructional periods – Parents/guardians are responsible for textbooks and other instructional materials (including technology) issued to their children and are held liable for any loss, abuse, or damage in excess of that which would result from normal use.

4.17 DUAL ENROLLMENT

ACCEL Day and Evening Academy authorizes the establishment of dual enrollment programs allowing certain high school students to enroll in postsecondary institutions in order to dually earn credits for a high school diploma and/or a postsecondary degree at both the high school and participating postsecondary levels.

Eligible Students: Students participating in a dual enrollment program:

- Shall pay normal tuition as required by the postsecondary institution;
- Shall maintain a grade point average as required by the postsecondary institution;
- Have written approval of the student's principal and Superintendent; and,
- Be in grades 10, 11, or 12 or have an exception granted by the participating postsecondary institution upon the recommendation of the student's principal and Superintendent and in accordance with Alabama Administrative Code §290-8-9-.17 regarding gifted and talented students.
- Note: The Superintendent reserves the right to modify these conditions based on a student's overall GPA.

Course Offerings: Courses in postsecondary/college level are strongly encouraged. ACCEL reserves the right to open many forms of dual enrollment to suit its students' needs.

4.18 VIRTUAL SCHOOL OPTION

Scope and Delivery of Services: Acceleration (ACCEL) Day and Evening Academy provides a virtual school option to full-time students in grades 9-12 who are enrolled. Such courses will be delivered through an online delivery program and will include, at a minimum, all courses that are required to obtain a high school diploma. Students enrolled in virtual school are subject to ACCEL's graduation requirements.

Student Eligibility Criteria: Students must meet all school eligibility requirements. In addition, students must meet school enrollment requirements for the course in question including, but not limited to, those contained in the school's curriculum catalog. The school reserves the right to develop specific eligibility criteria for virtual courses.

Students may be transitioned back to a traditional day program if 1) the student's participation in the virtual program is impeding the student's academic progress; 2) the student fails to meet virtual course attendance requirements; or 3) the student repeatedly violates school policies, procedures, rules or regulations, including, but not limited to, the school's rules governing the use of its technology resources.

Monitoring Performance and Testing Requirements: Individual student performance will be monitored pursuant to the school's traditional academic credit requirements and grade scale. Students utilizing the virtual school option will be subject to all state testing and accountability requirements and will be subject

to the same rules and regulations regarding the administration of such tests that are applicable to students enrolled in the traditional day program.

The Superintendent is hereby authorized to take whatever action may be necessary to facilitate the state testing and accountability requirements applicable to virtual school students. The school reserves the right to require students utilizing the virtual school option to participate in state testing and accountability requirements on campus at a date and time selected by the school.

Attendance: Students participating in the virtual school option are required to be active and submitting assignments in order to remain enrolled in the program.

The school reserves the right to set specific attendance requirements for each virtual course. The Superintendent or his designee is authorized to develop alternate attendance policies for virtual courses, provided that students in such programs are given notice of the attendance requirements. A student's failure to comply with such requirements may result in administrative action including, but not limited to, probation or removal from the class or a charge of truancy, if appropriate.

Extracurricular Activities: Students must meet the same extracurricular activity eligibility requirements as students enrolled in the traditional day program, including, but not limited to, any applicable Alabama High School Athletic Association ("AHSAA") requirements. Student residency for purposes of participating in extracurricular activities will be determined in accordance with applicable state law and AHSAA guidelines.

Additional Procedures Authorized: The Superintendent or his designee is authorized to develop such procedures as he deems necessary to implement this policy including, but not limited to, eligibility criteria for courses, methods for informing students and parents of the virtual program's requirements and rules, and a process for making determinations regarding a student's continued eligibility.

[Reference: ALA. Code §§16-46A-1, et seq.]Policy Adopted: TBD

Reference(s): Code of Alabama 16-46A-1, Alabama Legislative Act 2015-89

4.21 TEXTBOOKS AND INSTRUCTIONAL MATERIALS

The Superintendent shall approve all textbooks used in the ACCEL Day and Evening Academy with input of the Academic Excellence Committee.

4.22 LIBRARY MEDIA CENTERS

At this time, ACCEL Day and Evening Academy does not have an established Library Media Center, however, ACCEL believes that the school library media center is an important part of the educational program. When established, ACCEL's Library Media Center will adhere to the premise that an effective library media program will provide:

- Equal and maximum access to information resources that extend the limited content of textbooks;
- Instruction for students in acquiring the research skills necessary for independent learning;
- Motivation for students to read and enjoy good literature; and,

- Encouragement for students to use a variety of media for a lifetime of learning and pleasure.

ACCEL Day and Evening Academy intends to maintain a library media center under the direction of a state certificated library media specialist. The responsibility for coordinating the selection and purchasing of instructional materials rests with the library media specialist with the final responsibility being vested in the Superintendent.

The ACCEL Day and Evening Academy library media specialists and teachers should collaborate to ensure that all students have adequate and equal access to the library media center and its collection. A library media center handbook of policies and procedures shall be developed to reflect legal guidelines and professional ethics.

4.30 CHALLENGED MATERIALS

The following procedures shall be followed when the appropriateness of books or instructional materials is questioned:

- School/community citizens may register their concerns with the principal of the school where material is being challenged
- All concerns shall be presented in writing to the school principal. The statement shall include the following information:
 - Author, compiler, or editor;
 - Publisher;
 - Title;
 - Reason for objection;
 - Page number of each item challenged; and,
 - Signature, address and telephone number of the person making criticism.

These procedures shall be followed for ACCEL Day and Evening Academy school-level reviews:

- A committee of teachers, parents, and the principal shall be appointed by the Superintendent to evaluate the challenged materials and to make recommendations for any changes.
- Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
- Challenged materials shall be read and evaluated by the committee, considering the specific objections presented by the complainant.
- The complainant shall be informed in writing concerning the committee's recommendations.

These procedures shall be appropriate for appeals and shall be followed when the complainant disagrees with the decision rendered from the appeal:

- In the event the complainant disagrees with the committee's decision, the Superintendent shall notify the Academic Excellence Committee and the Committee shall review the decision.

- The Committee's review shall be treated objectively and in a business-like manner and shall be conducted in the best interests of students, the school, and the community. Efforts shall be made to meet with citizens who register concerns to consider their objections.
- The Committee's recommendations shall be submitted to the Superintendent.
- The complainant shall be informed, in writing, after the Committee's recommendation is received by the Superintendent.

The Committee's decision will be final.

4.31 CONTROVERSIAL ISSUES

ACCEL Day and Evening Academy recognizes that controversial issues are an inherent part of our democratic tradition and that knowledge and understanding of controversial issues are an indispensable part of education for citizenship. Therefore, professional employees shall have the freedom to deal with controversial issues in the public school curriculum provided the following guidelines are observed:

- Teachers shall adapt the study of controversial issues to the age, maturity and academic background of pupils.
- Teachers shall place major emphasis on how to think rather than what to think.
- Pupils shall have access, insofar as possible, to all materials that are relevant and educationally significant to the issues at hand.
- Pupils shall have the opportunity to express their opinions within the limits of decency, good will and respect for the opinions of others.
- Teachers shall teach pupils the principles and techniques of the scientific method and shall provide opportunities for practice in applying established facts to specific problems.
- Teachers shall seek to develop in pupils the ideals of truth and honesty.
- Teachers shall seek to create an atmosphere in which differences of opinion can be voiced without fear or hostility but with mutual respect for all viewpoints.
- Teachers shall seek to develop in pupils a sense of responsibility for their beliefs, opinions and attitudes and shall encourage pupils to base same on research, tested experience and knowledge as recorded in our cultural heritage.
- Teachers shall encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined and checked for accuracy.
- Teachers shall take a neutral position in the classroom during the discussion of controversial issues.

4.42 PUBLIC APPEARANCE OF SCHOOL GROUPS

Requests for any ACCEL Day and Evening Academy group or organization to make a public appearance shall be directed to the Superintendent for approval.

Students' parents/guardians shall be notified prior to any public appearance. Such notice shall state the place to be visited, the date of the public appearance, the time of departure, and the time of return to the school. Any student making a public appearance shall present a note from his/her parent/guardian giving permission for the student to make the public appearance. All documents needed in case of emergency should be provided before the public appearance and should be in the possession of the ACCEL Day and Evening Academy employee in charge of the public appearance. During public appearances of school groups, medication administration procedures shall be followed in accordance with the established medication disbursement guidelines.

4.43 FIELD TRIPS

Field trips and excursions are extensions of classroom instruction and provide quality learning opportunities for students to participate in unique and enriching educational experiences. The following minimal procedures shall be adhered to for all field trips and excursions away from school:

- Students are expected to exhibit their best behavior, and the Student Code of Conduct is fully applicable for all activities.
- Students must have a Field Trip Parental Permission Form completed and signed by their parent(s) or guardian(s) on file with school officials prior to departing on each school sponsored field trip. Students not submitting a signed permission form are not permitted to participate in activities.

4.44 SCHOOL FUNCTIONS

Any school social function shall be sponsored by an instructional staff member and shall be approved by the Superintendent prior to scheduling.

ACCEL Day and Evening Academy's employees shall be encouraged to attend school-sponsored social functions.

All school functions including field trips, extracurricular events, and recreational activities such as picnics, parties, and excursions under the sponsorship of the school shall have a sponsor and an appropriate number of chaperones as determined by the school principal. A sponsor is a professional ACCEL Day and Evening Academy employee. Chaperones are volunteers approved by the principal.

4.45 SERVICE ANIMALS

ACCEL Day and Evening Academy does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The school will comply with federal and state laws regarding the use of service animals.

"Service animal" means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

In specific cases, the school may make reasonable modifications of policies, practices, or procedures to permit the use of a miniature horse if the animal has been individually trained to do work or perform tasks for the benefit of an individual with a disability, after consideration of the following factors: the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation. Requests to permit miniature horses will be handled on a case-by-case basis.

The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence, or the provision of emotional support, wellbeing, comfort, or companionship, do not constitute work or tasks for the purposes of defining "service animal." School personnel may inquire of the individual with a disability, his/her parents/guardian, or the owner or handler of the animal, the following to determine whether an animal qualifies as a service animal:

- Whether the animal is required because of a disability; and,
- What specific work or task that the animal has been trained to perform.

Individuals with disabilities will be permitted to be accompanied by their service animals in the areas of the school's facilities where they would normally be allowed to go.

Users/owners of service animals are liable for any harm or injury caused by the service animal to others, including students, staff, and visitors and may be charged for any damage to school property caused by the animal in accordance with school practice.

Individuals with a disability will not be required to pay an administrative fee or surcharge for service animals to attend events for which a fee is charged; however, individuals may be charged for their own admission for such events.

A service animal must have a harness, leash, or other tether, unless the student is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's or handler's control.

The school is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself. The school is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal. Students with service animals or their handlers are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his or her service animal, the parents are responsible for providing care and supervision of the animal themselves or through an appropriate handler.

Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administrator. The service animal must be under the control of the student or its handler at all times. The school may exclude or ask the individual to remove his/her animal from the premises if the animal is out of control and the handler does not take effective action to control it; if the

animal is not housebroken; if the presence of the animal poses a direct threat to the health or safety of others; or its presence would require a fundamental alteration to the service, program, or activity of the school.

The Superintendent or his/her designee will develop and disseminate procedures to implement this policy and accommodate individuals with disabilities requesting use of a service animal in school buildings and on school property and vehicles.

*Reference(s): Title II, American with Disabilities Act, 42 U.S.C.A. §12131-12165
Individuals with Disabilities Education Act (IDEA),
20 U.S.C.A. §1400, Section 504 of the Rehabilitation Act, 29 USCA §794*

4.60 ASSESSMENT PROGRAM

ACCEL Day and Evening Academy shall periodically assess student performance and achievement within the school in concert with the Charter Commission. The assessment programs must be based upon ACCEL's charter contract and rubrics with the Alabama Public Charter School Commission. ACCEL Day and Evening Academy will follow recommendations of the Charter Commission for the provision of test adaptations and modifications of procedures as necessary.

4.61 TEST SECURITY

All mandatory tests administered required by applicable laws and regulations shall be secured.

ACCEL Day and Evening Academy and school personnel who have access to mandated tests shall be informed of test security laws and procedures and of penalties for breaches of test security. The testing coordinator shall oversee the destruction of statewide assessment test materials in a secure manner. The testing coordinator shall instruct school test coordinators and principals on test security measures. The principal shall be responsible for informing the faculty of test security measures.

The loss of tests, cheating, or any other breach of test security procedures and laws shall be reported immediately to the testing coordinator. Any unresolved problems in the school shall be reported to the appropriate agency.

The possession of a digital device is strictly prohibited during the administration of a secure test. A student in possession of a digital device during testing shall be subject to applicable disciplinary consequences. The prohibited device shall be confiscated and may be subject to search. The student's test shall be invalidated if test security procedures are violated.

4.71 REPORT CARDS

Report cards will be issued quarterly to provide a measurement of the student's mastery. The only valid report card for an ACCEL student is the iNOW/Chalkable report card printed on watermarked paper. Issued report cards are not to be altered and any corrections needed should be reported promptly to the principal.

4.80 TRANSFERS FROM ACCREDITED, NON-ACCREDITED, OR HOME SCHOOLS

Students transferring from accredited public or non-public schools will have all credits and current class/grade placement accepted upon receipt of the official transcript(s) without validation.

To allow transfer of credits and/or determine the appropriate class/grade placement of a student transferring to this school from a non-accredited or home school, the following shall be implemented:

- Credit for all elective courses shall be accepted without validation.
- Credit for core courses of English, mathematics, science and social studies shall be transferred as follows:
 - End-of-course tests, nationally recognized standardized tests, and official school records shall be used to validate credit earned and to determine the most appropriate course and grade placement;
 - For any initial core course the student completes successfully in this school, he/she shall be permitted to transfer in that subject area all previous credits earned at a non-accredited or home school. (Example: Successful completion of eleventh grade English in this school would allow the student to transfer ninth and tenth grade English if completed successfully at the non-accredited or home school.)

In the event of the existence of controversial records/transcripts and/or the absence of any official or notarized records/transcripts, the student shall take placement tests consisting of the school's previous semester tests for core courses.

All transfer students must pass any required assessments and meet all other requirements for graduation.

4.81 CAREER TECHNICAL COOPERATIVE EDUCATION PROGRAMS

ACCEL Day and Evening Academy recognizes the importance of the school-community linkage in training individuals for specific occupations; assisting individuals with the transition from school to the world of work; providing an environment for developing proper skills, knowledge, work and safety habits, and pride in achievement. As such, Cooperative Career/Technical Education Programs will be provided **to the extent possible** to strengthen this linkage. These programs will operate in compliance with general career technical education policies established by the board and program standards outlined in current administrative code.

Each cooperative career technical education program shall provide on-the-job training that:

- Is related to existing employment opportunities which offer promotion and advancement;
- Is related to the student's occupational objective;
- Does not displace other workers who can perform such work; and,
- Is conducted in accordance with written training agreements and training plans that incorporate methods for solving problems at work and problems at school.

Criteria for Participation: The following criteria must be met prior to a student's participation in Cooperative Career/Technical Education Programs:

- The student and his/her parent(s)/guardian(s) must select the cooperative career technical course(s) as an elective.

- The student's parent(s)/guardian(s) must sign a release form authorizing the school to release his/her child from school to travel to and from the educational job site.
- All transportation costs must be borne by the student and his/her parent(s)/guardian(s).
- The student meets prerequisites for the cooperative career technical course selected as described in the current ACCEL Day and Evening Academy course catalog.

4.82 SAFETY IN CAREER TECHNICAL CLASSES

In order to ensure safety of students and personnel in ACCEL Day and Evening Academy Career Technical education classes, all laws, regulations, and guidelines established by local, state, and federal agencies shall be followed.

ACCEL Day and Evening Academy teachers in career technical classes shall establish safe working conditions and shall promote the development of safety awareness and safe work habits by students. Safety procedures and safe work habits shall be taught and tested in all career technical classes.

A safety plan shall be posted in each career technical classroom and shall include methods for encouraging safe procedures in the following areas:

- Continuous supervision of students in the classroom, laboratory, and/or shop environment.
- Ensuring that protection devices are worn by students, when appropriate.
- Safe storage of toxic, flammable, or hazardous materials.
- Safe use of electrical devices and avoiding electrical hazards.
- Safety demonstrations, safety instruction, and testing for safety knowledge.
- Periodic inspection of materials, equipment, and tools to ensure safe use.

The goals of safety instruction are to keep students safe while participating in career technical programs and for transfer of this knowledge to the work place.

4.83 CAREER TECHNICAL PROGRAM EQUIPMENT MAINTENANCE, REPAIR, REPLACEMENT AND DISPOSAL

ACCEL Day and Evening Academy teachers in career technical classes are expected to keep all machines, equipment, tools, and other items needed for effective instruction in good repair. A program of preventive maintenance of machines, tools, and equipment shall be implemented to prolong the use the items and to teach proper care and maintenance of equipment. A schedule for the cleaning, greasing, and oiling of equipment, the changing of filters, and other routine maintenance shall be developed by the teacher for all equipment, machines, and tools used in the classroom.

Annual review of needs for repairs, servicing, and other maintenance shall be submitted to designated school personnel. Requests for major repairs or replacement of equipment or tools shall be submitted with estimates of costs for parts, service, or replacements. The teacher using allocated maintenance funds, fees, program funds, or school funds shall pay for routine maintenance and small repairs. Major repairs and appropriate equipment replacement shall be considered in the annual school career technical budget. ACCEL Day and Evening Academy shall maintain a reasonable allocation to fund emergency repair of equipment essential to the instructional program.

School personnel shall conduct periodic inspection of career technical shops, laboratories, and classrooms to determine that tools, supplies, and equipment are properly maintained and stored and to see that equipment is kept in good repair and operated safely.

Designated central office personnel shall work cooperatively with teachers and school administrators to annually assess the need for updated equipment, supplies, tools, and materials for career technical classes. Each teacher shall maintain an accurate inventory of equipment, tools, supplies, furnishings, textbooks, and other materials necessary for instruction in career technical classes. When equipment is unserviceable or obsolete, the teacher shall notify the school principal. The principal shall notify the designated central office personnel in writing of equipment, tools, or other items in need of disposal. Central office personnel will make arrangements for the removal of such items from the school and for the proper disposal of the items according to state and school regulations.

To maintain the optimum learning environment, each teacher shall:

- Make students aware of the importance of the proper care of tools, equipment, furnishings, and materials at school and in the work place.
- Maintain tools and equipment daily.
- Maintain an accurate inventory of tools, supplies, and equipment.
- Notify the principal of safety hazards and/or problems with heating, cooling, lighting, or ventilation that may interfere with learning.
- Take appropriate disciplinary actions against persons who abuse facilities and/or equipment.
- Secure tools, equipment, and work areas before leaving the class, laboratory, or shop area for any time.

4.84 LIVE WORK IN CAREER TECHNICAL PROGRAMS

ACCEL Day and Evening Academy recognizes live work as being a valuable tool for students in career technical programs to assist students in developing workplace competencies as a tool for positive community relations. Live work experiences are authorized by ACCEL Day and Evening Academy in career technical classes when the policy guidelines are followed.

Live work is defined as work performed by students as part of the instructional training program. This work may be performed by students at a job site or at school. All live work projects must be pre-approved by the teacher in writing and coordinated with the school principal. Live work projects are not to be performed in competition with private enterprise. ACCEL Day and Evening Academy career technical education programs shall have no responsibility for the results of the work being performed by students or for student safety at the job site.

The person or organization for which the live work project is performed shall assume all costs of materials, supplies, and parts associated with the work performed by students. The career technical teacher is responsible for documenting the live work through a work order, the invoicing of the person/organization for whom the work is performed, and the collection of all charges associated with the live work projects performed by students. School employees may not derive any benefit from the live work performed by students.

4.85 PLACEMENT AND FOLLOW-UP OF CAREER TECHNICAL GRADUATES

Each ACCEL Day and Evening Academy career technical teacher is responsible for assisting graduates in job placement or entry into post-secondary education. Active files will be maintained in each school of opportunities for employment and graduates who are seeking employment. The principal shall designate school personnel to serve as a placement coordinator to maintain records of student placement and to serve as a liaison with businesses and industry representatives when career technical teachers are not available.

School counselors will maintain active files available to students on colleges, junior colleges, technical schools and other post-secondary training possibilities. In addition, scholarship information will be made available to students.

Each career technical teacher is responsible for the implementation of a follow-up system to determine employment and/or post-secondary education placement of graduates. A purpose of the follow-up of graduates is to solicit feedback regarding the appropriateness and effectiveness of career technical programs.

Formal follow-up reports of graduates shall be completed according to schedules established by the Alabama State Department of Education. In addition, career technical teachers should use informal contacts with employers of graduates to gain information and suggestions for improving instruction in career technical classes.

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5.10 ADMITTANCE/ENROLLMENT REQUIREMENTS

Any student who initially enrolls in ACCEL Day and Evening Academy shall be required to present the following documents:

- An official birth certificate;
- Immunization as required for the prevention of those communicable diseases designated by the State Health Officer;
- Proof of residency (copy of power bill, telephone bill, rent receipt, etc.) of the parent(s), legal custodian(s), and/or legal guardian(s); and,
- Proof of legal guardianship or custody when warranted.

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

ACCEL is a “start-up” Charter School pursuant to Alabama Code §§ 16-6F-1 et al. ACCEL has “open enrollment,” meaning the school shall set its enrollment parameters accordingly:

- 1) Students must reside in Alabama to attend;
- 2) Admission shall not be limited based on ethnicity, national origin, religion, gender, income level, disability, proficiency in the English language, or academic or athletic ability;
- 3) Admission may be limited to students within a given age group or grade level and may be organized around special emphasis, theme, or concept as stated in the school’s charter application, but fluency or competence in theme may not be used as a standard;
- 4) The School shall enroll all students who wish to attend the school, unless the number of students exceeds the capacity of the facility identified in its current charter contract, available upon request;
- 5) If the School enrollment exceeds capacity, it shall use a random selection process to select students. Initially, students that reside in Mobile County, Alabama will receive preference and be enrolled based on law, then a random selection process will occur at a public meeting to fill all remaining spaces.

NOTICE: McKinney-Vento Homeless Assistance Act of 2001

All homeless, migratory, immigrant, and limited English proficient children shall have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth. Such children will be provided the opportunity to participate in the same state educational programs and to meet the same state student performance standards as all other children without being isolated or stigmatized.

Students who live in the attendance areas of ACCEL Day and Evening Academy and who are homeless, in foster care, migratory, immigrant and/or limited English proficient shall not be prohibited from school attendance due to any of the following:

- Residency requirements
- Lack of social security number
- Lack of birth certificate
- Lack of school records or transcripts
- Lack of immunizations

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- Legal custody requirements
- Transportation
- Language barriers
- Disabilities

If a student desiring enrollment is identified as a homeless student, according to the definition as described in Title VII B of the McKinney-Vento Homeless Assistance Act, the homeless student shall be enrolled, eligible for free meals, and transportation needs will be determined. Enrollment of a homeless student shall not be denied or delayed due to any reason related to their homelessness.

NOTE: THIS IS FOR INFORMATION PURPOSES PRIMARILY. All students, including homeless students, are entitled to a free public education. ACCEL is a public charter school without a designated “district.”

The options for the placement of homeless students are (1) continued enrollment in the school attended prior to homelessness; or, (2) enrollment in any school that non-homeless students who live in the attendance area where the homeless student is presently living are eligible to attend. The placement decision shall be made according to the best interest of the homeless student. Factors to be considered include family plans, educational services available, special programs, transportation, and length of stay in shelter facility. To the extent feasible, school administrators shall comply with any placement request made by a parent or guardian. A homeless student enrolled pursuant to these provisions shall not be denied services offered to other students in the school.

Resolution of Disputes for Homeless Students: Enrollment of a homeless student shall not be denied pending resolution of a dispute. Any dispute concerning the ACCEL Day and Evening Academy providing a public education to a homeless individual, who may be eligible or designated as a homeless student, shall follow the following procedure:

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

Reference(s): No Child Left Behind Act of 2001, Act 2016-297 (HB168), Title VII-B of The McKinney-Vento Homeless Assistance Act of 2001

5.20 GRADUATION REQUIREMENTS

All students entering the 9th grade are required to complete course requirements for graduation as specified by the Alabama State Board of Education and the ACCEL Day and Evening Academy. The Superintendent will produce a widely disseminated publication that describes requirements for all diplomas and certificates awarded by ACCEL Day and Evening Academy.

Publications describing graduation requirements for students shall describe types of diplomas and endorsements by graduating class/year/cohort, total credits and assessments required, core course requirements, elective course offerings, and the process for earning weighted credit when appropriate. Additionally, such publications shall describe courses and/or procedures by which students may earn credits toward graduation prior to grade 9 and procedures for the validation and/or acceptance of credits for students transferring into ACCEL Day and Evening Academy.

5.21 PARTICIPATION IN GRADUATION CEREMONIES

ACCEL Day and Evening Academy will design and implement graduation ceremony exercises. In all cases, eligibility criteria for participation in graduation exercises (marching) shall encompass the following provisions:

- Senior regular education and special education students who earn any Alabama high school diploma are eligible to participate in the graduation ceremony (March).
- Special education students who have not met the requirements for a diploma but have met the requirements of their IEPs shall be permitted to participate in the graduation ceremony and will be awarded the Graduation Certificate.
- Students who meet all requirements after their designated graduation date may participate in the next graduation ceremony/exercise.

5.22 CLASS RANKINGS AND HONOR GRADUATES

Ranking of Students: Rank-in-class is an indication of the student's academic standing in relation to that of the other students in the class. Grades in the identified course levels shall be weighted and grade point averages determined.

The procedures for ranking students are as follows:

- Tentative rank will be made at the end of the eleventh grade and final rank at the end of second semester of the senior year after fourth quarter exams are administered and grades are averaged.
- The top ten (10) students will be advised of their ranking at the end of their eleventh grade year.

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- The top ten (10) positions may be filled by more than 10 students in the case of ties for any positions.
- Letter grades (A, B, C, D, F, and NC [not clear = F]) for all subjects will be used in computing the grade point average.
- All students within a grade level shall be included in determining class rank.

Valedictorian and Salutatorian Selection: To be considered for Valedictorian or Salutatorian, the student must receive the Diploma with Advanced Honors Endorsement. The student with the highest grade point average will be the Valedictorian of the graduating class. The student with the second highest grade point average will be the Salutatorian. In the case of a tie in either position, students will be declared Co-Valedictorians/Co-Salutatorians. The grade point average will be carried to five decimal places with no rounding.

The criteria for selecting Valedictorian and Salutatorian are as follows:

- Valedictorian and Salutatorian will be determined at the end of the second semester of the senior year after fourth quarter exams are administered and grades are averaged using the “Rank-in-Class” procedures.
- Out-of-school transfer students must be enrolled in the current school starting with the first semester of the junior year and complete three (3) consecutive semesters in ACCEL Day and Evening Academy prior to ranking to be considered for Valedictorian and Salutatorian.
- All students must take a full schedule (maximum course load) each year for four (4) years in order to be eligible.

5.26 STUDENT PROMOTION AND RETENTION

It is suggested that students in danger of failing be presented to the school’s problem-solving team for consideration of possible intervention strategies.

Grades 6-8: Students in grades sixth through eighth must pass the following: reading (6th grade only), language arts, mathematics, science, and social studies with a yearly average of 60 (D) or higher.

Grades 9-12: For students to be permitted to move to the next higher-grade level, the following standards must be met:

- 9th Grade — students who have successfully completed middle school.
- 9th to 10th Grade — students who have earned six (6) Carnegie units will be classified as tenth graders.
- 10th to 11th Grade — students who have earned twelve (12) Carnegie units will be classified as eleventh graders.
- 11th to 12th Grade — students who have earned eighteen (18) Carnegie units and are able to complete all graduation requirements within the school year will be classified as twelfth graders.

Special Education Students: Promotion of any student in a special education program, with the exception of gifted students, must be based on his/her accomplishments of goals stated in the IEP in conjunction with

all other regular program requirements. However, a special education student (except gifted) may not be placed at any grade level unless the student has attended school for a commensurate number of years equal to the proposed grade placement; i.e., for a special education student to be placed at the sixth (6th) grade level, he/she must have been enrolled in school for at least five (5) years.

5.30 STUDENT CONDUCT AND SUPERVISION

All students enrolled in ACCEL Day and Evening Academy shall be subject to federal and state laws, regulations of the State Board of Education (if applicable), the rules and policies of ACCEL Day and Evening Academy and the Code of Student Conduct (or Student Handbook), and shall be under the control and direction of the principal or designee during the time they are attending school or a school-sponsored activity, and during the time they are on ACCEL Day and Evening Academy premises for school attendance and authorized activities.

The principal or the principal's designated representative shall ensure that students are properly supervised while at school and during any school-sponsored activity.

The teacher, other members of the instructional staff, bus driver, or other assigned supervisory staff shall assume such authority for the control and supervision of students as may be assigned by the principal or the principal's designated representative and shall keep good order in the classroom or other places where in charge of students.

The Code of Student Conduct and any revisions shall be approved and adopted by ACCEL Day and Evening Academy. The Code of Student Conduct shall:

- Be developed with input from ACCEL Day and Evening Academy members, appropriate grade level teachers, school personnel, school administrators, students, and parents;
- State grounds for disciplinary action procedures and the rights of students;
- Be distributed to all ACCEL Day and Evening Academy teachers, school personnel, students, and students' parent(s)/legal guardian(s) at the beginning of each school year or upon enrollment; and,
- Be filed in the Superintendent's office and in the office of the school principal.

The Code of Student Conduct shall be discussed with students, parents and teachers at the beginning of each year. Students who enroll after the beginning of the school year shall be given an orientation to the Code of Student Conduct upon enrollment. Parents/guardians and students shall acknowledge receipt of and acceptance of the Code of Student Conduct upon enrollment.

5.30.2 PHYSICAL RESTRAINT AND SECLUSION

Policy Purpose: ACCEL Day and Evening Academy acknowledges that maintaining a school environment conducive to school learning requires that the environment be orderly and safe. Accordingly, physical restraint of a student may sometimes be necessary in order to protect the student or other individuals. The purpose of this policy is to ensure that physical restraint is administered only when needed to protect a

student and/or member of the school community from imminent, serious physical harm, and to prevent or minimize any harm to a student as a result of the use of physical restraint.

ACCEL Day and Evening Academy places an emphasis under this policy on the prevention and de-escalation of inappropriate behavior, which reduces the risk of injury to students and staff, as well as the care, safety, and welfare of our students.

Definitions:

- **Physical restraint** is direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to a student in order to promote safety or to prevent self-injurious behavior; providing physical guidance or prompting to a student when teaching a skill; redirecting attention; providing guidance to a location; providing comfort; or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.
- **Chemical restraint** is any medication that is used to control violent physical behavior or to restrict the student's freedom of movement that is not a prescribed treatment for a medical or psychiatric condition of the student.
- **Mechanical restraint** is the use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation.
- **Seclusion** is a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. Seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student; time-out as defined herein; in-school suspension; detention; or a student-requested break in a different location in the room or in a separate room.
- **Time-out** is a behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used and is not seclusion when:
 - The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.
 - The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however, each time-out should not exceed 45 minutes.

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- The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student and has sight of the student while in time-out.
- The time-out space is free of objects that unreasonably expose the student or others to harm.

Prohibitions: The use of physical restraint is prohibited in ACCEL Day and Evening Academy and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. Physical restraint is prohibited when used as a form of discipline or punishment.

All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress during the restraint. Any method of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs is prohibited in ACCEL Day and Evening Academy and its educational programs.

The use of chemical restraint, mechanical restraint, and the use of seclusion are prohibited in ACCEL Day and Evening Academy and its educational programs.

Requirements:

- The school's principal or his/her designee and the educational program of the school that utilizes physical restraint under this policy will provide staff with guidelines and procedural information regarding physical restraint and will arrange for the appropriate training of those designated staff members that may be called upon to physically restrain a student. This training of designated staff members shall be provided as a part of a program that addresses prevention and de-escalation techniques as well as positive behavioral intervention strategies. The training of designated staff members will be based on evidence-based techniques and strategies when possible. The school's principal or his/her designee or program coordinator shall be responsible for providing periodic reviews.
- The school's principal or his/her designee and educational program that utilize physical restraint will maintain written or electronic documentation on training provided at the school regarding physical restraint and the list of participants in each training session. Records of such training will be made available to the Alabama Department of Education or any member of the public upon request.
- The school's principal or his/her designee and educational program that utilize physical restraint is responsible for generating and maintaining incident and debriefing reports of the use of restraint as well as reports of any prohibited use of seclusion and chemical, mechanical, or physical restraint at the school and for gathering/reporting data to ACCEL Day and Evening Academy and to the Alabama Department of Education annually. The use of physical restraint will be monitored by the school's principal or his/her designee or program's coordinator on an on-going basis to ensure fidelity of implementation. Follow-up training will be provided following any situations in which procedures are not being followed.

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

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

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

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

Clarifications:

- Nothing in this policy shall be construed to interfere with the school's or school personnel's authority to utilize time-out as defined herein or to utilize any other classroom management technique or approach, including a student's removal from the classroom that is not specifically addressed as part of this policy.
- Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under the law.
- Nothing in this policy shall be construed to prohibit the school or school personnel's right to take reasonable action to diffuse or break up a student fight or altercation.
- Nothing in this policy shall be construed to prohibit the school or school personnel from taking reasonable action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student.
- Nothing in this policy shall be construed to eliminate or restrict the ability of school personnel to use his or her discretion in the use of physical restraint as provided in this policy to protect students or others from imminent harm or bodily injury.
- Nothing in this policy shall be construed to create a criminal offense or a private cause of action against the Board or its agents or employees.
- Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel or to interfere with the rights of school personnel to seek assistance from law enforcement and/or emergency medical personnel.

5.31 INTERROGATIONS AND SEARCHES

Search of Property: ACCEL Day and Evening Academy acknowledges the implications of constitutional law in the area of student privacy. The Board is equally aware that such tangible personal property items as student desks, student lockers, and related properties are and remain the property of the Board.

The school is charged with maintenance of such property and thus authorizes inspection for any maintenance-related reasons. With respect to opening of lockers or desks for other reasons, the following shall apply through ACCEL Day and Evening Academy:

- Desks, lockers and other equipment at school belong to the school and, although assigned to particular students for use, may be entered and searched by school officials whenever said school officials have reasonable belief that some object, item, article, substance or other material is contained therein which is illegal, harmful to the safety of the student or the student body as a whole, or significantly disruptive or dangerous.
- Vehicles driven by students and parked on school property are subject to search with or without the consent of students.
- Any items which are specifically prohibited by law, by ACCEL policy, or by fair and reasonable school regulations may be impounded by school officials. Such prohibited items shall include, but not be limited to the following:

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- Any weapons;
- Drugs of any sort;
- Alcoholic beverages;
- Pornographic or otherwise obscene material; or
- Any other object, controlled substance or material that would be a violation or evidence of a violation of federal or state law, of ACCEL policy, or of the school's fair and reasonable regulations.

If possible, the student or students shall be contacted prior to any search of a desk or locker assigned to such student, and the desk or locker shall be opened in his/her presence. A witness from the professional staff shall be present during the inspection at all times when students cannot be contacted.

Search of a Student's Person: The School authorizes the Principal and the Principal's designee(s) to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the School's Code of Conduct or otherwise constituted a threat to the health, safety, welfare, or morals of the School, other students, school personnel, or any other person lawfully on school property or attending a school function. In authorizing searches, the School acknowledges both state and federal constitutional rights which are applicable to personal searches of students and searches of their possessions.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the School's employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating related to an immediate threat to safety. School employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Students may be subject to personal searches and searches of their possessions where reasonable individualized suspicion exists to conduct such search. Reasonable individualized suspicion to conduct a search of a student or a student's possessions and the scope of the particular search shall be based upon, among other things, the student's age, the prevalence and seriousness of the problem to which the search is directed, the urgency necessitating an immediate search, and the probative value and reliability of information used as justification for the search.

Students have no reasonable expectation of privacy rights in school lockers, cubbies, desks, or other school storage places. The School exercises overriding control over such school property, which may be opened and subjected to inspection at any time by school officials.

Interrogation: A student enrolled in ACCEL Day and Evening Academy shall not be interrogated by any non-school authority without the knowledge of the school principal or the assistant principal. When law enforcement officers make it known that they wish to talk to a student while under the supervision of the school, the student will be informed by the principal or assistant principal that the student has three (3) choices:

- He/she may converse by telephone with his/her parent/guardian.
- He/she may decline to talk to the officers until his/her parent/guardian is present.
- He/she may talk with the officers either in or outside the presence of a school official.

No student shall be removed from the school without a warrant or petition being officially served.

5.31.1 USE OF VIDEO SURVEILLANCE EQUIPMENT

To provide and maintain a safe and secure environment for students, staff, and authorized visitors, ACCEL Day and Evening Academy may use surveillance equipment on properties owned and/or maintained by the school system.

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

The school shall establish a system for maintenance and storage of equipment and surveillance data. Equipment and surveillance data shall be stored in secure places with access by authorized persons only.

5.31.2 USE OF METAL DETECTORS

In order to provide and maintain a safe and secure environment for students, school personnel and authorized visitors, ACCEL Day and Evening Academy may employ the use of metal detectors.

5.31.3 UNANNOUNCED VISITS BY LAW ENFORCEMENT

To provide and maintain a safe and secure environment for students, staff, and visitors, ACCEL Day and Evening Academy supports the requirement to permit law enforcement agencies to make periodic, unannounced visits to the school. Such visits shall be for the purpose of detecting the presence of illegal drugs or warrants. Such visits shall be unannounced except to the superintendent and principal.

5.31.4 USE OF CANINE LAW ENFORCEMENT

In order to maintain a drug-free school and deal with problems associated with illegal drug use and drug trafficking, ACCEL Day and Evening Academy allows law enforcement officials to make periodic, unannounced visits to the school to detect the presence of illegal drugs or weapons. The superintendent and the principal shall be given prior notice.

In implementing the use of drug-sniffing dogs, the following guidelines will be followed:

Although reasonable cause is not necessary under law in using dogs to sniff unoccupied automobiles, buses, and lockers, the principal will use reasonable care in the search process.

Only the principal or designee with approval from the superintendent or designee shall implement the use of drug-sniffing dogs in schools.

In the search for drugs, drug-sniffing dogs will be handled by trained dog-handlers under the supervision of the principal or designee and appropriate law enforcement official.

Dogs will not be brought into the school while large numbers of students are occupying the halls or other gathering places such as lobbies, buses, cafeterias, restrooms, and auditoriums.

5.32 STUDENT POSSESSION OF DEADLY WEAPONS

ACCEL Day and Evening Academy Policy, in keeping with state and federal law, prohibits all persons other than authorized law enforcement personnel from bringing or possessing any deadly weapon in the following circumstances:

- In any school building
- On or near school grounds or property
- On a school bus traveling to or from school or any school activity, function, or event, or any other school-sanctioned or authorized vehicle for transportation.

Under Alabama law, possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony. The term “deadly weapon” means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury. Such a term includes, but is not limited to, a pistol, rifle or shotgun; an explosive or incendiary device; a switchblade knife, stiletto, sword, or dagger, or any club, baton, blackjack, bludgeon, or metal knuckles.

Weapon Facsimiles and Replicas

Nonworking facsimiles and replicas of weapons, including guns which shoot pellets, and other similar objects are prohibited on or near school grounds, in school buildings, in school buses, and in private student vehicles on school grounds. If the object cannot reasonably be considered a “deadly weapon,” but still could create anxiety, panic, police intervention and disruption of school by their appearance, school officials will consider the nature of the object and the context of its use or display in classifying the offense and assigning consequences. Penalties for students and school personnel who violate this policy, notwithstanding any criminal penalties, may also be imposed.

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

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

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

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

5.33 EXPULSION

Expulsion is reserved for extraordinary circumstances, including but not limited to circumstances where a student's conduct posed or continues to pose a danger to the safety and well-being of themselves, other students, school personnel, or any other person lawfully on school property, attending a school function, or on school-provided transportation.

When the Principal determines that an expulsion may be warranted, the student may be removed from class and/or school immediately if the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. The Principal or his/her designee shall give reasonable notice to the student and the student's parent(s)/guardian(s) of their right to a fair hearing.

At the hearing, the student shall have the right to be represented by counsel or advocate (at the student's/parent's expense), the right to question witnesses against him/her, and the right to present witnesses and other evidence on his/her behalf. The Board's designee shall personally hear and determine the proceeding or may, in his/her discretion, designate a hearing officer to conduct the hearing. The Board's designee or the hearing officer shall be authorized to hear testimony and request documents in conjunction with the proceeding before him/her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Board's designee. The report of the hearing officer shall be advisory only, and the Board's designee may accept all or any part thereof.

If the parent(s) /guardian(s) are not satisfied with the decision of the Board's designee, they may file a written appeal to the Board of Directors via the Principal within five business days of the date of the decision of the Board's designee. The Board may adopt in whole or in part the decision of its designee and will make its decision based solely upon the record before it.

Provisions for the expulsion of exceptional education students shall be described and set forth in the Code of Student Conduct/Student Handbook; however, the dismissal of an exceptional education student shall not result in a complete cessation of educational services. The ACCEL Day and Evening Academy is responsible for providing the dismissed student's education during the expulsion in accordance with a revised individual education plan (IEP).

5.33.1 STUDENT GRIEVANCES

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

Definitions:

- **Complaint** shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school. *Complaint* shall not apply to any matter in which the method of review is prescribed by law. *Complaints* are objections to a specific act or condition.

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- **Complainant** shall mean any individual student or parent, directly affected by the alleged misinterpretation or violation, filing a complaint.
- **Faculty/Staff and Administration** shall mean the employees of the ACCEL Board of Directors or representatives under the direct supervision of an employee of the board.
- **Day** shall mean a school/academic day.
- **Time Limits:** The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
- **Released Time:** The complaint procedure will normally be carried out during non-instructional time. If, however, the Board elects to carry out provisions during instructional time, the complainant shall not lose academic credit.

Complaint Procedure

- **Informal Discussion:** If a student believes there is a basis for complaint, he/she shall discuss the complaint with his/her principal or the designee of the principal, (except in cases of discrimination or harassment involving the principal or the designee, in which case the complainant shall report to a person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- **Level One:** The student or parent filing the grievance shall complete the ACCEL Academy Grievance Report (attached and/or in possession of the principal). The report shall be submitted to the principal or his/her designee. The principal or his/her designee shall conduct an investigation in a timely manner. The principal or his/her designee's decision shall be reduced to writing and presented to the student and/or parent. In no event, shall an appeal to Level Two be allowed without the involvement of the principal or his/her designee. The principal or his/her designee shall document his/her involvement with the problem.
- **Level Two:** In the event the problem is not resolved at Level One, the student/parent may file an appeal in writing with the Superintendent by completing the ACCEL Academy Grievance Report (attached and/or in possession of the Superintendent's office). Such appeal shall be presented within ten (10) days of the Level One decision. The Superintendent shall request a conference with the aggrieved or render a written decision within ten (10) days from the receipt of the grievance.
- **Board Appeal:** In the event the problem is not resolved at Level Two, the student/parent may request the Superintendent to schedule a hearing before the Board. The Board shall issue a decision within forty-five (45) days after the hearing. The aggrieved person may select a representative to accompany him/her, may state the facts in written form, and may request a written decision.

Confidentiality will be provided to the extent possible to any student or affected party who requests such, especially in instances of alleged discrimination or harassment.

5.34 STUDENT CHECK OUTS

No student shall be permitted to leave the school grounds during the school day for school business/activities without the principal's/designee's prior approval or consent from the student's parent(s)/legal guardian provided an acceptable reason is established.

The principal or the designee shall establish definitely the identity and authority of any person who requests the release of a student from school. If the person requesting the release of the student is a person other than the parent/guardian having custody of the child, the principal or designee concerned shall not release the child without the verified authorization of the parent/guardian who has custody of the child.

5.40 STUDENT ATTENDANCE

One of the most important things a parent or guardian can do for their child is ensure they are in school on time every day. It is key to their learning, success in school, and ultimately success in life. ACCEL Day and Evening Academy maintains an attendance and truancy policy, which was written in accordance with Alabama State Board of Education Administrative Code, and §16-28-1 *et seq.*, Code of Alabama (1975).

Details of that policy follows on subsequent pages. If you have any other questions, please contact the principal.

General Provisions

- Students up to the age of seventeen (17) shall be required to attend a public school, private school, church school or to be instructed by a competent private tutor for the entire length of the school year.
- A school day is defined as the starting and ending time of the entire day.
- Students must be in attendance one-half of the instructional day to be counted present. The parent or guardian **must send a written note** if the student is checked out prior to completing one-half of the instructional day. One-half day is 12:00pm.
- Checkouts should be conducted through the main office no later than 2:30pm.
- Students are required to be on time for school.
- Late arrivals should report to the main office to check-in.
- Any missed school will be categorized as an excused absence, excused tardy, unexcused absence, or unexcused tardy.
- Excessive absences will subject a student, parent or guardian to truancy policies and procedures.

Tardiness

Being late to school or checking out of school is excused or unexcused for the same reasons as absences. A student is considered tardy if he/she is not in class when the tardy bell rings. Any student who arrives after school has begun must report to the office to check-in. If a student arrives after 9AM, a parent/guardian must sign-in the student. Habitual tardiness greatly affects a child's progress in school.

Tardiness shall be addressed as follows:

- 1st – 4th tardy - Demerits
- 5th – 6th tardy - Office Referral, Parental Notification, Detention

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- 7th tardy and each subsequent tardy - Office Referral, Parental Notification, Suspension
- 10th tardy - Parent notification by letter from the attendance officer
- 15th tardy - Referral to the Early Warning Truancy/Discipline Program

Absences

Absences are **excused** for the following reasons:

- Illness
- Death in immediate family
- Inclement weather which would be dangerous to the life and health of the child as determined by the principal
- Legal quarantine
- Emergency conditions as determined by the principal
- Administrative Approval – requires prior permission of the principal upon request of the parent or guardian
- A chronic ailment that may cause the student to miss school. A doctor's statement is required to verify the student's condition. At the beginning of **each** school year, a new chronic ailment statement from the doctor must be provided. A parent or guardian note is still required for any chronic ailment absence.
- Head lice – students should return to school as soon as possible once cleared of lice and nits. A maximum of three (3) days are excused for each occurrence of head lice.

Students are allowed up to ten (10) excused absences per year with a written statement from a parent or guardian. The excuse shall state the reason for the absence, the date of the absence(s), and have a parent/guardian signature. When a parent or guardian has exhausted ten (10) parent notes all future absences will require a written excuse from a medical physician or clinician to be coded as excused.

Absences that do not fall under one of the "excused absence" categories are deemed **unexcused**. The following are also deemed unexcused:

- Failure to send a note within three (3) days of the absence upon returning to school.
- Failure to secure prior approval from the principal for administrative approved absences.
- Failure to secure prior permission from the principal for out-of-town trips.
- Failure to provide a medical/clinical excuse after a student has accumulated ten (10) parent notes for the year.

Excessive Absences

Students who are absent five (5) or more unexcused days per semester may not receive credit for the course, unless otherwise approved by the principal. In cases where there are extenuating circumstances, the principal may extend the maximum number of unexcused absences a student may accumulate before credit is withheld.

Truancy

Truancy is the habitual and unlawful absence from school. Section 16-28-16 of the Code of Alabama governs truancy. If a child is truant, the parent or guardian can be charged with criminal action in Juvenile Court. Truancy is determined by unexcused absences. Unexcused absences shall be addressed as follows:

- One (1) unexcused absence: Parent or guardian notification
- Five (5) unexcused absences: Mandatory attendance at the school's Early Warning Truancy/Discipline Program
- Seven (7) or more unexcused absences: a Petition may be filed against the parent or guardian in the Mobile County Juvenile Court

The Early Warning Truancy/Discipline Program shall be set by the school attendance officer and is a mandatory meeting. The purpose of the program is to review the attendance policy of ACCEL Day and Evening Academy and the consequences of being truant. This meeting is also an opportunity for the parent or guardian to discuss the attendance or discipline of their child with school officials and a representative from the District Attorney's Office. Failure to attend this meeting may result in a court petition being filed against the parent/guardian.

If a petition is filed in the Mobile County Juvenile Court against a parent or guardian for truancy, he/she will be required to appear before the Juvenile Court Judge. If found guilty of the charge, he/she shall receive probation or a misdemeanor conviction, and may be fined and sentenced up to 90 days in the county jail. The parent or guardian and the student may also be ordered to participate in programs that address the issues relating to the truancy of the student.

5.41 COMPULSORY SCHOOL ATTENDANCE AGE

ACCEL Day and Evening Academy is a public charter school. Attending ACCEL is by choice of the student and the student's parent/guardian. In the event the student withdraws from ACCEL, Alabama law states that students between the ages of six (6) and seventeen (17) years shall be required to attend a state-approved school for the entire length of the school term in every scholastic year.

5.42 REVOCATION OF DRIVER'S LICENSE OR LEARNER'S PERMIT

In order to qualify for and maintain an Alabama Driver's License or Learner's Permit, a student under the age of nineteen (19) must be either enrolled in a public school, enrolled in a GED program, enrolled in a job-training program approved by the State Superintendent of Education, or exempted for circumstances beyond the control of the student as defined by the State Department of Education guidelines.

ACCEL Day and Evening Academy will verify the enrollment status of a student aged 15 to 19 upon request.

ACCEL Day and Evening Academy will notify the Department of Public Safety when a student aged 16 to 19 has more than ten (10) consecutive or fifteen (15) cumulative days of unexcused absences during a single term. Students aged 16 to 19 with more than ten (10) consecutive or fifteen (15) cumulative days of unexcused absences shall be considered withdrawn.

A student may appeal the superintendent's determination of his enrollment status by providing written notification to the principal of the intent to appeal. The notice must state the reasons for the appeal and be filed within fifteen (15) days of the board's issuance of enrollment status. Except as stated herein, the

Academic Excellence Committee will treat the appeal procedurally the same as the process for long-term suspension or expulsion of a student.

5.48 HEALTH SERVICES

The Health Services Department provides assistance to students and staff in the areas of health services, health education, and a healthful environment. The role of the school nurse within this program is to strengthen the educational process of children and youth by assisting them to improve or adapt to their health status. The school nurse will promote wellness and disease prevention by early intervention and identification of health problems that interfere with learning. This Health Services section is a basic overview and not intended to address all questions and concerns parents and/or students may have. Please refer to your school nurse for detailed plans for all health questions.

5.60 STUDENT ILLNESS OR INJURY

NOTE: The Superintendent may change or alter this policy without Board action in a state of emergency.

The teacher, principal or nurse shall isolate a student who becomes ill while at a school until the student can be removed. A student with a temperature above normal, diarrhea, or emesis shall be evaluated and sent home, if necessary.

No internal medicine of any kind may be given to a student without the written permission of the parent(s)/legal guardian(s). (See Policy 5.62 Administration of Medication.)

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

- First aid shall be administered by the nearest person with first aid training and 911 Emergency will be called if the situation is threatening.
- The school shall attempt to notify the student's parent(s)/legal guardian immediately.
- A student shall be taken to the emergency room of a hospital when a threatening situation occurs. Discretion shall be used in moving a critically injured student without medical advice.
- A serious injury to a student shall be reported immediately to the principal who shall make a prompt report by telephone to the Superintendent or designee.
- An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.

5.62 ADMINISTRATION OF MEDICATION

All medications require parents to complete the Alabama State Department of Education School Medication Prescriber/Parent Authorization (PPA) forms. New forms must be renewed at the beginning of every school year and anytime the doctor makes a change to prescribed medication. Only the prescriber (MD, NP, PA) can change a medication order (dose, frequency, specific time, etc.). Changes to the medication orders by a parent/guardian will not be accepted.

Note: Only one medication per Prescriber/Parent Authorization (PPA) form is acceptable. If a student has multiple medications, a separate PPA must be completed and signed for each medication.

The administration of prescription or non-prescription medications during school hours is discouraged unless a physician and parent determines that a student's health needs require medication during school hours. ACCEL Day and Evening Academy follows the Health Services Division medication protocol and procedure for administration of medication.

The school nurse is responsible for the administration of medications for students at school. In the event the nurse is unavailable, unlicensed medication personnel will administer medications. The unlicensed medication employee shall be trained annually with the approved curriculum set by the Alabama Board of Nursing by the Registered Nurse.

The first dosage of any new medication shall not be administered during school hours because of the possibility of an allergic reaction.

All medications that are kept at school shall be stored in a secure place under lock and key with the student's name attached. Only authorized ACCEL Day and Evening Academy personnel have access to it.

All medications and special nursing procedures are documented and/or on specially designated documents.

Special nursing procedures are performed by the school nurse according to Alabama Board of Nursing and standards.

5.64 EYE PROTECTION DEVICES

ACCEL Day and Evening Academy shall provide protective devices for board employees, students, and visitors during activities that require eye protection.

The student shall be required to wear the eye protection device as directed by the teacher when engaged in activities where eye protection is needed. The student's failure or refusal to wear the device shall be cause for his/her suspension or dismissal from the course.

Any ACCEL Day and Evening Academy teacher who fails to carry out the provisions of this policy shall be charged with willful neglect of duty and shall be reported to the Superintendent or designee for such action as deemed appropriate.

5.65 DIABETES EDUCATION

ACCEL Day and Evening Academy has implemented the Alabama Safe at School Act for Diabetes Education, awareness, and levels of training. All standards of practice and guidelines set forth from the Alabama State Department of Education are followed within ACCEL Day and Evening Academy. Appropriate documentation of the program is kept with the Supervisor of Health Services.

5.66 ANAPHYLAXIS PREPAREDNESS PROGRAM

Anaphylaxis is a severe allergic reaction that is rapid in onset and may cause death. Allergic reactions to foods have become the most common cause of anaphylaxis in community health settings. Studies indicate that anaphylactic events related to the accidental consumption of food allergens in school settings are not rare. In addition, severe and potentially life-threatening reactions (anaphylaxis) can occur in schools when children with no previous diagnosis of food allergies when they are exposed to allergens at school and have an initial anaphylactic event.

It is the policy of ACCEL Day and Evening Academy that an Anaphylaxis Preparedness Program be implemented as part of the school health services. The program shall incorporate three levels of preparedness:

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

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

5.68 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) US

If available, an AED will be maintained on the premises in ACCEL Day and Evening Academy. The AED shall be used in emergency situations warranting its use by individuals specifically trained in the use of the device. The lead school nurse will be responsible for coordinating the AED program, communicating with appropriate local physicians and/or emergency medical service providers, and for advising the Superintendent in developing, implementing, and publishing procedures and guidelines for AED use in school facilities.

Authorized personnel who have successfully completed appropriate training and/or any volunteer responder who has successfully completed an approved CPR/AED training program and has a current course completion card are authorized AED users. Signage and/or publications in school buildings shall identify the location of AEDs and the names/locations of AED/CPR-trained staff members.

School office personnel are responsible for receiving emergency medical calls from internal locations, contacting the EMS (911) if required, and deploying the school nurse and/or AED/CPR-trained staff members to the location of the emergency.

Initial training in first aid/CPR/AED use will be conducted through the American Red Cross or American Heart Association. Designated staff members will renew CPR/AED training annually and first aid training every three (3) years. The lead school nurse will keep training records.

5.70 STUDENT RECORDS

The School recognizes the legal requirement to maintain the confidentiality of student records. Access to student records shall be consistent with federal statutes, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.

The School also recognizes its responsibility under the Local Government Records Law to ensure the orderly retention and disposition of the School's student records.

At least once each year, the School shall by means of an individual mailing or by inclusion in one of the School's regular publications, notify all parents and eligible students of their rights under FERPA. The notice will include a statement that the parent or eligible student has a right to:

- 1) Inspect and review the student's education records;
- 2) A specification of the intent of the School to limit the disclosure of personally identifiable information contained in a student's education records except:
 - by prior written consent of the student's parent(s) or guardian(s) or the eligible student; as directory information; or under certain limited circumstances, as permitted by FERPA.
- 3) Request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
- 4) File a complaint with the U.S. Department of Education alleging failure of the school to comply with FERPA and its regulations; and
- 5) Obtain copies of this policy and the locations where copies may be obtained.

The policy applicable to the release of student directory information, which includes the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of degrees and awards received, and the most recent educational agency or institution attended by the student, applies equally to military recruiters, the media, colleges and universities, and prospective employers.

The School shall arrange to provide translations of this notice to non-English speaking parents in their native language.

The School does not plan to publish a directory of student information. In the event that the School plans to publish a directory in the future, FERPA permits the disclosure of certain categories of directory information, i.e., name, age, address, etc., without specific permission from the parents having been obtained. However, while permission is not required, the School must give parents/legal guardians the opportunity to object to the publication of some or all of this information.

5.71 DIRECTORY INFORMATION

Students' parent(s)/legal guardian(s) shall be notified annually that ACCEL Day and Evening Academy may release "directory information" to the general public.

Directory information may include the following data about a student:

- Name;
- Address;
- Telephone number, if listed;
- Participation in officially recognized activities and sports;
- Weight and height, if an athletic team member;
- Name of the most recent school or program attended;
- Dates of attendance at school and degrees and awards received.

Information such as name, participation in officially recognized activities and sports, weight and height (if an athletic team member), and name of the most recent school attended may be published routinely by ACCEL Day and Evening Academy in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.

Directory information shall not be published when the student's parent(s)/legal guardian submits written notification to the principal during school registration each school year. Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information.

5.72 PARENT NOTIFICATION

In compliance with federal regulations, ACCEL Day and Evening Academy employees will notify the parents of each student attending any school receiving funds under Title I, Part A, Section 1111(h)(6), Section 1112(g) and Title III, Section 3302, upon request, regarding the professional qualifications of the student's classroom teachers. The information will include, at a minimum, the following:

- Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher;
- The field of discipline of the certification or degree; and
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

ACCEL Day and Evening Academy will provide information to the parents of each child on the child's level of performance on the state assessments. This information will be provided in a timely manner, in an understandable and uniform format, and to the extent practicable, in a language that the parents can understand.

5.73 STUDENT PUBLICATIONS

ACCEL Day and Evening Academy school principals may approve establishment of a school newspaper or magazine for students.

The principal shall be responsible for supervising the publication of newspapers, magazines, yearbooks, and programs and for ensuring these publications do not impede or otherwise interfere with the educational purpose of the school.

The principal shall not allow advertisements of intoxicants or tobacco products or other products that would be inappropriate for the intended audience.

5.80 EXTRACURRICULAR ACTIVITIES

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

An extracurricular activity shall be defined as all activities recognized and sanctioned by the Alabama High School Athletic Association and other extracurricular activities that are sanctioned by the school which are not related to a student's academic requirements or success in a course(s). Activities offered by the school through math, science, band, choral music, and other courses at events such as athletic events (pre-game, game, half time, or other breaks), club conventions, parades, amusement park trips and competitions, trips by tour companies, performances at various meetings, etc., are extracurricular, and students academically ineligible under this policy shall not be allowed to participate.

Students shall not be excluded from participating in activities for lack of money for dues, materials, or uniforms.

Appropriate adult supervision consistent with applicable Alabama statutes and ACCEL Day and Evening Academy policies shall be provided for all students.

Students may be suspended from extracurricular activities, which include, but are not limited to school sponsored athletic events as either a participant or spectator, cheerleading, band, dances, prom, field trips, graduation exercises, based on procedures established by the Superintendent. If a student is charged with an on- or off-campus Class A misdemeanor which involves drugs, violence, any type of weapon, physical harm to a person or threatened physical harm to a person, or any class of felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities may be suspended for the balance of the school year. A report of an alleged violation of this standard of conduct shall be submitted to the principal or designee for investigation. If the principal or designee determines that a violation has occurred, the student and his parent(s)/legal guardian shall be notified in writing of the suspension from school-sponsored extracurricular activities.

5.81 ATHLETICS

All ACCEL Day and Evening Academy schools, grades 7-12, shall be members of the Alabama High School Athletic Association (AHSAA) and shall be governed by the rules and regulations adopted by AHSAA.

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Students who participate in athletics shall meet eligibility requirements established by AHSAA, ACCEL Day and Evening Academy and the Alabama Administrative Code. Membership dues will be paid from the internal accounts of the school.

Students practicing or participating in any type of interscholastic athletics shall provide proof of accident insurance covering medical expenses of any injury sustained in a sport. The principal shall be responsible for obtaining proof, as evidenced by a signed statement from the student's parent(s)/legal guardian, of the student's insurance prior to practice or participation in interscholastic athletics. Such insurance may be made available to the parent(s)/legal guardian through the school or the parent(s)/legal guardian may submit evidence that insurance has been provided through another source.

No student shall engage in practice or participate in any interscholastic game without the written permission of the student's parent(s)/legal guardian and a current physical examination as required by the Alabama High School Athletic Association being on file.

To the extent permissible by law, licensed medical personnel who act as volunteers for school events and agree to render emergency care or treatment shall be immune from civil liability for treatment of a participant in any school-sponsored athletic event, provided such treatment was rendered in accordance with acceptable standards of practice and was not objected to by the participant.

All athletic programs of ACCEL Day and Evening Academy shall abide by AHSAA rules and legislative acts regarding athletes who sustain concussions, including annually providing information to parents and students regarding concussions, training coaches annually, and holding students suspected of having a concussion out of competition.

All students shall be subject to all ACCEL Day and Evening Academy rules and to the Code of Student Conduct while attending athletic events and practices.

Conduct of student athletes and coaches during all athletic events shall be governed by the AHSAA rules and regulations and shall reflect good sportsmanship and respectful conduct toward officials, opponents, teammates, and visitors. Any ACCEL Day and Evening Academy student athlete or coach ejected from a game or sporting event due to violation of AHSAA rules may be subject to pay any assessed fine and may be suspended from participation until such fine is paid.

5.82 NON-FACULTY COACHES

All non-faculty coaches shall work under the direct supervision of a certified ACCEL Day and Evening Academy employee. The conduct of each non-faculty coach is the responsibility of the school principal and the athletic director. Any violation of Alabama High School Athletic Association (AHSAA) guidelines by a non-faculty coach is subject to disciplinary action by ACCEL Day and Evening Academy.

All non-faculty coaches must complete the course or courses required by the Alabama High School Athletic Association (AHSAA). All non-faculty coaches must be fingerprinted and must undergo a background check at their own expense prior to participation in coaching. In addition, all non-faculty coaches must be recommended by the principal and approved by the Superintendent prior to beginning coaching duties.

Only individuals who have fulfilled the requirements stated above and who have signed a release stating that ACCEL Day and Evening Academy is not responsible for any injury or problem that may result from his/her work as a non-faculty coach may serve as a non-faculty coach in a school.

5.83 STUDENT DRUG TESTING PROGRAM

Competitive Extracurricular Activities: It is the objective of ACCEL Day and Evening Academy to assure that all students who wish to participate in competitive extracurricular activities be given the opportunity to do so in a safe, drug-free environment and that all students participating in competitive extracurricular activities, while under the supervision of the school, be completely free from the effects of alcohol and/or the presence of illegal or controlled substances. In an effort to meet this objective, the superintendent reserves the right to require any student desiring to participate in competitive extracurricular groups or clubs, practices, competitions, or at any other time while under the supervision of the school, to be subject to a random unannounced drug screening.

The superintendent has the right to conduct random unannounced drug screenings of students participating in competitive extracurricular groups or clubs, as well as the right to conduct specific drug screening of students whenever an administrator, a coach, assistant coach, teacher, sponsor, band director, observes circumstances which provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances that violate the school substance abuse policies. Furthermore, the board grants the coach of any team or the sponsor of any official school group the right to have the entire team/group tested during the season for their particular sport.

Student Privileges: It is the objective of ACCEL Day and Evening Academy to assure that all students who wish to take advantage of the privilege of driving a vehicle on school property and/or parking a vehicle on school property, be given the opportunity to do so in a safe, drug free environment, and that all students exercising the privilege of driving and parking on school property, be completely free of the effects of alcohol and/or the presence of other illegal or controlled substances. In an effort to meet this objective, the board reserves the right to require any student desiring to drive a vehicle on school property and/or park on school property, be subject to and submit to random drug tests at any time while on school property, or participating in school sponsored events.

The superintendent will allow the principal to designate such other and additional requirements for the privilege of driving a vehicle on school property and/or parking a vehicle on school property including, but not limited to, academic standards, attendance standards, and the payment of fees. The school principal may also establish the priority for issuance of parking permits.

The superintendent also has the right to require the passing of a drug test as a condition to granting such privileges, the right to conduct random unannounced drug screening for students taking advantage of student parking privileges, as well as the right to conduct specific drug screening of students whenever a school official observes circumstances which provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances that violate the school substance abuse policies.

The superintendent shall prepare procedures for implementing this policy consistent with local, state, and federal laws.

5.90 ACCEPTABLE USE OF COMPUTER TECHNOLOGY AND RELATED RESOURCES

To facilitate achieving a quality education for its students, it is the policy of ACCEL Day and Evening Academy to provide all students and employees with opportunities to access a variety of technological resources. A large and varied technological environment requires that technology use by employees and students be legal, ethical, and safe. Technology use must be consistent with the educational vision, mission, and goals of the school.

Copyright Law: It is the obligation and intent of the school to comply with the copyright laws of the United States. ACCEL Day and Evening Academy employees and students shall use technology resources in accordance with board policies and procedures, as well as local, state, and federal laws and guidelines governing the use of technology and its component parts.

Electronic Mail: The school provides access to electronic mail for employees whose normal work activity requires access. That access is intended to support only educational, instructional, extracurricular, or normal administrative activity. Board policies and procedures shall apply to the use of electronic mail. The school cannot guarantee the privacy, security, or confidentiality of any information sent or received via electronic mail. The school will use a filtering service to screen e-mail for spam and inappropriate content. Contents of electronic mail cannot be considered private. All contents of electronic mail are the property of the school.

Computers and mobile devices, the school's e-mail system, the system's wired and wireless computer networks, and software furnished to students are property intended for school related use only. Although ACCEL Academy is under no obligation to monitor email messages, to ensure compliance and acceptable use, computer, Internet, and email usage may be monitored. The school reserves the right to inspect, without notice, the contents of computer files, regardless of the medium, the contents of electronic mailboxes, and all digital files.

The school system does not guarantee the privacy, security, accuracy, truthfulness, or confidentiality of any information sent or received via the network.

Social Media: Any social media account or page that uses the official name of ACCEL Day and Evening Academy; its logo or mark that purports to officially represent the Board, the school, a board facility, school-sponsored activity or any other group or organization officially affiliated with the school must be created and administered by a school employee who has been authorized by the Superintendent or designee to take such action. Social media are defined but not limited to: websites, blogs, wikis, social networks, online forums, virtual worlds, and any other social media generally available to the public (e.g., Facebook, Twitter, LinkedIn, Flickr, YouTube, etc.). The Superintendent is authorized to develop such procedures as may be necessary to implement this policy. The school provides technology protection measures that include blocking or filtering Internet access to visual depictions and text that are obscene, pornographic, or harmful to minors. These measures cannot be considered 100% effective. Teachers must preview required web sites and observe students using the Internet. Sites that are deemed inappropriate or a disruption of the learning atmosphere should be reported to the Director of Technology. Teachers may also request that sites be opened for periods of research. Parents and students must follow the School's Social Media Policy as set out in the Student Handbook/Code of Conduct.

The Internet: The intent of ACCEL Day and Evening Academy is to provide access to resources available via the Internet with the understanding that faculty, staff, and students will access and use only information that is appropriate, beneficial, and/or required for his/her various curricular or extracurricular activities or staff duties.

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- Internet access is provided to allow students, faculty, and staff to conduct research. Users will gain access to the Internet by agreeing to conduct themselves in a considerate and responsible manner. Students are subject to and must follow the Internet Usage Policy as contained in the Student Handbook/Code of Conduct.
- The school provides technology protection measures that include blocking or filtering Internet access to visual depictions and text that are obscene, pornographic, or harmful to minors. These measures cannot be considered 100% effective. Teachers will screen resources that will be used in the classroom for content prior to their introduction, and shall observe students using the Internet. Sites that are deemed inappropriate or a disruption of the learning atmosphere are to be reported to the Technology Coordinator. Teachers may also request specific sites to be opened for the purposes of research.
- Network users are prohibited from accessing external networks or alternate Internet service providers within school's internal network unless expressly authorized by the Superintendent or Superintendent's designee and properly protected by a firewall, other appropriate security device(s), and appropriate filtering software.
- All school rules and guidelines for appropriate technology use shall apply to use of the Internet. Because communications on the Internet are often public in nature, all users must engage in appropriate and responsible communications with particular regard to avoiding disruption of the educational environment.
- Student posting of personal information of any kind about themselves or others is prohibited. Personal information includes home and/or school addresses, work addresses, home and/or school phone numbers, names, social security numbers, pictures, etc. The board cannot guarantee the privacy, security, or confidentiality of any information sent or received via the Internet.

School and school-sponsored activity web sites: Because any school web sites can be globally available and represent the community at large, the designated school webmaster will review all web sites and/or new features and links before adding them to the school's web site. Only the designated school webmaster may place web sites, features, or links on the web server. The webmaster may reject all or part of proposed home pages and/or new features and links for any reasons. The legal and ethical practices and responsibilities of appropriate use of technology resources shall be taught to all students and employees in the school (i.e. during lab orientation, network orientation, faculty meetings, etc.).

Student-Owned Devices (BYOD): Personally owned devices used during school hours that are connected to the schools' data network are to be used for academic purposes only. Participation in online gaming, downloading of large data files, viewing or listening to streaming media without educational value are examples of activities that are not allowed, even on personally owned devices, while connected to the school's network.

Personally owned technology devices that are connected to the school's data network are governed by the policies, procedures and guidelines outlined in this policy as well as any local, state, and federal laws. Technologies may not be used on the school's network that interfere with or adversely affect functions or operations of school system technology resources/infrastructure.

The school reserves the right to enforce any security measures deemed necessary and to inspect, at any time, any device on campus in order to ensure a safe learning environment. Such may result in the examination of personal devices.

Theft/Damage of Devices: The school will not be responsible for lost or stolen devices. Physical damage or loss of data is not the responsibility of the school or the school. As with any items on school campuses, school officials may inspect any personal device when there is reasonable suspicion that contents are a violation of policies, or of any local, state, or federal laws.

Violations: Use of ACCEL Academy's Network and/or the Internet access provided by the school system, which is in violation of the law or board policies may result in disciplinary action, up to and including possible suspension, expulsion and/or criminal prosecution. Students are held personally liable for any violations of this policy. When inappropriate use of the Internet or network is determined, the result may include cancellation of these privileges.

5.91 INFORMATION MANAGEMENT SYSTEM AND STUDENT DATA

ACCEL Day and Evening Academy shall develop and maintain an integrated information system for educational data management. The Superintendent or designee shall ensure compatibility exists with the state information systems. Procedures and guidelines shall be developed to ensure that adequate management information support needs are met. In addition, the Superintendent is authorized by the board to develop plans and procedures to maintain data security.

The school adheres to all aspects of the Family Educational Rights and Privacy Act (FERPA) as it implements programs and procedures for collecting, managing, storing, transmitting, using, securing, reporting, and destroying data and student information. Appropriate use of data is essential to student achievement, planning, and school program effectiveness.

School data collection, management, and reporting is implemented according to Alabama State Department of Education guidelines and in a manner designed to preserve and protect individual and collective privacy rights and to ensure confidentiality and security of collected data. School student data is transmitted daily to the Alabama State Department of Education data management system from which state and federal reporting is completed. Each student is assigned a unique student identifier upon enrollment into the student management system to ensure compliance with the privacy rights of each student and his or her parents/guardians. No personally-identifiable individual student data is shared in either state or federally-required reporting.

Data collected by the school is maintained within a secure infrastructure. Access to data is limited to staff whose job responsibilities include required data collection, analysis, reporting, and management. Training in data security and student privacy laws is provided to these individuals on a regular basis to ensure compliance with school policies and state and federal privacy laws.

CHAPTER 6.0 – HUMAN RESOURCES

6.10 EQUAL OPPORTUNITY FOR EMPLOYMENT

ACCEL Day and Evening Academy recognizes that an effective educational program depends on the quality of the personnel employed in the school. Therefore, every effort shall be made to employ the most qualified personnel available. Applicants for positions will be selected on the basis of their qualifications, merit, and ability. ACCEL is an equal opportunity employer. It is the policy of ACCEL to afford equal employment and advancement opportunity to all qualified individuals without regard to: race, color, gender, sex, religious creed, marital/domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition, taking of leave of absence pursuant to FMLA, ADA, or the FEHA, genetic information, sexual orientation, military and veteran status, or any other consideration made unlawful by federal, state, or local law.

This policy extends to all employees and to all aspects of the employment relationship, including, but not limited to, hiring of the new employees and the training, transfer, promotion, compensation and benefits of existing employees.

The Superintendent is directed to develop appropriate employment procedures governing the recruitment, screening, selection, appointment, and employment of all ACCEL Day and Evening Academy personnel. Employment qualifications and other criteria will be listed in job descriptions for each position within the school.

6.11 EMPLOYMENT STATUS AND TIME SCHEDULES

Employment in ACCEL Day and Evening Academy shall be in one of the following categories:

- Full Time - A regular full-time employee is a person who is employed for the school term or for the school fiscal year to render the minimum number of hours each day as established by ACCEL for that position or job. A full-time support employee includes adult bus drivers (if and when transportation is provided to students) and those employees working twenty (20) or more hours per week.
- Part-time - A part-time employee is a person who is employed to render less than the number of hours each day as established by ACCEL for a regular full-time employee. A part-time support employee is a person employed less than twenty (20) hours per week.
- Temporary - A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or to perform some work of a temporary nature. Such employment will cease at the close of the school term or school fiscal year or when the temporary work has been completed. A temporary employee may be a part-time or a full-time employee.

Time Schedules for Personnel: Time schedules for personnel may be designated by the Superintendent and/or the immediate supervisor. All administrative and supervisory personnel shall normally observe an eight (8) hour workday, unless otherwise assigned by the Superintendent. School administrators shall be on duty no less than thirty (30) minutes prior to the time fixed for school to open and thirty (30) minutes after the close of school. Teaching personnel are generally required to be on duty before the time set for

the opening of their respective school and after the close of the school day, Monday through Friday, and the necessary time to transact faculty meetings, school business, and the safe, orderly arrival or dismissal of students, etc. Work schedules for all personnel shall be in compliance with the Fair Labor Standards Act.

6.11.1 EXTRA DUTIES AND STAFF MEETINGS

Extra work-related duties associated with the school's curriculum, necessary to provide a safe, orderly educational environment, may be assigned to and/or requested of employees by ACCEL. The curriculum is defined as any activity that occurs in the name of the school (school plays, athletic contests, math team competition, social events, etc.).

When extra duties related to the curriculum are assigned to said personnel, the following provisions shall apply:

- Extra duties shall not be assigned during regular school hours that require certified teaching personnel to be removed, on a continuing basis, from teaching responsibilities.
- ACCEL requires that all duties assigned be reasonable and in support of accomplishing the overall educational objectives of the school.
- Extra duties that are assigned shall be made on a fair and equitable basis, taking into consideration the nature of the activity and the teacher(s) involved.

An administrator and/or supervisor may call staff meetings when he/she feels such meetings are warranted. Attendance by employees may be required. Such compulsory attendance should be stated within the notice announcing the meeting. Meetings requiring employee attendance should be planned and announced as far in advance as possible in order to allow employees to appropriately plan their individual schedules.

6.12 POSTING VACANT POSITIONS AND RECRUITMENT

Vacancy postings at ACCEL Day and Evening Academy shall be at the discretion of the Superintendent. ACCEL is not subject to the same posting laws as public schools in the state of Alabama and may use more flexible rules and policies to secure employment to better serve its students. A vacancy posting may include, but not necessarily be limited to, the following:

- Job description and title;
- Required qualifications;
- A statement of reference to the approved salary schedule;
- Information on where to submit an application;
- Information on any deadlines for applying; and,

- Other relevant information.

Nothing in this policy shall prohibit the immediate employment or transfer of ACCEL personnel needed to ensure the welfare and safety of students, personnel, teachers, or others on a temporary emergency basis.

The Superintendent shall establish and maintain a plan for actively recruiting promising personnel for employment by ACCEL. The recruitment program may include, but shall not be limited to, the following:

- Interview prospective employees prior to graduation at area colleges;
- Advertise and/or disseminate information about job vacancies; and,
- Review files obtained by college placement bureaus and the Alabama State Department of Education.

6.13 JOB DESCRIPTIONS

The Superintendent is responsible for approving job descriptions prior to the establishment of any new position. Each job description shall contain the minimal qualifications, required skills, essential performance responsibilities, physical requirements of the position and other information as deemed necessary.

The Superintendent shall maintain comprehensive, up-to-date job descriptions for all ACCEL positions. It shall also be the responsibility of the Superintendent or his/her designee to familiarize the personnel with their duties and responsibilities as defined by the job description.

6.14 CONFLICTS OF INTEREST

ACCEL Day and Evening Academy prohibits school employees from engaging in additional employment or any other personal pursuits that would affect their efficiency or usefulness as employees in its schools; that would make time and/or energy demands upon such individuals that would interfere with their effectiveness in performing their contractual obligations to the school; that would compromise or embarrass ACCEL; that would adversely affect their ACCEL employment status or professional standing; or that would in any way conflict with or violate professional ethics or the state ethics.

The school prohibits any employee of its schools from directly or indirectly reaping personal profit or reward from the sale or purchase of goods or services to students in its schools or to parents of students.

School employees acting as individuals are further prohibited from directly or indirectly furnishing or supplying a list or roster of names and addresses of students in ACCEL or parents of students to persons, firms, or anyone without the written approval of the Superintendent.

6.14.1 GIFTS

Staff members may, at their discretion, present gifts to groups of students on special occasions. School staff members must exercise good taste and sound professional judgment when giving gifts to students. Gifts provided by staff members to students must not be elaborate or expensive.

School staff members shall not solicit or accept a gift, including money, from any source, when such a gift could be construed to be:

- associated with the performance of school-related duties or activities; or
- a result of or a precondition to business transactions between the parties.

Gifts of a nominal value (no more than \$25 per occasion and no more than \$50 per year from a single provider) are excluded from this policy. All gifts must comply with the current Alabama Ethics Law.

6.14.2 USE OF SCHOOL-OWNED EQUIPMENT AND MATERIALS

All equipment and materials owned by or purchased in the name of ACCEL Day and Evening Academy shall be used exclusively for educational purposes as defined by the board. Employees are authorized to use such equipment and materials while performing assigned job-related duties at their respective work sites/classrooms during regular work hours. All computers and/or digital devices owned by the school are subject to the rules and guidelines of the Internet Acceptable Use Agreement.

Non-Fixed Asset, Fixed Asset Equipment, and Certain Electronic Equipment: Employees may be authorized to take school equipment away from their classrooms/work sites to complete school related tasks. Use of school-owned equipment and electronic devices may not be for personal gain and must comply with acceptable use agreements.

6.14.3 TUTORING FOR PAY BY CERTIFIED PERSONNEL

ACCEL Day and Evening Academy personnel shall not receive pay or its equivalent for out-of-school tutoring of students currently enrolled in their classes when the out-of-school tutoring is in subject areas taught to students during the regular school day. However, personnel may engage in out-of-school tutoring of students in their classes when such tutoring is sponsored, organized, and paid for by ACCEL or other accredited educational institutions. Tutoring for any form of remuneration shall not be done during the regular school hours.

Employees shall not under any circumstances use ACCEL consumable materials or supplies for private tutoring for personal gain. School-sponsored tutoring programs, grant-funded or non-profit or community organization student assistance or tutorial programs using school facilities or resources must have the approval of the school principal and/or Superintendent and must comply with school facilities use guidelines.

6.15 NEPOTISM

An ACCEL Day and Evening Academy employee may not be recommended for employment or be supervised by a close relative. Two or more close relatives may not work in the same administrative unit except by special permission of the Superintendent. Close relatives are defined as mother, father, son, daughter, brother, sister, and spouse and in-laws of the same.

6.16 EMPLOYMENT REQUIREMENTS

Any person desiring employment, as defined by Policy 6.11, shall file a completed application on the form provided by the Superintendent.

Applicants for employment must meet the stated minimum qualifications in the job description and

- Must be of good moral character;
- Must be at least twenty-one (21) years of age unless otherwise approved by the Superintendent.

All potential employees of ACCEL Day and Evening Academy shall verify their identity and employment status to the Superintendent. The Superintendent shall maintain a file on all of school employees hired after November 6, 1986, proving that each employee has verified his or her identity, employment status, U.S. citizenship, or legal alien status to the Superintendent's satisfaction. Evidence to be used to verify identity, employment status, U.S. citizenship, or legal alien status should include at least two of the following documents, one of which contains a current photo of the employee: U.S. birth certificate, social security card, and a current driver's license; a state or military identification card; or one of the following: U.S. passport, certificate of U.S. citizenship, certificate of naturalization, unexpired foreign passport, or resident alien card.

Criminal background checks by means of fingerprinting or other legal procedure for prospective and current employees who have unsupervised access to students shall be conducted consistent with requirements of law.

Certificate Requirements: Public charter school teachers are exempt from the Alabama teacher certification requirements unless required by the public charter school contract or federal regulations.

The school shall ensure that all aspects of the recruitment and selection process are job-related and are consistent with business necessity to ensure equal employment opportunity. Neither ACCEL nor its agents shall engage in any discrimination with respect to employment in violation of any state or federal laws. Applicants shall be informed of the complaint procedure that may be used should they allege discrimination.

Equal Opportunity Employer: ACCEL is an equal opportunity employer. Personnel and payroll decisions will be made without regard to factors or considerations prohibited by federal or state law (as such laws may from time to time be amended), including but not limited to race, gender, age, disability, national origin, citizenship, genetic makeup and religious preference. Any employee who feels that he/she has been discriminated against based on any of these protected classes, should file a grievance based on procedures outlined in this manual.

6.19 MEDICAL EXAMINATIONS

The Superintendent may require a physical, psychological, and/or psychiatric examination by a physician or counselor licensed in the state of Alabama when, in the Superintendent's judgment, such an examination is relevant to the teaching performance or employment status of a ACCEL Day and Evening Academy employee. The Superintendent shall select the physician(s), psychologist(s), or psychiatrist(s) and the board shall pay all costs incurred in the examination(s). The employee shall allow the report of the physician(s), psychologist(s), or psychiatrist(s) to be submitted to the Superintendent with a copy being forwarded to the employee.

6.21 ON-PROBATIONARY STATUS/TENURE

ACCEL Day and Evening Academy and its employees are not subject to or covered by the Students First Act, the Teacher Accountability Act, or any other teacher tenure laws in the state of Alabama. No employee hired by ACCEL shall obtain tenure at ACCEL. The Alabama School Choice and Student Opportunity Act has provided that public charter schools shall not be subject to Alabama's education statutes, including teacher tenure laws.

6.29 EMPLOYEE CONDUCT

ACCEL Day and Evening Academy personnel are employed for the express purpose of contributing in a positive way to the education of the youth attending the school. ACCEL expects its employees to provide an environment that will foster well-rounded educational programs and a safe and supportive place for children to learn. In order to provide such educational programs and school environments in the school, all employees of ACCEL are expected to abide by all federal and state laws, all applicable State Board of Education policies, all local ordinances, all ACCEL policies; and to adopt and follow ethical and professional codes of conduct that reflect favorably upon ACCEL. Failure to comply with these expectations may result in disciplinary actions.

Further, it is the belief and expectation of ACCEL that educators have and employ ethical behavior, and, as such, have and demonstrate devotion to the job, the profession, the students, other employees and to ACCEL as a whole. Employees are expected to maintain a sense of neutrality and fairness in their endeavors as educators.

Employee Dress Code

Men must wear collared shirts with dress pants/slacks with the exception of PE teacher, PE Paraprofessional, and on Fridays.

Ladies dresses and skirts must be:

- No shorter than 3 inches above the knee.
- Neckline/back line must be appropriate (no cleavage showing, no spaghetti straps, or straps less than 3 inches).
- No showing of skin between dresses/skirts and tops.
- No tight dresses or tight skirts.

- Leggings and/or tights may only be worn by ladies with a dress or skirt of an appropriate length. Leggings with blouses/shirts ARE NOT acceptable professional wear.

Ladies blouses/tops and pants:

- No tank tops, no graphic shirts, no showing of skin between pants and tops.
- Revealing tops/blouses (may not show cleavage, significant portion of back, or have undergarment visible, no spaghetti straps, no straps less than 3 inches)
- No tight pants.
- Professional dress does not include: skinny jeans (no matter the color), or shorts (with exception of PE teacher and PE paraprofessional).

Foot wear:

- No flip flops.
- No extreme high heels.
- No athletic type shoes, including tennis shoes (unless prescribed by a doctor, or for PE coaches). No athletic slides.
- No shoes that appear to be slippers.

Other:

- No clothing that reflects political views, adult related advertisements, or any other material that would cause a disruption to the learning environment.
- Jeans may only be worn on Fridays with a MAEF Public Charter Schools Spirit Shirt
- No jeans cannot have rips, holes, and cannot be tight fitting.
- Employees may wear jeans to most field trips with the above-mentioned shirts.

Letters of Reprimand for Educators and Staff

Letters of Reprimand are based on a teacher's or a staff member's refusal to comply with the Alabama Code of Ethics, verbal or written directives, failure to represent ACCEL in positive manner both on and off the job, the Employee Handbook (if applicable), Student Handbook, and anything that leads to not providing a safe and positive environment for students, and/or insubordination. Letters of Reprimand will be held in an employee's Human Resources Folder.

6.30 EMPLOYEE VIOLATION OF LAW

Any employee violating a local, state, and/or federal law on ACCEL Day and Evening Academy property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to state statutes and ACCEL Day and Evening Academy rules.

ACCEL Day and Evening Academy employees in violation of this policy may be subject to termination or other disciplinary action.

6.30.1 EMPLOYEE POSSESSION OF DEADLY WEAPONS

Possession of a deadly weapon by any employee on ACCEL Day and Evening Academy property or on a school bus with the intention to do bodily harm is a Class C felony.

ACCEL Day and Evening Academy authorizes the Superintendent or designee to immediately and automatically suspend and recommend for termination or separation from service in accordance with board policy any employee found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury. Deadly weapons are not to be carried by any employee on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.

Any ACCEL Day and Evening Academy employee determined to have brought to school or have in his/her possession a firearm defined in Section 921, Title 18 of the U.S. Code, in a school building, on school grounds, or at other school-sponsored functions shall be subject to suspension, termination and/or separation from service in accordance with board policy.

Parents/guardians and other persons are hereby notified that they are prohibited from bringing firearms or other weapons on school property at any time.

Resource police officers and/or regular law enforcement members employed by the city or county by joint arrangement with the ACCEL Day and Evening Academy or retained for services under contract exclusively by the board are excluded from provisions of this policy.

6.32 POLITICAL ACTIVITIES

ACCEL Day and Evening Academy employees shall not solicit support for any political candidate or issue during regular work hours. Assemblies, school classes, materials, and/or equipment shall not be used for partisan or political purposes.

An ACCEL Day and Evening Academy employee who offers himself/herself as a candidate for public office shall conduct his/her campaign so as not to interfere with his/her responsibilities. Such candidate shall adhere strictly to Alabama laws governing political activity on the part of public officials and public employees.

A successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or the ACCEL Day and Evening Academy, to evaluate the compatibility of the dual responsibility and the amount of time the employee will be absent. Under no circumstances will a ACCEL Day and Evening Academy employee who has been elected to public office be allowed to perform duties related to the public office while performing his/her duties for the school.

6.33 PROFESSIONAL ORGANIZATIONS

Personnel of ACCEL Day and Evening Academy shall respect each other's rights to choose for themselves the professional organizations with which they affiliate. Membership in professional organizations shall be on a voluntary basis. Administrators of ACCEL shall not take punitive action against employees because of

their membership in professional organizations or because of their failure to affiliate with said organizations.

School and/or worksite bulletin boards and designated places for the distribution or posting of professional organization materials and information shall be provided.

6.40 COMPLAINTS AGAINST EMPLOYEES

Anyone who has a complaint about an ACCEL Day and Evening Academy employee may submit his/her complaint to the Superintendent or immediate supervisor. The complainant should identify himself/herself and submit the complaint in writing.

No action, including a letter to the employee's personnel file, shall be taken by the administrative staff or ACCEL Day and Evening Academy on the basis of a complaint, unless the matter is first reported to the employee, and he/she is furnished with a written copy of the complaint.

6.41 EMPLOYEE GRIEVANCES

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

Definitions

- **Complaint** shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school. *Complaint* shall not apply to any matter in which the method of review is prescribed by law. *Complaints* are objections to a specific act or condition. Dismissals, termination, transfers and any other procedure already instituted by law or contract are not subject to the grievance procedure herein described.
- **Complainant** shall mean any employee, directly affected by the alleged misinterpretation or violation, filing a complaint.
- **Employer** shall mean the ACCEL Board of Directors or its representatives.
- **Day** shall mean a working day.
- **Time Limits** – The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
- **Released Time** – The complaint procedure will normally be carried out during non-work time. If, however, the Board elects to carry out provisions during work time, the complainant shall lose no pay.

Complaint Procedure

- **Informal Discussion:** If an employee believes there is a basis for complaint, he/she shall discuss the complaint with his/her immediate supervisor (except in cases of discrimination or harassment involving the supervisor, in which case the complainant shall report to the Equity Coordinator or other person designated by the Superintendent) within ten (10) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- **Level One:** If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her immediate supervisor or alternate. The supervisor or alternate shall communicate his/her answer in writing to the complainant. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.
- **Level Two:** If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant.
- **Board Appeal:** If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the ACCEL Board of Directors, provided request for placement on Board agenda is filed within ten (10) days of the Superintendent's decision. The Board can elect to make a decision based off of a written record of the events if it so chooses.

Confidentiality will be provided to the extent possible to any employee, student or affected party who alleges discrimination or harassment.

6.50 EMPLOYEE SUSPENSION, TERMINATION, SEPARATION

ACCEL Day and Evening Academy may suspend or terminate all employees based on the terms of his/her employment contract and ACCEL policy. In the event the employee does not have an employment contract with ACCEL, they are considered "at will" in accordance with Alabama law.

6.60 PERFORMANCE ASSESSMENT

ACCEL Day and Evening Academy shall evaluate and assess the performance of the Superintendent per his/her contract. Evaluation results shall be used to develop ACCEL and individual employee professional development plans.

School employees will receive annual evaluations by their supervisor. All staff will be evaluated using the ACCEL Day and Evening Academy Employee Evaluation Form. In addition to the general evaluation form, school administrators will be evaluated using the NYC Leadership Academy Performance Standards Matrix. Administrators will receive a minimum of two evaluations annually.

In addition to the general evaluation form, classroom teachers will be evaluated using the Danielson Framework for Teaching Evaluation. Teachers will receive a minimum of two evaluations annually.

6.70 NOTIFICATION OF ABSENCE

An ACCEL Day and Evening Academy employee who is absent from duty for any reason shall notify the principal or his/her immediate supervisor as early as possible. Such notification shall be given in advance unless conditions beyond the control of the employee make such advance notification impossible.

The principal or other administrative/supervisory staff shall notify and submit the appropriate leave request to the Superintendent when he/she plans to be away from school for a half-day or longer. The principal shall designate a responsible member of the administrative or instructional staff to be in charge during his/her absence.

Any ACCEL employee who is willfully absent from duty without leave may be subject to disciplinary action and forfeiture of compensation for the time of the absence.

6.70.1 ANNUAL LEAVE OF ABSENCE

A leave of absence is permission granted by ACCEL Day and Evening Academy or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave. Any absence of a member of the staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Leave for sickness or other emergencies may be granted in advance if prompt report is made to the proper authority.

Leave may be with or without pay as provided by law, applicable regulations of the State Board of Education, and ACCEL policy. For any absence that is without pay, the deduction for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the employment period.

A leave shall not be granted to any ACCEL employee to accept other employment.

Accepting employment while on a leave of absence may cancel the leave. The person on leave may be notified that he/she must return to work with ACCEL immediately, resign, or be terminated.

All requests for a leave of absence must be submitted to the Superintendent, in writing, with the additional approval and signature of the employee's direct supervisor. Requests are to be received by the Superintendent at least one (1) week prior to requesting said leave. Upon recommendation of the Superintendent, the Superintendent may grant a leave of absence. The Superintendent may specify limitations of the leave.

An ACCEL employee having leave for the year or for the remaining part thereof and who plans to return to duty the next school contract year shall send a copy of such notice to the administrative supervisor by May 1st of that school contract year.

A leave of absence grants the employee the right to return to ACCEL in a similar role, but does not guarantee the reappointment to the specific job held prior to the leave.

A leave of absence is limited to one (1) year, but may be extended up to one (1) additional year upon by the Superintendent.

All vacation days must be used prior to the effective resignation date. ACCEL shall not make cash payments for unused vacation days, unless specified in a negotiated contract and approved by the Superintendent.

6.70.2 PAID TIME OFF

All personnel who are employed full-time up to 202 days per year are entitled to twelve (12) days paid leave per year. No more than twenty (20) days can be carried over to the next year.

All personnel who are employed between 203 and 239 days per year are entitled to fifteen (15) days paid leave per year. No more than twenty-five (25) days can be carried over to the next year.

All personnel who are employed 240 days or more per year are entitled to twenty (20) days paid leave per year. No more than thirty (30) days can be carried over to the next year.

6.70.3 FAMILY AND MEDICAL LEAVE (FMLA)

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

Medical Leave Provided by the Act: Under the FMLA, eligible employees are entitled to twelve (12) weeks of unpaid leave during any twelve (12) month period for one or more of the following reasons:

- The birth and first year care of a newborn child;
- The placement of a foster child or adoption;
- The care of an immediate family member, defined as spouse, child or parent, with a serious health condition;
- The taking of medical leave because of the employee's own serious health condition; or,
- Any other covered request as approved by ACCEL Day and Evening Academy.

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

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

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

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

Intermittent Leave: An employee may take leave intermittently or on a reduced leave schedule only when medically necessary to care for a spouse, parent, or child or to receive planned medical treatment. Intermittent leave should be scheduled to the extent practicable so as not to unduly disrupt the operations of the board. Intermittent leave may be further limited for teachers in accordance with federal law.

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

Certification for Medical Leave: Every request for FMLA leave based upon the serious health condition of the employee or employee’s spouse, children, or parents must be supported by medical certification issued by the appropriate health care provider on forms provided by the board.

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

Return to Work: The board requires an employee who has taken leave due to the employee’s own serious medical condition to provide the board with a healthcare provider’s certification in order to return to work. Any employee who takes leave under these provisions will be entitled to be restored to the original position held when the leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

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

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

6.70.3.1 MILITARY FAMILY LEAVE

Qualifying Exigency Leave: Under the FMLA, an eligible employee with a spouse, child, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may utilize the twelve (12) week medical leave entitlement to address qualifying exigencies resulting from that service. An eligible employee is defined as one employed with the school for at least twelve (12) months during which time the employee worked at least 1,250 hours.

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

Prior Notice: Employees must provide notice of the need for qualifying exigency leave as soon as practicable. Upon returning from leave, the employee will be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

Certification for Military Caregiver Leave: Every request for leave as a military caregiver must be supported by medical certification issued by the appropriate health care provider on forms provided by the board.

Certification for Qualifying Exigency Leave: Certification will be required by the board for requests for qualifying exigency leave, including military status and relationships of the individual(s) seeking military FMLA. Certification must be submitted in a timely fashion on forms available from the board. For the first such request, certification may include a copy of the military service member's duty orders or other military documentation.

Qualifying exigencies include:

- Issues arising from a covered military member's short notice deployment (i.e. deployment on seven or less days of notice) for a period of seven days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which rises from the active duty or call to active duty status of the covered military;
- Taking up to five (5) days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member; and,
- Any other event that the employee and employer agree is a qualifying exigency.

Spouses employed by the same employer are limited to a combined total of twenty-six (26) work weeks in a "single 12-month period" if the leave is to care for a covered service member with a serious injury or illness. Military FMLA leave may be taken intermittently whenever medically necessary to care for a covered service member with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the school's operation.

6.70.4 ON-THE-JOB INJURY LEAVE

Any full time employee of ACCEL Day and Evening Academy shall be entitled to on-the-job injury leave for a period not to exceed ninety (90) working days per fiscal year when he/she has to be absent from work because of a personal injury received in the discharge of his/her duties.

An on-the-job injury is any accident or injury to the employee occurring during the performance of duties (or when directed or requested by the employer to be on the property of the employer), which prevents the employee from working or returning to his or her job.

To be considered for on-the-job injury leave, the following conditions shall be met:

- Within 24 hours after occurrence of the injury, the employee must make proper written notification of the injury to the Superintendent (or school principal or immediate supervisor, or designee, if applicable).
- In the event the employee is clinically unable to report the injury, the injury may be reported by another person who is reasonably knowledgeable of the injury.

ACCEL may require medical certification from the employee's physician that the employee was injured and cannot return to work as a result of the injury.

The Superintendent may require a second opinion from another physician at the expense of ACCEL.

ACCEL may require a statement from the physician that there is a reasonable expectation that the employee will be able to return to work.

If the Superintendent determines that the employee has been injured on the job and cannot return to work as a result of the injury, the employee will be required to file for worker's compensation to cover the his/her salary and benefits for up to ninety (90) working days consistent with the employee's injury and absence from work resulting from the injury.

Sick leave days will not be deducted for the days the employee is paid for an absence approved for on-the-job injury pay.

6.70.5 LEGAL SERVICE – JURY DUTY OR WITNESS LEAVE

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

6.70.6 MILITARY LEAVE

Military leave shall be granted to employees of ACCEL Day and Evening Academy in compliance with state laws, federal laws, and applicable court rulings. All employees are entitled to military leave when ordered to active duty for training as members of the Alabama National Guard or any component of the United States Armed Forces. Employees who are required to attend annual training or special active duty for training shall not suffer any loss of salary during the first twenty (20) days of such absence in any calendar

year. Employees who are ordered for such duty shall provide a copy of their orders to the Superintendent. Leave will be without loss of benefits.

In compliance with Alabama Legislative Act 92-430 that deals with the activation of service members of the Alabama National Guard and other military reserve units, employees of ACCEL Day and Evening Academy will be compensated for the difference in pay from active duty and their position with the school under Act 92-430 if the following occurs:

- Activated employees requesting the difference in pay, restoration of leave, or continuation of health coverage while on active duty are required to have the length of their active duty determined by the Adjutant General.
- Activated employees must provide the Superintendent of Education with a set of Mobilization/Homeland Security orders or Military Records of Service (DD214) that reflects the length of duty. Copies of these orders and/or military records should be transmitted to headquarters as follows:

The Office of the Adjutant General
ATTN: ALSPDO
PO Box 3711
Montgomery, AL 36109-3711

The Adjutant General will determine the validity of the orders and certify to the Superintendent of Education that pay, leave or insurance is proper in accordance with Alabama Legislative Act 92-430.

6.70.7 PROFESSIONAL LEAVE OR LEAVE FOR TRAINING

Professional leave may be granted to personnel for participation in educational activities or training that will enrich ACCEL's instructional program, operations, or improve skills or understandings of the employee. All professional leave must be approved by the Superintendent or designee before leave days are taken.

6.70.9 SICK OR BEREAVEMENT LEAVE

Sick leave is defined as the absence from regular duty by an employee because of the following:

- Personal illness or doctor's quarantine;
- Incapacitating personal injury;
- Attendance to an ill member of the immediate family (parent, spouse, child, sibling) of the employee, a person standing in loco parentis, or an individual with a close personal tie*.

Bereavement leave is defined as the absence from regular duty by an employee because of the following:

- Death in the family of the employee (parent, spouse, child, sibling, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, grandchild, grandparent, uncle or aunt);

*Where unusually strong personal ties exist because of an employee having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In such cases, the employee concerned shall file with the supervisor a written statement of the circumstances which justify an exception to the general rule.

If absences occur frequently or if the absences constitute a pattern or there is reason to question whether an absence complied with the above causes, the Superintendent or designee may require that the employee provide verification of the reason for the absence.

6.71 SICK LEAVE BANK

ACCEL Day and Evening Academy, upon request of greater than ten percent (10%) of its full time professional personnel and full time support personnel, shall establish a sick leave bank for such personnel. To participate in the plan, each employee is to deposit an equal number of days, not to exceed five (5) days, into the bank. These days shall be available for loan to any other participating employee whose sick leave has been exhausted.

A Sick Leave Bank Committee composed of four (4) ACCEL employees and one (1) representative of ACCEL shall be established and selected as provided by law.

The Sick Leave Bank Committee shall write the guidelines and procedures for the sick leave bank, including catastrophic leave provisions of law, for ACCEL approval. All changes must be approved by a majority of the Sick Leave Bank membership.

All guidelines and procedures must be consistent with law.

6.72 DRUG AND ALCOHOL-FREE WORKPLACE

It is the policy of ACCEL Day and Evening Academy that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (including alcohol) in the board's workplace is prohibited. Any employee violating this policy will be subject to disciplinary action and/or possible recommendation for termination of employment.

The specifics of this policy are as follows:

- Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on or in board property will be subject to disciplinary action and/or recommendation for termination of employment.
- The term "controlled substance" means any drug listed in 21 U.S.C. 812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine (including "crack"), and PCP. They also include "legal drugs" which are not prescribed by a licensed physician.

CHAPTER 6.0 – HUMAN RESOURCES

- Each employee is required by the Drug-Free Workplace Act of 1988 to inform the Superintendent within five (5) days after he/she is convicted for a violation of any federal or state criminal drug statute where such violation occurred on school board property. A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a judge or jury in any federal or state court.
- If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to disciplinary action and/or recommendation for termination of employment. In addition to disciplinary action, the board may require the employee to finish successfully a drug abuse program sponsored by an approved private or governmental institution.
- As a condition of further employment on any federal government grant, the Act requires all employees to abide by this policy.

ACCEL will require drug and 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 vehicles or motorized equipment who are not required to have a CDL are subject to random testing; and
- All employees as to whom there is 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 board's Medical Review Officer (MRO).

Prospective Employees: Pre-employment substance screening by a school approved drug screening 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 employee.

Current Employees: Current employees may be required to submit to a drug screening under the following circumstances:

- **Reasonable suspicion:** All employees may be required to submit to screening whenever a trained supervisor observes circumstances which provide reasonable suspicion of drug or alcohol use. The MRO or his/her designee will make arrangements for reasonable suspicion drug and/or alcohol testing. Refusal to submit to a reasonable suspicion test request will be considered grounds for dismissal.
- **Random testing:** Random, unannounced drug screening of all employees who drive school vehicles or motorized equipment will be conducted.

- **Post-accident testing:** Following an accident that causes substantial property damage or physical injury to any person, alcohol and controlled substance tests will be conducted on any driver or equipment operator. Drivers or motorized equipment operators must make themselves readily available for testing, absent the need for immediate medical attention.

Employees testing positive by urinalysis or alcohol/breathalyzer test or requesting treatment may be referred to a mental health substance abuse counselor for an assessment of needs and possible referral for treatment. All such treatment shall be at the individual employee's expense.

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.

6.72.1 DRUG AND ALCOHOL TESTING OF DESIGNATED EMPLOYEES

In accordance with the Federal Transportation Employee Testing Act of 1993 (the Act), certain employees licensed to operate ACCEL Day and Evening Academy buses are required to submit to drug and alcohol testing.

The board, in compliance with the Act, has adopted the following provisions:

- All employees of the school, including substitutes, who hold a school bus license/certification (hereafter referred to as designated employees) are subject to drug and alcohol testing. Such employees will be prohibited from performing assigned duties while under the influence of any prohibited drug or alcohol.
- While employees are prohibited from having any alcohol present in their systems while on duty, a Blood Alcohol Count (BAC) of .04 will be accepted as a presumptive evidence of intoxication. An employee who tests between .01 and .039 BAC will be removed from job related functions until they test below .01 or until their next duty period, which must be at least twenty-four (24) hours.

The proper use of medication prescribed by a physician is not prohibited; however, the board prohibits the misuse of prescribed (or over-the-counter) medications and requires all employees using drugs at the direction of a physician (or over-the-counter drugs) to notify the board's Medical Review Officer (MRO), or the employee's supervisor where these drugs may affect their job performance, such as causing drowsiness.

Designated employees who refuse or do not pass a drug or alcohol test will be recommended for termination or removed from consideration for employment.

Designated employees testing positive by urinalysis or alcohol/breathalyzer test or requesting treatment may be referred to a mental health substance abuse counselor for an assessment of needs and possible referral for treatment. All such treatment shall be at the individual employee's expense.

Drug and alcohol testing will include the following categories:

- **Pre-employment:** Each person, after a conditional offer of employment has been made, will have to undergo a drug test before being employed in a position that requires the employee to hold the bus driver license/certification.
- **Reasonable Cause Testing:** Each employee that is required to hold the bus driver license/certification as a precondition to employment or to continued employment will be subject to drug and alcohol testing based on reasonable cause as established by a supervisor through the use of objective evidence.
- **Post-Accident:** Any employee who is required to hold the bus driver's license/certification who is involved in a reportable accident will undergo drug and alcohol testing within two (2) hours following any accident. The board will discipline, including discharge, any employee who fails to report an accident or submit to substance screening where required by law or this policy.
- **Random Testing:** All designated employees will undergo testing on a random basis. The board will administer tests of employees in a number equal to or greater than 50 percent of the designated employees without advanced notice in the first twelve (12) months of testing. There will be no maximum number of samples that any one individual will be required to provide. Subsequent testing will be conducted at levels equal to or greater than the initial testing level. Employees will be required to report to the board designated collection site as soon as possible but not later than two (2) hours following notification.
- **Return to Duty Testing:** Any designated employee who tests positive or refuses testing must pass a Return to Duty Drug Test. In such instance, the MRO must determine when and under what conditions the employee may return to duty. Any employee subject to Return to Duty Drug Testing will be subject to random and/or unannounced drug testing for sixty (60) months after return to duty. Follow-up tests for alcohol are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty.

The Medical Review Officer (MRO) is a licensed physician designated by ACCEL.

Test results will not be released by ACCEL beyond the MRO without the individual's written authorization.

Procedures for drug testing shall be distributed to all affected employees. Receipt of ACCEL Day and Evening Academy Drug Free Workplace regulations and procedures shall be acknowledged by employees on signed acknowledgement forms as required for initial and continued employment.

ACCEL's policies and procedures related to drug and alcohol testing for employees holding commercial driver's licenses (CDLs) must be in compliance with 49 CFR § 382.601. In the event ACCEL is the employer of CDL holders, it shall participate in the Drug and Alcohol Clearinghouse created by the U.S. Department of Transportation FMCSA.

The procedures for testing shall not conflict with the FMCSA Drug and Alcohol Clearinghouse procedures listed in 49 CFR § 382.601, including but not limited to:

(a) The following personal information shall be collected and maintained to be reported to the Clearinghouse:

- (i) A verified positive, adulterated, or substituted drug test result;
- (ii) An alcohol confirmation test with a concentration of 0.04 or higher;
- (iii) An alcohol confirmation test with a concentration of 0.04 or higher;
- (iv) The Superintendent's report of actual knowledge, as defined at §382.107:
 - (A) On duty alcohol use pursuant to §382.205;
 - (B) Pre-duty alcohol use pursuant to §382.207;
 - (C) Alcohol use following an accident pursuant to §382.209; and
 - (D) Controlled substance use pursuant to §382.213;
- (v) A substance abuse professional (SAP as defined in §40.3 of this title) report of the successful completion of the return-to-duty process;
- (vi) The Superintendent's report of completion of follow-up testing.

(b) The materials supplied to drivers may also include information on additional ACCEL policies with respect to the use of alcohol or controlled substances, including any consequences for a driver found to have a specified alcohol or controlled substances level, that are based on the Superintendent's authority independent of this part. Any such additional policies or consequences must be clearly and obviously described as being based on independent authority.

(c) The Superintendent shall ensure that each driver is required to sign a statement certifying that he or she has received a copy of these materials described in this section. The Superintendent shall maintain the signed certificate and may provide a copy of the certificate to the driver.

6.82 PERSONNEL RECORDS

ACCEL Day and Evening Academy shall require complete and current personnel records for each employee. All information contained in an employee's personnel file, except sensitive personnel records, is considered public records under Alabama's Open Meetings Act.

Each employee shall have a right to review her/his personnel file during normal business hours. No anonymous letters or materials shall be placed in personnel files. Each employee may have included in his/her personnel file a written response to any material contained within the file.

Any employee may request to review her/his personnel file at any time that is mutually agreeable with the personnel administrator and when the employee is not engaged in fulfilling employment-related duties. The personnel administrator or certified designee must be present during the review. A log shall be maintained documenting any such review.

A copy of all materials to be placed in an employee's record which may tend to diminish the employee's professional or work status or reflect adversely on the employee's record of performance or character shall be provided to the employee.

Any anonymous complaint or material received by a school official shall be immediately transmitted to the Superintendent. If the material is deemed worthy of an investigation by the Superintendent, it may be investigated. The results of the investigation may be reduced to writing, signed by the Superintendent, principal, or other designated official in charge of the complaint, dated, attached to the material in

question, and may be placed in the personnel file of the employee. Any anonymous complaint which is not investigated within thirty (30) calendar days of its receipt by the Superintendent shall not be retained, but shall be destroyed.

ACCEL may transfer an employee's personnel file or copies or parts thereof to another employer or prospective employer. Upon written request of the employee, transfer of the employee's personnel file may be transferred to another entity.

6.83 PAY PERIODS

- The payment of all salaries will be on the last working day of each month.
- All employees are required to participate in the payroll direct deposit program.
- All permanent employees shall be paid over 12 months.
- Nine month employees, who are not paid with federal or designated state funds, have the option of being paid over 12 months for their first year of employment if they are not coming from another public school system.
- The annual salary of a nine month employee working part of a school year shall be reduced proportionately with the salary for the summer rates prorated.
- Additional money from professional development or extended day services will be included in the monthly deposit and will have the normal deductions excluding PEHIP and supplemental insurance.
- The rate of pay for additional services is as follows.

Professional Development	Extended Day Teaching	Extended Day Administrative
\$18.50	\$25.00	\$35.00

Note: Only when pre-approved and budgeted.

- Work and employee types

9 Month Employees	Paraprofessionals	10 Month Employees	11 Month Employees	12 Month Employees
187	182	202	222	240

6.87 TIME CLOCK

- Employees are to sign in and sign out in the front office using their approved timecards daily.
- Hourly employees are to sign in and sign out in the front office using their approved timecards daily.
- Employees and their supervisors must electronically approve time for each pay period in the time clock software before being processed for payroll.
- Falsifying information on time clock is considered stealing time (and money) and may result in termination of employment.
- It is the responsibility of the employee to ensure information in the time clock software is accurate before approving.
- Time that is not approved by the employee and supervisor will not be processed for payment.

6.90 COMPENSATION AND BENEFITS

All regular personnel shall be paid in accordance with his/her salary as designated in his/her contract and/or pursuant to ACCEL Day and Evening Academy policy.

Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1988, as amended, and who is required to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty (40) at the rate of one and one-half (1½) times the regular rate of pay for the service performed.

Any employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.

ACCEL participates in the Alabama Retirement System; and its employees are eligible to contribute towards their retirement through pre-tax contributions. They are also eligible for health and dental benefits through the PEEHIP system. Details on these benefits will be provided through both the Teacher Retirement System and PEEHIP organizations.

6.91 RETIREMENT OF PERSONNEL

Any employee who plans to retire shall submit his/her resignation in writing with an original signature to the ACCEL Day and Evening Academy through the Superintendent.

Reference(s): Code of Alabama 16-1-33, 16-1-30

6.92 EMERGENCY RESPONSE PROCEDURES

Fire Evacuation Procedures:

Since fire can strike without warning, the immediate need is to protect lives by taking the best available course of action. All employees will be aware of the appropriate evacuation steps for these situations. Take all students to their assigned areas according to the fire evacuation map posted by the entrance door to the classroom. When the campus is determined to be clear of present danger, the “all clear” signal will be given.

Procedures:

Employees will:

- Usher the students out of the building according to the school’s fire escape plan.
- Have a class roster in your possession at all times during the evacuation.
- Leave through the nearest accessible door if the planned route is inaccessible.
- Call the roll to be sure all students have exited safely, notify the administration immediately if a student is missing.
- Have students stay well clear of the building.

One fire drill will be conducted each semester.

Tornado and Severe Thunderstorm Procedures:

Tornadoes and severe thunderstorms can occur rather suddenly. The school office staff will be directed to listen to the radio or television and the emergency alarm system during times of severe weather. A severe weather drill will be conducted each semester.

Procedures:

Tornado Watch: Conditions are favorable for tornado or severe weather. Make staff aware, but take no action. The tornado watch will be closely monitored.

Tornado Warning: Tornado has been sighted. Sound the tornado alarm and instruct teachers to move their class to the designated tornado warning area immediately. If the electricity is off, a runner or a portable bullhorn announcement in the hallways will notify teachers.

Code/tornado: Continuous sounding siren.

Severe Weather: Make teachers aware, but no action until situation becomes life threatening. After receiving the warning the following steps will be used.

- Teachers will instruct students to proceed to their designated position against the wall and assume a kneeling position, head down, with hands covering their eyes.
- Teachers with students in unsafe locations at the time of drill will go to their assigned location.
- Teachers are to close classroom doors after students exit into the tornado safe area.
- Quiet is extremely important so that any necessary directions may be heard in the tornado safe area.
- Teachers should keep their class rosters with them during the drill; kneel behind their classes to be sure students are following drill or emergency procedures and to verify student classroom count.
- The all-clear signal will be a verbal or P.A. announcement by an administrator.

Other Procedures:

- Under no circumstances are students to be walking the halls during a tornado drill.
- During a tornado watch a weather spotter, an administrator is to be posted in a pre-selected area and should notify the office if a tornado is spotted.
- The all-clear signal will be a verbal or announcement by an administrator.

Lockdown/Lockout Procedures:

Lockdown Procedures:

The Superintendent/Principal will announce we are “in a lock down.”

- ACCEL school’s faculty/staff follow identified lockdown procedures when an immediate threat occurs to the safety of students and faculty/staff members.
- Office staff, teachers, administrators, and custodians follow a specific procedure when lockdown occurs.
- Faculty/Staff lock classroom doors, windows, and entrances to the school.
- Teachers are to cover the window pane next to the door and keep students quiet until further instructions are given.
- Absolutely no passes should be given at this time. No one should be on the halls unless instructed by an administrator.
- ACCEL security will be contacted for assistance when a threat occurs.
- Faculty/staff and students follow an “all clear” procedure when a situation has been neutralized.
- The main office is clearly identified as visitors arrive on campus.
- Signs are posted for visitors to report to the main office when entering the school building.

CHAPTER 7.0 – BUSINESS AND FINANCIAL SERVICES

7.10 BUDGET DEVELOPMENT

ACCEL Day and Evening Academy shall provide for the preparation and adoption of the annual budget for the school. The Board delegates the responsibility for preparation of the budget to the Superintendent and appropriate members of his/her staff. Providers of budget information shall adhere to all state and federal guidelines, and the budget shall be prepared on forms and in accordance with such rules and regulations as may be prescribed by the Alabama Charter Commission and the federal government.

The budget shall be presented to the MAEF Public Charter Schools Board of Directors at its regular August meeting or at a special meeting that may be necessitated by the date set by the State Department of Education for budget submission.

The fiscal year shall be October 1 through September 30 inclusive.

Proposed Budget: The proposed budget shall:

- Reflect the total amount of resources available to the MAEF Public Charter Schools from all funding and revenue sources.
- Reflect the projected enrollment and the total proposed expenditure by the board and for each school shall be available at the public hearings.
- Clearly delineate the number of teachers, librarians, counselors, administrators and other support personnel projected to be employed at each school site.
- Clearly list the operating costs by category or function at each school.
- Delineate by school those operating resources earned including, but not necessarily limited to, those items contained in the Instructional Support Program of the Foundation Program, designating the amount of funds earned at each school per item based on average daily membership.

Final Budget: The MAEF Public Charter Schools and Superintendent shall develop, consistent with state laws, a final budget.

The budget adopted under these procedures shall not show expenditures in excess of income estimated to be available plus any balances on hand, except under conditions set forth by the laws of the state governing the issuance of school warrants.

7.12 FINANCIAL STATEMENT

The Superintendent shall have the responsibility for preparing any and all reports related to accounting of school funds that may be required by law, requested by the State Board of Education and/or the Charter Commission, or the Board.

The Alabama Charter Commission shall prescribe regulations for keeping accounts and records and for making reports by or under the supervision of school boards. These accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved as the laws of Alabama may prescribe.

A complete statement of the receipts by source and disbursements by function shall be published annually in the month of October, as required by law.

Said accounts and fiscal records shall be available during normal business hours for inspection by the public. They shall be preserved for the period of time as specified by the State Department of Education or appropriate authorities.

7.13 MONTHLY FINANCIAL RECORD RECONCILIATION

All bank accounts of MAEF Public Charter Schools, Inc. and its ACCEL shall be reconciled to the financial records. The Chief School Financial Officer (CSFO) shall be responsible for verifying that monthly LEA bank statements are reconciled to the financial records by the end of each month for review by the Superintendent.

The CSFO shall also be responsible for verifying that monthly school account bank statements are reconciled to the financial records by the end of each month for review by the Superintendent.

Said reports shall ensure accurate monthly financial statements and shall be accompanied by a copy of the corresponding bank statement, copy of the bank reconciliation report, report of outstanding encumbrances, and report of accounts payable.

7.14 SCHOOL CHECKING ACCOUNTS

The principal shall establish a checking account(s) with a banking establishment that is approved by the Board. This must be an interest-bearing account. All checks in the name of the school shall be drawn upon such account(s).

All financial transactions of the school shall be paid for by check; no cash payments shall be made.

7.15 DEPOSITORY OF FUNDS

The Board requires that all funds of the school (federal, state, and/or local) be deposited in a bank designated by the Board.

All monies retained in school buildings shall be safeguarded in secure areas at all times. ACCEL shall assume no responsibility for funds lost in a school, unless it is determined or suspected that an employee has misused funds for any purpose.

The Board requires that school funds be deposited on a daily basis, or as soon as practical, regardless of amount, by a bonded individual at each school.

7.20 ACCOUNTING AND REPORTING

Financial Accounting: The Board shall, following recommendations by the Superintendent, prescribe regulations for the keeping of accounts and fiscal record and the making of reports by all under the board's jurisdiction who are charged with such responsibility. Prescribed regulations shall be consistent with those of the State Board of Education, the Division of Administration and Finance of the State Department of Education, the directives of the State Department of Examiners of Public Accounts, the Alabama Charter School Commission, and Generally Accepted Accounting Principles.

Line items in the budget may be changed, with MAEF Public Charter Schools, Inc. Board of Directors approval, at any time during the fiscal year provided such change is consistent with existing laws and regulations of the state and federal government.

The Superintendent shall keep the board informed through monthly financial statements concerning the status of the budget.

The Superintendent, Board Treasurer and designed shall review financial statements on a monthly basis.

Said accounts and fiscal records shall be available during normal business hours for inspection by the public. They shall be preserved for a five (5) year period of time or for such period as specified by the State Department of Education's records retention schedule.

The Superintendent shall develop specific procedures to ensure that accounting practices throughout the school are consistent with Generally Accepted Accounting Principles.

Annual Financial Report: The board shall publish annually, as required by law, a complete statement of receipts and disbursements as well as a statement of outstanding funded and unfunded indebtedness of the school for the twelve (12) month period ending the preceding September 30. Such statements shall be drafted on the forms required by the State Superintendent of Education.

7.21 SCHOOL FEES

ACCEL Day and Evening Academy shall set reasonable fees in courses, e.g., reasonable fees for laboratory, shop materials, and equipment. Such fees shall be waived for students who cannot afford to pay set fees.

7.22 SCHOOL STORES

At the discretion of the Superintendent the operation of stores selling merchandise that is needed by students to facilitate classroom instruction shall be permitted. School stores shall operate as a convenience to the students and shall not in any way interfere with the educational process or cause any student to be in class less than the minimum number of hours in the school approved day.

Separate records, subject to audit, shall be kept for school stores, and profits derived from sales shall be used for general items supporting the school as a whole.

7.23 PAYROLL PROCEDURES

Payroll Preparation: ACCEL Day and Evening Academy delegates payroll preparation for the payment of employee salaries to the Superintendent or his/her designee. The payroll shall be in accordance with the salary policy, any rules or regulations promulgated by the State Superintendent of Education, and state law. Payroll checks shall be released on the last workday of the month according to the twelve (12) month employee work calendar.

Salary Deductions: ACCEL will make salary deductions that are considered statutory, including federal income tax, state income tax, retirement, etc., in accordance with applicable laws and regulations.

The school will approve salary deductions when a group of 25% or more of employees request such deductions as provided by law. The deductions shall be made from salaries and shall be remitted to the appropriate recipient as specified and in a timely manner following each deduction.

New authorization for payroll deductions may be added during open enrollment or upon state required enrollments.

Upon termination, amounts owed under the authorization of an employee shall be deducted from an employee's final pay.

When amounts have been correctly deducted and remitted by ACCEL, ACCEL shall bear no further responsibility or liability for further transactions. The Board shall not be liable for any error while acting in good faith to make the subject deductions.

Whenever an employee is separated from the school prior to the end of the contract period, the terminal pay shall be computed on a per diem basis.

The school will deduct teacher retirement contributions for all employees eligible for participation in the State Teacher Retirement System according to applicable laws and regulations.

The school may make other deductions, in accordance with applicable law, as a service to employees when requested, in writing, by the employee and approved by the Superintendent.

7.24 TRAVEL EXPENSE REIMBURSEMENT

Travel expenses incurred by employees and board members or other authorized persons involved in conducting ACCEL business *may* be reimbursed when authorized by the Superintendent. ACCEL's employees must receive approval in advance from the Superintendent or designee for travel.

Any person requesting reimbursement for travel expenses shall provide required documentation. Actual expenses, vehicle mileage costs, and other allowable travel reimbursement may be established. No person shall receive reimbursement from ACCEL and from other sources for the same travel expense, nor shall payment be made for personal items or entertainment.

Travel reimbursement will be in accordance with approved rates established by ACCEL and authorized by the Internal Revenue Service (IRS).

The Superintendent shall establish uniform procedures to implement this policy and prescribe forms and procedures necessary for maintaining accurate, uniform records. Travel procedures shall ensure reasonable economy.

In order to compensate certain office personnel for expenses for intercity travel incurred while performing daily duties required by the school, vehicle allowances will be paid as approved by the Superintendent. When principals reimburse themselves from school funds, they shall obtain the signature of approval from the Superintendent.

Violation of this policy or falsification of required records shall be grounds for disciplinary action including dismissal.

7.25 CASH IN SCHOOL BUILDINGS

It shall be the policy of ACCEL Day and Evening Academy that all school funds collected at school or school activities shall be deposited in a bank on a daily basis, to include night depository. In the event that due to an unforeseen or emergency situation it is impossible to deposit said funds on the day of receipt, it is the responsibility of the school principal to provide for the security of the funds until the next day the bank is open.

The Board requires that any school funds collected be deposited with an approved financial institution as soon as practical on the day collected or the next business day.

7.28 GOVERNMENTAL FUNDS

The following definitions will be used in reporting activity in governmental funds. ACCEL Day and Evening Academy may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

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

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

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

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

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

- **Nonspendable fund balances** include amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. Examples of nonspendable fund balance reserves for which fund balance shall not be available for financing general operating expenditures include: inventories, prepaid items, and long-term receivables.
- **Restricted fund balances** consist of amounts that are subject to externally enforceable legal restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. Examples of restricted fund balances include: restricted grants.
- **Committed fund balances** consist of amounts that are subject to a purpose constraint imposed by formal action of the board before the end of the fiscal year and that require the same level of formal action to remove the constraint.
- **Assigned fund balances** consist of amounts that are intended to be used by the school for specific purposes. The board authorizes the Superintendent or Chief School Financial Officer to make a determination of the assigned amounts of fund balance. Such assignments may not exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. Assigned fund balances require the same level of authority to remove the constraint.
- **Unassigned fund balances** include all spendable amounts not contained in the other classifications. This portion of the total fund balance in the general fund is available to finance operating expenditures.

When expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the board to consider restricted amounts to have been reduced first. When an expenditure is incurred for the purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the board that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

ACCEL along with the Superintendent and Chief School Financial Officer will periodically review all restricted, committed, and assigned fund balances. The Chief School Financial Officer will prepare and submit an annual report of all restricted, committed and assigned funds for the MAEF Public Charter Schools, Inc. Board of Directors.

Reference(s): GASB Statement No. 54

7.31 FOOD SERVICE FUNDS

ACCEL Day and Evening Academy requires that all Child Nutrition Program funds be accounted for in accordance with policies and procedures set forth by the local, state, and federal requirements.

7.32 INVESTMENT OF FUNDS

Based upon a written system of internal controls and operational procedures, the Superintendent or his/her designee may invest temporarily idle funds to earn the maximum return for the period available. Highest priority shall be placed on the safety and liquidity of funds. Funds from a government source may be placed in the following types of investments:

- Bids from qualified depositories;
- Certificates of deposit;
- Time deposits;
- Securities of the United States government including obligations of the United States Treasury;
- or,
- Investment pools managed and directed by an approved agency of the state.

Other investments may not be made unless specifically authorized.

7.33 RESERVE FUNDS

ACCEL Day and Evening Academy, shall attempt to maintain a General Fund reserve fund balance of an amount not less than one (1) month's operating expenditures. Operating expenditures shall include all funds necessary to support normal operations of the school for one (1) month.

A one (1) month's operating balance shall be determined by dividing the General Fund expenditures and fund transfers out by twelve (12). In determining the General Fund expenditures and fund transfers out, the proposed budget or budget amendment, shall be used.

7.41 INDEBTEDNESS

Any ACCEL Day and Evening Academy employee or other person shall be personally liable for creating any bill of indebtedness against a school or against the school unless authority exists under duly adopted policy of the school or unless authorized in writing by the Superintendent. Any employee violating the provisions of this rule may be subject to cancellation of his or her contract or dismissal from employment.

The Board and/or Superintendent shall not spend or obligate to spend more money in any fiscal year than the income received during that year plus the balance on hand at the beginning of said fiscal year.

7.42 INSUFFICIENT FUNDS AND WORTHLESS CHECKS

The MAEF Public Charter Schools Board of Directors will maintain a contract with an outside agency to handle the collection of all worthless checks written to the school. The agency shall guarantee the face value of the check to the board up to an agreed upon maximum amount.

The Child Nutrition Program will not incur a bad debt as a result of an uncollectible worthless check. In the event a worthless check presented to the Child Nutrition Program is uncollectible, a nonpublic source of funds will be responsible for the reimbursement.

7.50 AUDITS

A licensed auditing firm approved by the MAEF Public Charter Schools Board of Directors shall complete fiscal audits. Auditors shall conduct audits in accordance with the procedures set forth by standard auditing procedures and shall, within that scope, furnish such schedules as the school may require. No audit shall fail to provide a comprehensive report on all accounts assigned for audit by the Board.

The Superintendent shall prepare a report of all audits summarizing the effect of the year's operations for presentation to the Board. Audits other than annual audits shall be performed as the need is indicated.

7.60 PURCHASING AND BIDDING

Bidding: The Board directs that expenditures of public school monies in excess of \$15,000 made by the board for labor, services, work, the purchase or lease of materials, equipment, supplies or any other personal property, with limited exceptions established by state law, shall be contracted by free and open competitive bidding with sealed bids and shall be awarded to the lowest responsible bidder meeting specifications.

- Bids for building/capital improvement projects exceeding \$50,000 must comply with the State Public Works Act.
- All schools and the central office shall place technology bids with the technology coordinator. The technology coordinator shall insure bids are in compliance with state law and shall combine bids and/or purchases in order to obtain the best price and quality for equipment and services.

Local Purchasing: The school should purchase locally provided products of equal quality that are readily available from local suppliers at prices equal to other non-local vendors. Pursuant to state law, the board, when purchasing personal property or contractual services, shall give preference to commodities produced in Alabama or sold by Alabama persons, firms or corporations.

- The school shall not be limited to making purchases within the local community or the state of Alabama when such local purchases within the local community or the state of Alabama do not meet the quality or competitive price of goods or services available from vendors outside the local community or state of Alabama. Preference may be given to a local vendor having a place of business in the county or municipality for the purchase of personal property, when a bid submitted by such a resident bidder is no more than three (3) percent greater than the bid of the lowest responsible bidder.

ACCEL shall require that a requisition/purchase order system be established and followed.

7.61 ACQUISITION, USE, AND EXCHANGE OF SCHOOL PROPERTY

Acquisition: All property purchased through school funds, internal funds, or donations from outside sources shall be acquired using school purchasing procedures.

- All property, including vehicular equipment, shall be under the full control and name of the MAEF Public Charter Schools, Inc./ACCEL Day and Evening Academy.
- All property with a value of five thousand dollars (\$5,000.00) or more acquired through internal accounts or donations, shall be reported immediately by the principal or worksite supervisor to the designated property records office on the prescribed forms.
- Principals and supervisors of facilities shall be responsible for determining that all property is identified and accounted.

Exchange: The Superintendent and supervisors of facilities shall determine the property needs for the school or department. The Superintendent or school department head shall declare as surplus any property that is not needed, upon approval of the designated property control office, and may requisition additional property through proper procedures.

- Surplus property shall be reported on proper forms to the designated property records office that shall be responsible for acquiring and storing the surplus property.
- Property items with a value of \$5,000 or more (as described as surplus above) may be exchanged between school departments and schools when approval is granted by the designated property records office and subsequently by the appropriate administrator. Notification of each approval shall be filed in writing with the designated property records office to adjust property records of schools and departments.

ACCEL equipment shall not be used for gainful outside employment or private use of employees or by any for-profit group or organization.

7.62 PROPERTY SALE, TRANSFER, AND DISPOSAL

The Board shall be advised by the Superintendent in the event that certain real or personal property is no longer needed for public school purposes. Prior to presentation to the Board, the Superintendent shall determine that the property is not needed by any school facility. The Superintendent is authorized to store property for later use if that property is determined to have value and the Superintendent believes the property will be used in the future by the school.

The Board, upon receipt of such report, may at such time as it deems proper and at its discretion declare that such property is no longer needed for public charter school purposes.

Once real property is declared as surplus by the Board, the Superintendent or his/her designee shall be authorized to take appropriate action in disposing of such property as outlined below:

- Obtain an appraisal(s) reflecting the fair market value of all real property and significant personal property.
- Notify local governmental authorities that such property is no longer needed for school purposes and invite a proposal if there is a need for such property.
- Follow the procedures in the manner prescribed by state law for the sale of real property, including public notification using local newspapers or other suitable media.

7.63 LOST OR STOLEN PROPERTY

The principal or designee shall notify the following individuals when any ACCEL Day and Evening Academy property has been vandalized, stolen, or lost:

- The proper law enforcement agency immediately to provide such information as may be available if the property is believed to have been stolen; and,
- Notification to the Superintendent or the clerk of fiscal assets.

The custodian of the property records, or designee, shall prepare a written report and recommendation to the Superintendent if the property is not recovered within thirty (30) days of notification. Inventory records including serial and/or model number(s) of missing items shall be used in the preparation of reports.

The Superintendent shall report to the Board any property that has been lost or stolen if not recovered within thirty (30) days after the discovery of the loss or theft, except major losses shall be reported to the board immediately. Such a report shall include a recommendation that the property record be made inactive and any information applicable to personal liability shall also be reported.

7.64 INVENTORIES AND PROPERTY MANAGEMENT

The Superintendent or designee shall maintain an adequate and accurate record of all tangible personal property of ACCEL Day and Evening Academy. The record shall indicate the date of acquisition, the fund from which purchased, identification number, and shall be consistent with all controlling requirements of Alabama statutes and rules. School inventories shall be verified by administration at the Superintendent's direction.

All equipment that has a value or cost specified by the school shall be listed in property inventories. Property inventories shall be performed annually. It shall be the principal's duty to designate a person to make an annual inventory of all school property within his/her building(s). This report shall include recommendations for the disposition of obsolete and surplus equipment and equipment beyond economical repair. The principal shall also be responsible for inventories of properties not listed in section above such as library books, films, digital media, and other materials as deemed appropriate. These inventory records shall remain on file in the individual school.

All equipment purchased by the various school organizations or by outside organizations for school use shall become school property and shall be recorded and inventoried in the same manner as all other equipment of a similar nature.

7.65 PURCHASE ORDERS

Purchase orders are required for all materials, equipment and supplies paid for out of the general fund of ACCEL Day and Evening Academy. The following procedures must be followed:

- A purchase order is obtained by submitting a requisition in three (3) parts following approved procedures.
- Special instructions should be noted on the requisition in such a way as to be easily detected by the purchase order clerk or school secretary.
- Invoices received which do not have a purchase order number will not be the responsibility of the school; the person placing the order has sole responsibility for payment in such cases.

“Blanket” purchase orders may be issued by vendors from whom materials are purchased on a regular basis. This blanket purchase order will be valid only during the month in which it is issued unless otherwise approved by the Superintendent.

7.70 RISK MANAGEMENT INSURANCE

No new policy or procedure will be adopted or approved by the Board without first giving careful consideration to the school’s risk exposure.

The purchase of insurance coverage is deemed necessary pursuant to ACCEL’s charter contract. The price of the coverage shall be competitively determined. The Board shall maintain at least a minimum insurance coverage as dictated in its charter contract at all times.

7.90 FUND-RAISING FOR SCHOOL PROJECTS AND ACTIVITIES

All fund-raising projects and activities by schools or groups within the ACCEL Day and Evening Academy shall contribute to the educational and extracurricular experiences of students and shall not be in conflict with the overall instructional program as administered by the Superintendent.

The determination of the fund-raising projects and activities for a school shall be the responsibility of the Superintendent and Board. When the sale of food items during school hours is approved as a fund-raising project, accreditation standards and CNP regulations shall be followed. Food items not of a high nutritional value may not be sold or distributed during the school day.

7.91 SHORT-TERM NOTES

In accordance with state law, the Board has the authority during any fiscal year, and upon recommendation of the Superintendent, to borrow money in anticipation of current revenues for that fiscal year and to pledge the current revenues for said fiscal year for the payment of such loan or loans if funds on hand are not sufficient to meet current expenses. All such loans shall be recommended by the Superintendent and approved by the Board. Rates of interest on any loans shall not exceed the maximum allowed by law.

All notes or other evidence of indebtedness of the school, unless specified otherwise by law, shall be signed by the Chairman of the MAEF Public Charter Schools, Inc. and/or Superintendent and shall be limited as prescribed by law.

7.92 ALLOCATION AND EXPENDITURE OF FUNDS

Expenditure of Funds: Any and all funds of the school, whether received from federal, state, local or other resources shall be disbursed only on the written order of the Superintendent or his/her designee. The actual signature and a facsimile of the Chief School Financial Officer (CSFO) and the Superintendent shall be required on all drafts and checks drawn against any bank account of the MAEF Public Charter Schools. In order to promote academic excellence and recognize significant contributions to education, the MAEF Public Charter Schools may expend public funds for the purchase of trophies, plaques, academic banquets, and other appropriate honors to recognize special contributions by students, faculty, staff, and the public that strengthen public education in the school and the state of Alabama.

Allocation of Funds: All funds allocated for the current school year shall be spent for the benefit of the students and to assist teachers in their endeavor to educate students enrolled in the school for the current year. Funds should be spent in a timely manner to insure that they are spent prior to the end of the current year. Items should be purchased as early in the school year as possible to maximize the benefit to students. Selection of equipment and/or supplies should reflect the most critical needs and expenditures should be prioritized accordingly.

CHAPTER 8.0 – AUXILIARY SERVICES

8.14 INSPECTIONS

As part of a comprehensive safety and loss control program, ACCEL Day and Evening Academy requires that all ACCEL Day and Evening Academy-owned property be inspected regularly for potential safety hazards. These inspections should be conducted by the person responsible for managing the site. Hazardous conditions identified within the inspection report should be reported to the maintenance department or other appropriate staff for correction. A written report of all safety inspections shall be submitted to the Superintendent and placed on file.

Asbestos reports of required periodic reviews are maintained at each school site.

8.20 SANITATION

The principal or work site supervisor or designee shall be responsible for maintaining satisfactory standards of sanitation and housekeeping.

8.30 VEHICLE INSPECTIONS

All ACCEL Day and Evening Academy school buses (if applicable) used for the transportation of children shall be inspected both monthly and annually in accordance with standards established by the State Department of Education.

8.31 SPECIAL USE OF SCHOOL BUSES

Buses may be used for field, educational, and extracurricular trips. Any school that uses a bus for a trip shall reimburse ACCEL Day and Evening Academy at the mileage rate established by the Superintendent.

ACCEL Day and Evening Academy shall be responsible for paying the driver for the extracurricular trip. The school shall be responsible for reimbursing the board for salaries as determined by the board.

A school bus may not be used for an extracurricular trip where the round trip exceeds 425 miles, the trip requires an overnight stay, or the trip takes the group out of state without special approval of the Superintendent.

8.40 CHILD NUTRITION PROGRAM

ACCEL Day and Evening Academy shall provide nutritious and adequate meals to all students at a minimal cost. The school principal, in conjunction with the Child Nutrition Program (CNP) Director, is responsible for ensuring the CNP is operated in compliance with federal, state and local laws and regulations as well as policies of ACCEL.

CHAPTER 8.0 – AUXILIARY SERVICES

It is an objective of ACCEL Day and Evening Academy that all students have the opportunity to participate in the school meal program. The CNP Director shall determine, in accordance with federal regulations, those students eligible for free or reduced price lunches.

The ACCEL Day and Evening Academy lunchroom shall incorporate food safety practices as outlined under Hazard and Critical Control Point (HACCP) guidelines, Standard Operating Procedures (SOPs) shall be developed for handling, storage, preparation, and serving of all foods.

ACCEL Day and Evening Academy does not permit students or adults to charge meals from the CNP. Uncollected charged meals are bad debts and are not an allowable expenditure for the CNP. The CNP director and principal of each school shall develop and oversee a written contingency plan to provide a nominal meal for students when they do not have money to purchase a meal. If the contingency plan allows students to charge a meal, the principal is responsible for eliminating any outstanding indebtedness of students by the end of each school year by utilizing a non-public fund source. All adult meals will be paid for unless the meals are part of a special incentive program or the meals are for school food service employees.

The Superintendent is instructed to develop all CNP policies and procedures in compliance with state regulations.

8.41 MEAL PATTERNS

ACCEL Day and Evening Academy shall participate in the Child Nutrition Program and shall serve student meals according to meal patterns established by the U. S. Department of Agriculture.

The principal is responsible for scheduling adequate time for lunch for students between the hours of 10:00 a.m. and 2:00 p.m. Variations from this schedule must have the approval of the Superintendent or designee.

“Offer vs. serve” meal programs are established for students in middle school and high school grades.

8.50 FACILITIES

It shall be the responsibility of the Superintendent to develop and/or implement plans that will meet the present and future educational requirements of the ACCEL community consistent with state laws. To discharge this responsibility effectively, the board shall develop a long-range capital plan to meet the school facility-related requirements of the school.

The Board will involve administrators, teachers, students, parents, local citizen groups, specially designated committees, and technical personnel, e.g., architects, planners and approved outside consultants in the design, development and/or revision of the long-range capital program.

Subject to board approval, the Superintendent is authorized to secure the services of experts, including planning and architectural consultant(s), in the area of school plant planning, to work with staff in developing project specifications.

8.51 SUPERVISION OF CONSTRUCTION

The Superintendent or designee shall provide to the Board a review of the architect's activities in his/her supervision of any building construction. This review shall include adequacy of field inspection of the contractor's operations, administrative activities of the architect relating to construction, and any other matters relating to the interest of the school. The Superintendent or designee shall make periodic reports certifying that the work of the construction contractor and the architect are being performed in accordance with plans, specifications, and contracts.

Upon completion of the building construction and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for its acceptance will be made to ACCEL Day and Evening Academy by the Superintendent.

8.53 IMPROVEMENTS TO SCHOOL PLANTS AND GROUNDS

Any individual or group, including the parent-teacher organization, which desires to improve the school site, to add facilities, or to install equipment, shall submit a written proposal to the principal and Superintendent for approval. Any such improvement or addition shall become the property of the board. Permanent structures shall have utilitarian value in the operation of the school or may be erected in memory of an individual who has been associated with the school either as a student or ACCEL Day and Evening Academy employee or in honor of an organization that has made some outstanding contribution to the school. All improvements or additions must meet current building codes, including the Americans with Disabilities Act.

Individuals performing physical labor to improve school facilities and/or grounds must sign and agree to a hold-harmless agreement with the ACCEL Day and Evening Academy.

8.60 TECHNOLOGY AND TELECOMMUNICATION PLAN AND ELECTRONIC COMMUNICATION USE

ACCEL Day and Evening Academy shall develop a comprehensive technology and telecommunications plan for administrative and instructional purposes. The plan shall advance and promote public education consistent with technology advances and availability of resources. To the extent feasible, it shall promote access, collaboration, and information sharing between and among schools, offices, and the global community and include provisions for protecting students from access to inappropriate and prohibited information and materials.

The Superintendent or designee shall be responsible for establishing and authorizing use of technology, telecommunications services and networks consistent with the telecommunication plan. Such plan shall be updated periodically.

Such guidelines shall be broadly distributed and/or posted in appropriate locations. Such guidelines shall address computer room access; sale of computer services; acceptable use; proper etiquette; security; vandalism; harassment; and supervision of student use by staff. Any user violating such guidelines shall be subject to denial of school-based access and such other legal or disciplinary actions as are appropriate to the violation.

ACCEL Day and Evening Academy computers, network access, and other information resources such as electronic mail (e-mail) are provided for staff use to support the school's mission and goals. Access by staff and students to inappropriate and prohibited information and materials shall be limited by the use of appropriate software. All such resources are ACCEL Day and Evening Academy property and subject to the same rules for use as other physical property. In addition, the following rules shall apply:

- Use of information resources should be limited to legitimate educational purposes. Programs for personal use should be avoided. Use for illegal or commercial purposes is not authorized.
- School electronic resources include E-mail, World Wide Web pages, and other forms of electronic documentation:
 - Will not be obscene, abusive, or contain other inappropriate material; and,
 - Will require the same handling as other public records.
- User accounts and passwords must not be shared except where authorized. The person in whose name an account is issued is responsible for its proper use at all times.
- Copyright and license agreements will be respected; no unauthorized copies of programs or files will be made.
- Users shall not take unauthorized actions which gain access or attempt to gain access to, deny access or attempt to deny access to, disrupt, change, or destroy the data or service of the computer or network systems.
- Use of electronic mail and other network communications facilities to harass, offend, or annoy other users of the network, including chain letters and jokes, is not authorized.
- Users must avoid spreading computer viruses. Users may not download files from unknown sources. Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity under applicable state and federal law.
- The network management accepts no responsibility for harm caused directly or indirectly by network use. There is no expectation of privacy when using ACCEL Day and Evening Academy provided equipment and network resources.
- Users must acknowledge their understanding of all policies and guidelines on a yearly basis by reading and signing the applicable ACCEL Day and Evening Academy Acceptable Use Policy (Policy 5.90). ACCEL Day and Evening Academy will periodically update the Acceptable Use Policy for Students and the Acceptable Use Policy for Employees.

8.62 WELLNESS

ACCEL Day and Evening Academy believes a good education prepares students for all facets of life, including healthy living. ACCEL Day and Evening Academy 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 when available;

- Adopting regulations regarding reimbursable meals consistent with federal guidelines;
- Encouraging students to participate in the school meal program for which they are eligible; and,
- Supporting professional development for staff and informational programs for students on nutrition and physical education (when available).

The Superintendent will designate 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.

8.63 CELL PHONE USE

ACCEL Day and Evening Academy may permit any student to carry a cellular telephone or other electronic communication device while on school property and may permit any student to use a cellular telephone or other electronic communication device, when such use is expressly and specifically permitted by the school administrator, teacher, or employee who is acting in a supervisory capacity at the time of the use.

The possession of an electronic communication device is strictly prohibited during the administration of a secure test. A student in possession of an electronic communication device during testing shall be subject to applicable disciplinary consequences. The prohibited device shall be confiscated and may be subject to search. The student's test shall be invalidated if test security procedures are violated. (See also Policy 4.61 Test Security.)

Any student found in violation of this policy may be subject to suspension or other disciplinary action by the school administration.

8.80 RECORDS RETENTION AND DISPOSAL

ACCEL Day and Evening Academy shall establish and maintain a system for the retention and destruction of school records consistent with legal requirements to minimize record storage requirements and permit the Superintendent to administer the affairs of ACCEL Day and Evening Academy more efficiently.

After complying with the provisions of laws and rules, the Superintendent is authorized at his/her discretion to destroy general correspondence and other records, papers, and documents, provided such records do not serve as an agreement or understanding or have value as permanent records. However, commodity records are to be maintained according to Child Nutrition Program guidelines, and records of milk, bread, and juice are to be maintained permanently.

Document Preservation Plan and Litigation Hold for Electronic Records: The Superintendent shall adopt a document preservation plan to ensure that when a lawsuit is filed or reasonably anticipated, it takes special precautions to prevent the loss of potentially relevant electronic data. Electronic data includes all forms of electronic communications and records such as email, word processing, calendars, voice messages, videos, photographs and other digital information.

When a lawsuit is filed or reasonably anticipated, a litigation hold shall be issued to appropriate individuals, which shall define and identify records to be preserved and direct that the records be preserved and how

to do so. A person receiving a litigation hold has a duty to preserve all records, whether existing or later created, in the person's possession or scope of responsibility that are identified in the litigation hold, effective immediately. The board's duty to preserve records shall continue until the litigation, or the threat of litigation that prompted the litigation hold has ended.

After a lawsuit is filed and when the Board receives a request from an opposing party for production of electronic records, the Board's counsel and the Board will determine the best approach to take in order to efficiently produce a complete and accurate response.

CHAPTER 9.0 – COMMUNITY RELATIONS

9.10 PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS

The principal is encouraged to cooperate with parent and school support groups. The school principal shall be responsible for forming and assisting organizations which are desired and necessary for the school program; such organizations shall be kept active by the school principal for the duration of their need and encouraged to maintain accurate financial and activity records.

Parent-Teacher Groups: ACCEL Day and Evening Academy considers parent-teacher groups as auxiliaries to the school and not as “outside” groups. Whenever a local parent-teacher group is formed, it shall be permitted to hold its regular meetings in the school building, and it shall be the duty of the principal and the teachers of the school to further the work of the group in every way practicable. Meetings of these groups may be held in the school building with the permission of the school principal without the necessity of the lease required of “outside” groups.

Booster Clubs and Parent Teacher Organizations (PTOs): It shall be the policy of ACCEL Day and Evening Academy to work with and encourage the support of band, academic, and athletic booster clubs and school PTOs.

All booster club and PTO activities shall be authorized by and coordinated with the school principal.

If booster club or PTO funds are a part of the school’s finances, then all funds shall be accounted for by the school principal; all purchases shall be approved by the school principal. If not, the treasurer of the organization must be bonded as prescribed in Local School Accounting guidelines. Also, copies of annual audits of booster clubs and PTOs shall be maintained at the school and at the central office.

Booster clubs shall not directly or indirectly supplement the pay of band directors, coaches, advisors, or any other school employees without Superintendent and Board approval.

All decisions concerning personnel employed by ACCEL Day and Evening Academy shall be strictly reserved as an ACCEL Day and Evening Academy matter and shall not be the prerogative of booster clubs.

Any person paid solely by a citizen group must be approved by the Superintendent prior to being permitted to work with students in the school.

Booster club members are not permitted to recruit players and/or coaches from other public or private schools.

Advisory Councils: The ACCEL Day and Evening Academy administration shall appoint a federal program advisory council, a career-technical advisory council, and other appropriate parent advisory committees/councils as needed.

9.15 PARENT INVOLVEMENT: FAMILY AND SCHOOL PARTNERSHIP FOR STUDENT ACHIEVEMENT

ACCEL Day and Evening Academy and its staff are encouraged to strengthen family involvement and family empowerment in the school. ACCEL Day and Evening Academy will coordinate and integrate parental involvement strategies with school improvement, Title I, Title II, Title III, Title IV, Title VI, community involvement programs, business partnerships, and other community involvement activities. Parents will be afforded substantial and meaningful opportunities to participate in the education of their children.

ACCEL Day and Evening Academy will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs which include the following:

- Communication between home and school is regular, two-way and meaningful.
- Communication between home and school includes conferences, telephone conversations, parent involvement meetings, written resource materials, community and school-wide surveys and needs assessments. Educators shall maintain accurate records of home-school communications.
- Responsible parenting is promoted and supported.
- Family literacy and parenting skills are emphasized.
- Parents play an integral role in assisting student learning.
- Parents help their children meet challenging state and local content and achievement standards.
- Parents are welcome in school and their support and assistance are sought.
- Opportunities to volunteer are frequently communicated.
- Parent participation on advisory committees strengthens program review, planning and improvement.
- Parents are full partners in the decisions that affect children and families.
- Community resources are utilized to strengthen school programs, family practices and student learning.

The staff will communicate parental choices and responsibilities to parents.

ACCEL Day and Evening Academy will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the professional development plan.

9.20 PUBLIC INFORMATION AND PUBLIC RELATION

Because the schools belong to the people who created them by consent and who support them by taxation, it is the declared intent of the ACCEL Day and Evening Academy:

- To keep the citizens adequately informed through appropriate channels of communication on policies, programs, problems, needs, and the planning of the school and to carry out this policy through its own efforts and the office of the Superintendent.
- To seek advice and opinion of the people of the community.
- To require ACCEL Day and Evening Academy staff members to cooperate in keeping the public informed of all newsworthy events which would be of interest or concern to the citizens and which

would promote the welfare of the school, provided that any news release by a particular school be approved by the principal or designee and that any release relating to the ACCEL Day and Evening Academy as a whole shall be approved by the Superintendent or designee.

Media requests for interviews with minor students will be denied unless parental permission is given.

9.30 USE OF FACILITIES

General Policy: ACCEL Day and Evening Academy believes the functions of the school building and grounds should be to accommodate approved school programs for students and to assist in meeting the educational, cultural, civic, social and recreational needs of communities.

Use of school buildings by the community shall be considered a secondary function and shall be scheduled at times which do not interfere with regular school activities.

Use Agreement: The Board shall direct the Superintendent to develop administrative rules and regulations governing the use of school facilities. The use of school facilities by individuals or groups shall be governed by a signed use agreement between the individual or group and the board. The use agreement shall contain, but is not limited to, the following:

- A “hold harmless” agreement having the effect of holding the board free from any liability arising from the negligence of the party using the facilities.
- A statement requiring, with limited exception, any person or group leasing the school facilities to purchase liability insurance indemnifying the board and its members as additional insured. A certificate verifying the purchase of such insurance should be presented to the board at least twenty-four (24) hours prior to use of the facilities.
- A statement that the individual or group lessee shall assume all responsibility for damage and/or maintenance expenses invested in the building, directly or indirectly resulting from lessee’s use.

The ACCEL Day and Evening Academy owned or controlled facility will not be used in any manner not covered under liability insurance purchased by the board.

Limited Open Forum - Equal Access: Non-curriculum related student organizations shall have the same opportunity to use school facilities as any other student organization, regardless of religious, political, philosophical, or other content of the speech at such meetings, subject to the right and obligation of the board to maintain order and discipline on school premises and to protect the well-being of students and faculty.

The principal of the school may approve use of the school facility by a non-curriculum related student organization provided that:

- The meeting occurs during non-instructional time and is attended by a school employee/designee who shall provide general supervision.
- The meeting is voluntary and student-initiated. Only students enrolled in the school may request the meeting.
- The meeting is not sponsored by the school, the board, or employees thereof.

CHAPTER 9.0 – COMMUNITY RELATIONS

- The presence of ACCEL Day and Evening Academy authorities or board employees at any religious meeting is non-participatory in nature. The presence of school employees is for observation only.
- The meeting does not interfere with regular instructional activities of the school.
- The meeting shall not be directed, conducted, controlled or regularly attended by non-school persons.
- The non-curriculum related student group shall not use the school name, school mascot name, or any name that might imply school sponsorship.

No school employee shall be compelled to attend a meeting of any student organization if the content of the speech at such meeting is contrary to the beliefs of the employee.

Any student organization seeking to meet on school property during non-instructional time shall submit a written application to the school principal. Application shall include the following information:

- The name of the organization;
- A general statement of the purpose of the organization;
- A description of the qualifications for membership, if any;
- A statement that the students understand and agree to comply with this equal access policy; and,
- A proposed schedule of meetings and activities.

The principal shall deny approval to any organization whose purposes, qualifications for membership, or proposed activities are unlawful. Failure to comply with this policy shall be grounds for revocation of the right to continue to conduct meetings under this policy.

9.40 ADVERTISING IN SCHOOLS

ACCEL Day and Evening Academy facilities shall not be used for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency or individual organization; nor shall ACCEL Day and Evening Academy employees or students be employed in such a manner. Advertising on school buses shall be prohibited. The following are exceptions:

- School officials, with the Superintendent's approval, may cooperate with any governmental agency in promoting activities in the general public's interest or may cooperate in furthering the work of any non-profit community-wide social service agency, provided that such cooperation does not restrict or interfere with the educational program of the school and is non-partisan and non-controversial.
- A school may use film or other educational materials which contain advertising. The film or material shall be carefully evaluated by the school principal for classroom use to determine whether the film or material contains undesirable propaganda.

The Superintendent may announce or authorize to be announced any lecture or community activity of particular educational merit.

Demonstrations of educational materials and equipment shall be permitted with the principal's approval.

The school may utilize athletic facilities for commercial advertising to support school programs. The principal shall maintain approval rights on the content and form of such advertising. Money collected from these commercial advertisements shall be deposited into the proper internal account.

9.50 DISTRIBUTION OF LITERATURE AND MATERIALS TO STUDENTS

Literature or materials that originate from out-of-school sources shall be approved by the Superintendent or designee prior to distribution to ACCEL Day and Evening Academy students.

The principal shall prohibit all forms of canvassing or soliciting of teachers or students on ACCEL Day and Evening Academy premises during school hours except as otherwise approved by the Superintendent. No literature or materials from out-of-school sources shall be distributed to homes by students without the approval of the Superintendent or designee. Student or school surveys by outside groups or organizations require the approval of the Superintendent or designee.

9.60 VISITORS

All school visitors are required to report to the main office upon arrival at a school campus. All visitors will be required to sign in and secure a visitor's pass. Students enrolled at ACCEL are not permitted to bring student visitors to school during regular school hours without prior approval from the Principal.

This policy does not apply to routine deliveries or scheduled maintenance visits.

Parents/guardians are invited to visit the school. To avoid interrupting the daily program, the parent should request a conference for after school hours or during a teacher's planning period. Parents/guardians are encouraged to plan such conferences with teachers and shall sign in at the principal's office and be issued a visitor's badge at the time they arrive on the campus.

Any person who enters or remains upon ACCEL Day and Evening Academy property without legitimate purpose may be found to be trespassing, subject to arrest and penalties as defined by statutes.

No adult sex offender, after having been convicted of a sex offense involving a minor, shall enter onto the property of the school while school is in session or attend any school activity unless the adult sex offender does all of the following:

- Notifies the principal or the school, or his/her designee, before entering onto the property or attending the school activity;
- Immediately report to the principal of the school, or his/her designee, upon entering the property or arriving at the school activity; and,
- Complies with any procedures established by the school to monitor the whereabouts of the sex offender during his or her presence on school property or at a school activity.

9.70 RELATIONS WITH GOVERNMENTAL AUTHORITIES

ACCEL Day and Evening Academy will cooperate with local, state, and federal organizations and agencies when it is in the best interest of the school.

The Superintendent may initiate or accept proposals and requests for cooperative endeavors; final action shall be subject to board review and approval.

Community relations of a continuing nature may be temporarily approved by the Superintendent if they involve no cost to the school and will neither disrupt the school nor involve substantial use of facilities or personnel.

Formal agreements shall require Board approval. The ACCEL Day and Evening Academy shall also review and approve major cooperative agreements or arrangements between other schools, colleges, universities, correctional schools, or other educational organizations. The school, teachers, school clubs, and/or employees may not enter into any contract with vendors or other agencies without Board approval.

Guidelines related to joint activities and requests for cooperation shall address costs which may be incurred, the extent of school personnel involvement, and prior agreements or arrangements with the same or similar organizations.

9.80 PUBLIC GIFTS TO SCHOOLS

ACCEL Day and Evening Academy may receive gifts that may serve to enhance and extend the work of the schools.

Equipment contributed to the schools becomes the property of the ACCEL Day and Evening Academy and is subject to the same controls and regulations that govern the use of other board property.

Contributions of equipment or services that may involve major costs for installation or maintenance, or continuing financial commitments from school funds shall be presented by the Superintendent for consideration and approval.

Individuals or organizations desiring to contribute supplies or equipment shall consult with school officials regarding the acceptability of such contributions in advance of the contribution.

All employees in a position to receive gifts in the name of a school or the school shall apply a test of “reasonableness” to the gift. Reasonableness may be defined as anything that might not be construed to influence the decision makers in the purchase of school-related goods and services.

9.90 PUBLIC COMMENTS

Constructive comments regarding the schools are welcomed by ACCEL Day and Evening Academy when motivated by a sincere desire to improve the quality of the educational program or to equip the schools to do their tasks more effectively. The board has, however, confidence in its professional staff and desires to support their actions so that they may be free from unnecessary, spiteful, or negative criticism or complaint. Therefore, when a complaint is made to the board or an individual, it will be referred to the school administration for possible resolution.

Public Comment Procedures: The Board advises the public that the proper channeling of complaints involving instruction, discipline, learning materials, or other school matters is as follows:

- Teacher;
- Principal;
- Superintendent;
- Board of Directors.

The Board will consider hearing citizen complaints when they cannot be resolved by the administration. Matters referred to the Board must be in writing and should be specific in terms of the action desired. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level. Complaints that involve the “good name” or “character” of an individual shall be heard in executive session as allowed by the Alabama Open Meetings Act. (See Policy 2.22 Board Meetings)