

VI. Students

6.01 Attendance

- 6.01.1 Compulsory Attendance and Entrance Age – All persons between the age of six (6) and seventeen (17) years of age are required by state law to attend school for the minimum number of scholastic days prescribed by the State Board of Education unless the person holds a certificate of exemption issued by the Superintendent or is otherwise exempt under state law.

[Reference: ALA. CODE §16-28-3 (1975)] [Approved: August 18, 2016]

- 6.01.2 Absences and Excuses – Students are not permitted to be absent from school without a valid excuse. Absences will be designated as excused or unexcused in accordance with the school system's Code of Conduct. Excessive unexcused absences may result in a loss of academic credit or referral of the matter to juvenile or other appropriate legal authorities for investigation.

[Approved: August 18, 2016]

- 6.01.3 Truancy – Parents or guardians are required to ensure that students under their care, custody or control attend school regularly. Habitual or excessive absence from school may require Board officials to refer the matter to juvenile authorities or to initiate truancy proceedings.

[Reference: ALA. CODE §16-28-1, *et seq.* (1975); Ala. Admin. Code 290-3-1-.02] [Approved: August 18, 2016]

6.02 Withdrawals

No student of compulsory attendance age will be permitted to withdraw from school except in accordance with state law and any withdrawal procedures that may be developed by the Superintendent.

[Reference: Ala. Admin. Code 290-3-1-.02] [Approved: August 18, 2016]

6.03 Concussions

Drawing on such medical and other authoritative publications and resources as may be available, the Board will:

- a. Develop materials and information that are designed to educate students and their parents or guardians about the nature of concussion and brain injury and the risks of continuing to participate in athletics after receiving a concussion or brain injury;
- b. Suitably summarize such materials on a concussion and head injury information sheet which is to be provided annually to current and prospective student athletes and their parents or guardians. Prior to the student's participation in practice or competition, the head coach of the team must obtain and keep on file a copy of

the information worksheet signed by the team member and his or her parent or guardian.

- c. Develop a program designed to educate coaches on how to learn to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion. The training shall be provided by qualified medical personnel or persons with special expertise in recognizing and responding to concussions and brain injuries, and shall be offered to every coach prior to the beginning of practice for the athletic team that he or she coaches.
- d. Promulgate or otherwise inform coaches of the statutory requirement that a youth athlete must be removed “from participation and may not return to play the day of the injury and until the athlete is evaluated by a licensed physician and receives written clearance to return to play from a licensed physician.”

The Board may use information and forms prepared by the Alabama High School Athletic Association as they may be revised from time to time, but nothing in any such materials should be interpreted or otherwise understood to create a duty or standard of care on the part of any person charged with its implementation.

[Reference: Ala. Code §22-11E-2 as amended by Act of Alabama 2012-314] [Approved: August 18, 2016]

6.04 Extracurricular Activities

6.04.1 General – Students may be offered an opportunity to participate in extracurricular activities and organizations. Extracurricular activities must meet the following criteria:

- a. The organization or activity must be approved by the school principal and must have an assigned faculty supervisor or sponsor;
- b. The organization or activity must promote or serve the intellectual, cultural, personal, or physical development of the student in a manner that is consistent with the purposes of public education, the Board’s legal mandate, mission statement, policies, and regulations, and with applicable requirements of state and federal law;
- c. The organization or activity must operate under and subject to general supervision of school officials; and
- d. The nature of the organization and its activities are not inconsistent with and do not interfere with instructional activities or requirements.

Student participation or membership in such organization activities may be governed by the specific policies of the organization and is subject to review and approval by the principal.

[Approved: August 18, 2016]

6.04.2 Eligibility – Participation in Board sanctioned athletic programs will be on such terms and conditions as may be approved by the Board and the requirements of any athletic association of which the Board or the applicable local school is a member. Schools may establish terms and conditions for participation in such programs as long as school eligibility criteria are not inconsistent with system-wide eligibility or participation criteria, rules, regulations, or standards established by any athletic association or organization of which the Board or the school is a member, or any rule, principle, or provision of applicable law.

[Reference: Ala. Admin. Code 290-3-1-.02(18)] [Approved: August 18, 2016]

6.05 *Off-Campus Events*

Student participation in and travel to off-campus events, concerts, functions, and activities, and the use of school buses or other transportation for such purposes may be authorized under and subject to the following terms and conditions:

- a. The destination is an activity, event, or function that services a *bona fide* educational or related extracurricular purpose, or is an athletic event or function sponsored or sanctioned by the school or the school system and the state athletic association;
- b. Adequate information regarding the trip (e.g., destination, duration, purpose, educational purpose, mode of transportation, nature and extent of student participation) has been provided to the principal, program director, and Superintendent.
- c. Adequate arrangements are made for supervision and other risk management considerations (e.g., parental permission, medical treatment authorization, special insurance requirements);
- d. Properly certified and qualified drivers have been selected and arrangements for the costs of the trip (e.g., salary, fuels, maintenance, lodging) have been made; and
- e. The trip is approved by the principal. Board approval is required for overnight, out-of-state trips.

The Superintendent is authorized to develop additional specific requirements for participation in and travel to and from official events and activities that are consistent with the terms of this policy.

[Approved: August 18, 2016]

6.06 *Student Publications*

The Superintendent is authorized to develop rules and regulations regarding student publications. Student publications are subject to and will be expected to meet standards

associated with responsible journalism. The principal and student publication sponsor are responsible for the content of such publications.

[Approved: August 18, 2016]

6.07 *Equal Educational Opportunities*

No student will be unlawfully excluded from participation in, be denied the benefits of, or subjected to discrimination in any program or activity offered or sponsored by the Board on the basis of race, ethnicity, color, disability, creed, national origin, sex, immigrant or migrant status, non-English speaking ability, or homeless status.

[Approved: August 18, 2016]

6.08 *Title IX*

6.08.1 Prohibition – In accordance with Title IX (20 U.S.C. §1681, *et seq.*), the Board strictly prohibits discrimination on the basis of sex or gender in its programs or activities, including sexual harassment, as defined by law and Board policy. Sexual harassment complaints should be filed and reviewed under the Board's student sexual harassment policy. All other complaints under Title IX will be filed and reviewed according to the Board's general complaint and grievance procedures.

[Approved: August 18, 2016]

6.08.2 Title IX Coordinator – The Superintendent is authorized and directed to designate a Title IX Coordinator, whose duties will include but not be limited to receiving and responding to Title IX inquiries and complaints.

[Approved: August 18, 2016]

6.09 *Voluntary Religious Expression*

The Board does not discriminate against students or their parents or guardians on the basis of their religious viewpoints or their expression of such viewpoints. Such views and expressions are treated in the same manner as nonreligious viewpoints, activities, or expressions.

Students may express their religious beliefs in all phases of their schoolwork without penalty or reward based upon the religious nature or content of such expression. Schoolwork is evaluated according to the academic standards and pedagogical objectives that otherwise apply to the work or activity in question. These standards and objectives included but are not limited to acquisition and/or mastery of factual information; development of analytical, problem solving, learning, critical thinking, communication, organizational, and social skills; college preparatory and career readiness training; proficiency in and appreciation of the performing arts; and the development of personal skills that are designed to facilitate attainment of the foregoing objectives, future academic success, and employability. The scholastic work of the system's students will

be evaluated in light of the foregoing standards and objectives, academic and curricular guidelines and criteria established or approved by the State or Trussville City Boards of Education, and determined by evaluation, achievement, assessment, and testing materials, instruments, methods, and measures that have been generally recognized as appropriate for such purposes within the educational community and applied successfully in public school settings.

Students may organize and participate in religious activities before, during, and after school and have access to school facilities to the same extent students are permitted to organize and participate in other noncurricular activities to the extent that such access to or use of Board facilities does not constitute a constitutionally impermissible endorsement or sponsorship of the organization or violate any right established by or imposed by either the Alabama or United States Constitutions.

[Approved: August 18, 2016]

6.10 *Harassment/ Bullying, Intimidation, Discrimination, Violence, and Threats of Violence of Students*

The Trussville City School District is committed to providing all students with a safe and supportive school environment in which all members of the school community are treated with respect.

It is hereby the policy of the Trussville City School District to prohibit harassment and/or discrimination of its students based on real or perceived race, color, religion (creed), national origin, marital status, sex, sexual orientation, gender identity and expression, disability, socio-economic status or on the basis of association with others identified by these categories.

No student shall engage in nor should any be subjected to (1) harassment/bullying, violence, threats of violence, or intimidation, by any other student that is based on any of the specific characteristics set forth in this policy or (2) sexual harassment. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the Student Code of Conduct and applicable law.

This policy is intended to comply with Alabama as well as federal requirements. The School District shall act to investigate all complaints of harassment, formal or informal, verbal or written, and to discipline or take other appropriate action against any member of the school community who is found to have violated this policy.

[Approved: August 18, 2016] [Amended: March 18, 2019]

6.10.1 Definitions –

- a. *Adverse Action:* Includes any form of intimidation, reprisal or harassment such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. in the case of students and includes any form of intimidation, reprisal, or harassment such as suspension, termination, change in working conditions, loss of privileges or benefits, or other disciplinary action in the case of employees.
- b. *Student:* A person enrolled in the Trussville City Schools public school system.
- c. *Gender Identity and Expression:* For purposes of this policy, gender identity or expression means having or being perceived as having gender-related characteristics, appearance, mannerisms, or identity, whether or not stereotypically associated with one's assigned sex at birth.
- d. *Harassment/Bullying:* Means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal, or physical actions that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in this policy. To constitute bullying, a pattern of behavior may do any of the following:
- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
 - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
 - Have the effect of substantially disrupting or interfering with the orderly operation of the school whether the conduct occurs on or off school property, online, or electronically.
 - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
 - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- e. *Hostile environment:* Means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and

that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.

- f. *Intimidation*: Means an unjustified threat or other action that is intended to cause fear or apprehension in a student.
- g. *Retaliation*: Means an adverse action taken against a person for reporting a complaint of harassment, violence, threat of violence, or intimidation when the complainant honestly believes the act has occurred or is occurring, or for participating on or cooperating with an investigation.
- h. *School Community*: Includes but is not limited to all students, school employees, contractors, unpaid volunteers, work study students, interns, student teachers, and visitors.
- i. *Sexual Harassment*: Means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature made by a school employee to a student or by a student to another student when:
 - 1) Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education, academic status or progress; or
 - 2) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student; or
 - 3) The conduct (1) substantially interferes with or will substantially interfere with a student's educational benefits, opportunities, or performance; or a student's physical or psychological well-being; or (2) creates an intimidating or hostile educational environment; or
 - 4) Submission to or rejection of such conduct by a student is used as the basis for evaluating the student's performance within a course of study or other school-related activity.
- j. *Threat*: means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.
- k. *Threat of Violence*: means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.

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

6.10.2 Description of Behavior Expected of Students –

- a. Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting harassment/bullying, violence, ,intimidation and sexual harassment; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student, and (3) to refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.
- b. Bullying, intimidation, violence, or threats of violence are prohibited and will be subject to appropriate disciplinary consequences and/or sanctions if such action is found to have been based on discrimination of one or more of the following personal characteristics of the student:
- Race
 - Ethnicity
 - Gender
 - Religion
 - National origin
 - Disability
 - Sexual Orientation
 - Age
 - Socio-economic status
- c. Sexual harassment is prohibited and will be subject to appropriate disciplinary consequences and/or sanctions.

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

6.10.4 Procedures for Reporting and Handling Complaints of Harassment of Students–

a. *Reporting*

- 1) Students. It is the policy of the Trussville City School District to encourage student targets of harassment/bullying, intimidation, violence, and threats of violence or sexual harassment and students who have first-hand knowledge of such incident(s) to report such claims via this complaint procedure.

If the reported incident involves an employee, a student who invokes the complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to alleged violations of this policy to any appropriate Board administrator, teacher, or counselor, and such persons have a duty to promptly refer such allegations to the principal. If the complaint involves the school principal, the allegations should be referred directly to the school district equity coordinator or superintendent.

In addition, complaint forms are available at the principal's or counselor's office, the student handbook, or on the school system's website. The complaint must be signed by the student alleging the violation or by the student's parent or legal guardian and delivered to the principal or the principal's designee by mail or personal delivery. . If the complaint involves the school principal, the form may be submitted directly to the school district equity coordinator or superintendent 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.2) Employees. Any adult school employee who witnesses, overhears, or receives a report, formal or informal, written or oral, of harassment, bullying, intimidation, violence, or threats of violence at school or during school-sponsored activities shall report it to the principal or the principal's designee. If the report involves the school principal, the reporter shall make the report directly to the school district equity coordinator or superintendent. Under certain circumstances, the alleged incident may constitute child abuse under state law. The statutory obligation to report suspected abuse, therefore, may be applicable.

- 2) Privacy: Complaints will be kept confidential to the extent possible given the need to investigate and act on investigative results.

In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decision-making responsibility in connection with the processing of the complaint.

b. *Response*

- 1) Principal's Duty. The principal or the principal's designee is the person responsible for receiving oral or written reports of harassment, bullying, intimidation, violence, threats of violence, and sexual harassment. Upon receipt of a report, the principal must notify the school district equity coordinator immediately, without screening or investigating the report. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the school district equality coordinator. If the report was given verbally, the principal shall reduce it to written form within 24 hours, secure the complainant's signature, and forward it to the school district equity coordinator. Failure to forward any report of complaint as provided herein will result in disciplinary action against the principal.
- 2) School District Equity Coordinator(s). The superintendent shall designate at least one individual within the school district as the school district equity coordinator to receive reports of harassment/bullying, intimidation, violence, and threats of violence, and sexual harassment. If the report involves the school district equity coordinator, the reporter shall refer the complaint directly to the superintendent. The school district shall prominently post the name, mailing address, and telephone number of its equity coordinator (s).

c. *Investigation*

- 1) Who. The principal, school district equity coordinator, or other special investigator appointed by the superintendent shall conduct an investigation upon receipt of a report or complaint alleging student harassment/bullying, intimidation, violence, and threats of violence, or sexual harassment. In no case will any employee who is the subject of a complaint be permitted to conduct, review, or

otherwise exercise decision-making responsibility in connection with the processing of the complaint.

- 2) How. The investigator shall interview individuals involved and any other persons who may have knowledge of the circumstances giving rise to the complaint and may use other methods and documentation. In determining whether the alleged conduct constitutes a violation of this policy, the investigator shall consider, among other things: the nature of the behavior; how often the conduct occurred; whether there were past incidents or past continuing patterns of behavior; and the relationship of the parties involved.
- 3) When. The investigator shall complete the investigation as soon as practicable, but in no event later than fourteen (14) calendar days following receipt of the complaint.
- 4) Result. Upon completion of the investigation, the investigator shall decide if a violation of this policy has occurred and report that decision, along with the evidence supporting it, to the principal or school district equity coordinator and the superintendent or, if the complaint involves the superintendent, directly to the school board, for appropriate action in accordance with school district disciplinary policy.
- 5) Suicide Threat. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee is authorized to inform the student's parent or guardian of the report unless at the discretion of the school principal or the principal's designee the apparent cause of the threat of suicide is child abuse or other significant harm from a parent or guardian.

d. *School District Action*

The district shall take disciplinary or remedial action as appropriate in order to ensure that further harassment/bullying, intimidation, violence, threats of violence, or sexual harassment do not occur. Such action may include, but is not limited to: counseling, awareness training, parent-teacher conferences, warning, transfer, suspension and/or expulsion of a student, and counseling, awareness training, transfer, suspension and/or termination of an employee.

School District action taken for violation of this policy will be consistent with the requirements of applicable Alabama and federal law, and Trussville City School District policies.

e. *Appeal*

A person judged to be in violation of this policy and subjected to action under it may appeal the determination and/or the action taken as follows:

- 1) Student. If the person filing the appeal is a student, the appeal shall proceed in accordance with School District policy governing discipline of students and with legal due process requirements.
- 2) Employee. If the person filing the appeal is an employee, the appeal shall proceed in accordance with School District policy governing employee discipline, applicable grievance procedures, and applicable state and federal law.

f. *Retaliation*

Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation may be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy may be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

g. *Record Keeping and Notification*

- 1) Record Keeping. The superintendent shall assure that a record of any complaint and investigation as well as the disposition of the complaint and any disciplinary or remedial action taken is maintained by the School District in a confidential file.
- 2) Notification. The superintendent shall assure that the complainant is notified whether allegations were found to be valid, whether a violation of the policy occurred, and whether action was taken as a result.

h. *Notice*

The superintendent shall use all reasonable means to inform students, employees, and parents or guardians that the district will not tolerate harassment/bullying, intimidation, violence, threats of violence, or sexual harassment. This policy and any procedures, rules and forms developed

and approved to implement the policy will be published on the website of the board of education and each school, shall be available at each school office, and shall be included in the student handbook that is distributed to each student at the beginning of each school year.

i. *Training*

The superintendent shall develop age appropriate methods of discussing the meaning and substance of this policy with staff and students in order to help prevent harassment.

In addition to informing staff and students about the policy, these programs, implemented within the context of professional development and school curriculum, must also raise awareness about the different types of harassment; how the harassment manifests itself, and the devastating emotion and educational consequences of harassment.

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

[Reference: Ala. Code §16-28B-1, et seq. (1975)] [Approved: August 18, 2016] [Amended: March 18, 2019]

6.11 *Protection of Pupil Rights Amendment*

- 6.11.1 Consent – The Board will obtain parental consent before students are required to participate in a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):

- a. Political affiliations or beliefs of the student or student's parent(s);
- b. Mental or psychological problems of the student or student's family;
- c. Sexual behavior or attitudes;
- d. Illegal, anti-social, self-incriminating, or demeaning behavior;
- e. Critical appraisals of others with whom respondents have close family relationships;

- f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
- g. Religious practices, affiliations, or beliefs of the student or parent(s); or
- h. Income, other than as required by law to determine program eligibility.

[Approved: August 18, 2016]

6.11.2 Notice and Option to Opt Out – Parents will be provided notice and an opportunity to opt a student out of any of the following:

- a. Any survey that is designated to obtain protected information from a student, regardless of the source of funding;
- b. Any non-emergency, invasive physical exam or screening that is required as a condition of attendance, that is administered by the school or its agent, and that is not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law; and
- c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or for the purpose of selling or otherwise distributing the information to others.

[Approved: August 18, 2016]

6.11.3 Inspection – Parents will be allowed to inspect, upon request and before administration or use, the following:

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

[Approved: August 18, 2016]

6.11.4 Special Provisions for Certain Students – Students who are at least 18 years old and emancipated minors under state law will be allowed to take the above actions in lieu of their parents or guardians.

[Approved: August 18, 2016]

6.11.5 Additional Policies and Procedures Authorized – In consultation with parents, the Superintendent is authorized to develop additional policies, and arrangements to protect student privacy in the administration of protected information surveys and in the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The Board will directly notify parents of these

policies and procedures at the beginning of each school year and after any substantive changes are approved.

[Reference: 20 U.S.C. §1232h; 34 CFR Part 98] [Approved: August 18, 2016]

6.12 *Student Records*

Educational records as defined by law or Board policy will be available for examination and review by authorized persons in the manner prescribed and to the extent required by law. Except where the context requires otherwise, the term “educational records” has the meaning given in 20 U.S.C. §1232g(a)(4). Copies of such records may likewise be provided to the extent required and under circumstances specified by applicable law or regulation. The Superintendent is authorized to establish administrative standards and for the reproduction thereof. Parents will be provided required annual notification regarding educational records through the student handbook or by other appropriate means.

[Reference: 20 U.S.C. §1232g(a)(4); 34 CFR 99.3] [Approved: August 18, 2016]

6.13 *Student Health Services*

The Board may offer limited student health services that are designed to address minor medical issues that may arise during the school day or to assist with special or chronic health problems. In cases of acute or contagious illnesses, parents or guardians may be notified and required to pick up the student. If a parent or guardian is not available, the principal or school nurse may contact the Department of Public Health. School officials are authorized to take reasonable and appropriate steps to provide or arrange for the provision of emergency medical services to students who require immediate medical attention. In case of illness or accidental injury not requiring immediate medical attention, standard first aid procedures may be followed. The Superintendent is authorized to develop and promulgate procedures, rules, and regulations concerning the taking, administration, and handling of medication at school and anaphylaxis consistent with state law and appropriate health standards.

[Approved: August 18, 2016]

6.13.1 *Mental Health*

Opt-In for Mental Health Services by Parent or Legal Guardian

No student under the age of fourteen may participate in ongoing school counseling services including, but not limited to, mental health services, unless (1) the student’s parent or legal guardian has submitted a written opt-in granting permission for the student to participate or (2) there is an imminent threat to the health of the student or others.

For purposes of this policy, “mental health services” includes services, treatment, surveys, or assessments relating to mental health; however, it does not include instructional activities designed to educate students regarding topics related to mental

health (1) contained in the school system's approved curriculum or (2) otherwise required to be taught by law (e.g., Erin's Law; Jason Flatt Act).

This policy is not applicable to any school counseling services or "mental health services" contained in a student's PST, IEP, or §504 plan. Consent for those services will be obtained in accordance the specific procedures required by federal and/or state law, and information regarding any mental health services will be provided in the pertinent plan.

A. Written Notification – At least annually, the school system shall provide parents and legal guardians a written notification regarding school provided or sponsored mental health services. The notification will include the purpose and general description of each of the mental health services available; information regarding ways parents may review materials to be used in guidance and counseling programs available to students; and information regarding ways parents may allow, limit, or prevent their student's participation in the programs.

The written notification may be provided electronically, including through the school system's online enrollment portal or by such other means and methods as are customarily used for such purposes.

B. Opt-In To Participate in Mental Health Services –

1. *General Requirement* – For a student under the age of fourteen to participate in mental health services, written permission by the student's parent or legal guardian is required annually. The written permission must be specific as to any treatment and not broad in nature. Parents and legal guardians may be provided the opportunity to opt-in electronically during online enrollment or by such other means and methods as are customarily used for such purposes.
2. *Rescinding Permission* – A parent or guardian may rescind permission for a student to participate in mental health services at any time by providing written notice to school administration [**Note:** School systems who want parents to submit this notice to a particular person should simply insert the person's title in place of "school administration" (i.e., principal, school counselor, etc.)].
3. *Requests for Opt-In and Referrals Authorized* – If a parent or legal guardian does not initially opt-in to mental health services, school officials may contact the parent or legal guardian to (1) attempt obtain permission for the student to

participate in mental health services if the school official believes that the student would benefit from services or if circumstance arise for which services could be beneficial; and/or (2) provide a parent or legal guardian with a referral or information regarding mental health services that may be available to a student through other agencies or providers.

4. *Exception for Imminent Threat* – If a parent or legal guardian has not opted-in to mental health services, a student may be provided mental health services if there is an imminent threat to the health of the student or others. School employees may determine in their discretion whether such an imminent threat exists and provide any mental health services they deem necessary under the circumstances.

C. **Information for Parents/Legal Guardians**

If a student's parent or legal guardian elects to opt-in to mental health services, the counselor providing services shall keep the parent fully informed regarding any diagnosis and any recommendations for additional counseling or treatments beyond the services for which the parent or legal guardian has already opted in. The parent shall have the authority to make final decisions regarding any such recommended counseling and treatments.

Recordkeeping – Records pertaining to a student's mental health services will be kept separately from academic records unless including such record(s) in the student's academic record is necessary to implement a state and/or federal law (e.g., special education referral process).

[Approved: September 21, 2022]

6.14 Student Conduct

The Superintendent will prepare and present to the Board for adoption and periodic revision a Code of Student Conduct ("CSC"), with input from teachers, school personnel, students, parents and guardians, and other members of the education community and, as appropriate, the community at large. The CSC will comprehensively describe the rules and standards of conduct and discipline that will be maintained and enforced within Trussville City Schools. The CSC will set forth the specific grounds for disciplinary action, the penalties, sanctions, or consequences that may be imposed for a violation of

the CSC, the methods and procedures by which violations of the CSC will be determined, and any appeal or review procedures that are available to students. The CSC will incorporate applicable statutory and regulatory requirements, and the hearing and appeal procedures specified in the CSC will conform to applicable statutory and constitutional standards and requirements. The CSC may be incorporated in a student handbook and will be made available to all teachers, school personnel, students, parents and guardians at the beginning of each school year. The CSC will be deemed an extension of Board policy and will have the force and effect thereof.

[Reference: ALA. CODE §§16-28-12, 16-28A-1 to 3 (1975); Ala. Admin. Code 290-3-1-.02, 290-8-9-.09] [Approved: August 18, 2016]

6.15 Searches (Students)

- a. *Board Property* – All school system property, facilities, and grounds may be entered, inspected, and searched for any lawful purpose by Board officials or their designees at any time, without prior notice and to the fullest extent permitted by law. The right to enter, inspect, and search includes and extends to (but is not limited to) Board owned or controlled offices, desks, file cabinets, lockers, computers, files, documents, data, and devices however and wherever kept, stored, or maintained.
- b. *Personal Property* – Personal property, including but not limited to vehicles, purses, wallets, gym bags, book bags, cell phones, computers, and “personal digital assistant” (PDA) devices may be searched by authorized school officials, including school principals or their designees, when reasonable suspicion exists that the property contains prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety or welfare of the school community.
- c. *Personal Searches* – Students may be searched whenever reasonable suspicion exists that the student possesses prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety and welfare of the school community. Student searches must be conducted by a school administrator in the presence of another certified school employee and may include a private pat down of the student, a search of personal items and clothing, or a more thorough search upon specific approval of the Superintendent. Personal searches will be conducted with due regard for the age and gender of the student. Searches that require physical contact between the school official and the student, removal of clothing, or examination of the student in a way that would implicate privacy concerns must be conducted and witnessed by officials of the same gender as the student and in a way that preserves the dignity of the student to the extent practicable under the circumstances. Refusal to submit to a search or to cooperate in a search as provided in this policy may be grounds for disciplinary action.

- d. *Use of Recovered Items* – Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

[Approved: August 18, 2016]

6.15.1 Use of Video Surveillance Equipment

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

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

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

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

[Reference(s): Code of Alabama 16-8-8, 16-68-3, AAC §290-1-1-.01(4)]

[Approved: December 12, 2022]

6.15.2 Canine Searches

In order to maintain drug-free schools and deal with problems associated with drug use and drug trafficking, the Trussville City Board of Education allows law enforcement officials to make periodic, unannounced visits to any public school in the school system 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, these guidelines will be followed:

- I. Although reasonable cause is not necessary under law in using dogs to sniff unoccupied automobiles, buses, and lockers, principals will use reasonable care in the search process.
- II. Only the principal or designee with approval from the Superintendent or designee shall implement the use of drug-sniffing dogs in schools.
- III. In the search for drugs, drug-sniffing dogs will be handled by trained dog-handlers under the supervision of the principal or designee and an appropriate law enforcement official.
- IV. Dogs will not be allowed to sniff students or employees.
- V. 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.

[Reference: Code of Alabama 16-1-14
[December 12, 2022]

6.16 Corporal Punishment

The Board does not permit the use of corporal punishment as a consequence for inappropriate behavior provided that school personnel are not prohibited from using appropriate physical contact or intervention in response to emergencies or other circumstances reasonably requiring such action.

[Reference: ALA. CODE §16-28A-2 (1975)] [Approved: August 18, 2016]

6.17 Physical Restraint and Seclusion

The Superintendent is authorized to develop written procedures governing the use of seclusion and physical restraint as required by state law. The procedures will be published in accordance with the requirements of state law.

[Reference: ALA. ADMIN. CODE §§290-3-1-.01, 290-3-1-.02] [Approved: August 18, 2016]

6.18 Student Suspension (including Students with Disabilities)

In order to maintain order, minimize the risk of potential personal injury, property damage or disruption, or to permit an orderly investigation and evaluation of a suspected violation of school or school system rules, standards, or policies, principals may temporarily suspend a student pending a conference with the parent or guardian of the student and a final disciplinary decision. Suspension may also be imposed as a disciplinary measure as provided in the Code of Student Conduct. Suspensions will be

counted as excused absences. Make up work will be permitted for such absences unless permitting such work under the circumstances would be impractical or impossible, would serve no purpose, would place school personnel at risk of harm, or would be unreasonable in light of the grounds for the suspension. Suspension of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act (“IDEA”) and its implementing regulations.

[Approved: August 18, 2016]

6.19 *Student Expulsion (including Students with Disabilities)*

Students may be expelled from school for offenses serious enough to warrant such action as provided in Code of Student Conduct or other Board disciplinary policies. Students who are recommended for expulsion may be suspended until such time as the Board meets to consider the recommendation for expulsion. Reasonable notice of the proposed action, the reasons therefore, and an opportunity to be heard will be afforded to the student and the student’s parent or guardian prior to a final decision by the Board regarding expulsion. The Superintendent will notify the student or the student’s parent or guardian, in writing, of any action taken by the Board. The term of an expulsion may extend to the maximum permitted by law. The Board may impose such reasonable limitations on the student’s right to re-enroll in the school system following expiration of expulsion as may be permitted by law. A student who withdraws from school prior to the Board’s consideration of a proposed expulsion may not re-enroll in the school system until the Board holds a hearing or other appropriate proceedings regarding the recommended expulsion. Expulsion of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act (“IDEA”) and its implementing regulations.

[Approved: August 18, 2016]

6.20 *Electronic Communication Devices*

Electronic communication devices include, but are not limited to, cellular telephones, smart phones, pocket pagers, tablets, e-mail devices, “walkie talkies,” or any other wireless communication device. Students may possess a personal, electronic communication device on school property, but use of such devices during the school day is limited to uses expressly permitted by the student’s teacher or an administrator. Principals or their designees will also have the authority to further restrict or deny the use of personal electronic communication devices by any student to prevent the misuse, abuse, or violation of school rules regarding the use of such devices. School officials may read, examine, or inspect the contents of any such device upon reasonable suspicion that the device contains evidence of an actual or suspected violation of the law, of Board policy, of the code of student conduct, or of other school rules, provided that the nature

and extent of such examination shall be reasonably related and limited to the suspected violation. Violations of this policy will be handled in accordance with the Code of Student Conduct.

[Reference: ALA. CODE §16-1-27 (1975)] [Approved: August 18, 2016]

6.21 Drivers' License

6.21.1 Drivers' License – Unless exempted from the requirement by Board policy, a person under the age of 19 years may not under state law obtain a driver's license or a learner's permit without being enrolled in school or meeting alternative criteria established by law. Additionally, a driver's license may be suspended or revoked if a student withdraws or fails to attend school. Students may be exempted or excused from otherwise applicable statutory requirements if their withdrawal or nonattendance is caused by circumstances beyond the control of the student. Circumstances beyond the control of the student may be found with respect to:

- a. Students who are mentally or physically unable to attend school;
- b. Students who are regularly and legally employed in compliance with the provisions of the Child Labor Law; and
- c. Students who, because of the lack of public transportation, are compelled to walk more than two miles to attend a public school.

Students who are denied a driver's license by virtue of their nonenrollment may appeal a decision affecting the student's eligibility for a driver's license to the Superintendent. The appeal should be in writing and filed with the school principal within 15 days of the decision from which the appeal is taken, and should set forth the reasons on which the appeal is based. An appeal should be promptly forwarded to the Superintendent for review and final decision.

[Approved: August 18, 2016]

6.21.2 Administrative Procedures Authorized – The Superintendent is authorized to develop procedures to implement the provisions of this policy and to comply fully with state law.

[Reference: ALA. CODE §16-28-40, *et seq.* (1975)] [Approved: August 18, 2016]

6.22 Student Parking Privileges – Substance Abuse Policy

In order to promote the safety and welfare of students and others who work on or visit school campuses, to encourage the development of safe and responsible driving practices, and to serve the general purposes of maintaining a drug and alcohol free school environment, students will be granted the privilege of driving and parking on school property only if they are free of the effects of alcohol or other illegal or controlled substances. Accordingly, any student who desires to drive a vehicle on school property or park on school property may be required to submit to periodically or randomly administered sobriety or drug tests as a condition to issuance of a permit authorizing the

operation or parking of a motor vehicle on school grounds. Principals may impose reasonable additional conditions or requirements for the privilege of driving or parking a vehicle on school property including, for example, conditions relating to maintenance of academic and attendance standards and the payment of fees. Principals may also establish priorities for issuance and assignment of parking permits. The Board reserves the right to require that sobriety or drug tests or screenings be passed as a condition to maintaining parking or vehicle permits, or privileges relating to use of a motor vehicle. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws and procedures that are developed by the Superintendent for approval by the Board.

[Approved: August 18, 2016]

6.23 *Student Competitive Extracurricular Activity Substance Abuse Policy*

In order to promote the safety and welfare of students who participate in competitive extracurricular activities, to insure that such participation is neither impaired nor any risk of injury exacerbated, to provide incentives to students to maintain safe and healthful practices, and to promote a school environment that is free of alcohol and illegal drugs or controlled substances, the Board reserves the right to require any student who participates in extracurricular competitive programs or activities to submit to sobriety tests or screening for illegal drugs or controlled substances prior to, during, or following a competitive event, practice, competition, or at any other time while the student is under the supervision of the school system. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws, and procedures that are developed by the Superintendent for approval by the Board.

[Approved: August 18, 2016]

6.24 *Suicide Awareness and Prevention*

6.24.1 Administrative Procedures Authorized –To the extent that the legislature appropriates funds or the Board provides funds from other sources, the Superintendent is authorized to develop a program to implement the following statutory requirements of the Jason Flatt Act in an effort to prevent student suicide:

- a. Foster individual, family, and group counseling services related to suicide prevention.
- b. Make referral, crisis intervention, and other related information available for students, parents, and school personnel.

- c. Foster training for school personnel who are responsible for counseling and supervising students.
- d. Increase student awareness of the relationship between drug and alcohol use and suicide.
- e. Educate students in recognizing signs of suicidal tendencies and other facts and warning signs of suicide.
- f. Inform students of available community suicide prevention services.
- g. Promote cooperative efforts between school personnel and community suicide prevention program personnel.
- h. Foster school-based or community-based, or both, alternative programs outside of the classroom.
- i. 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.
- j. Engage in any other program or activity which the Board determines is appropriate and prudent in the efforts of the school system to prevent student suicide.
- k. Provide training for school employees and volunteers who have significant contact with students on the Board policies to prevent harassment, intimidation, and threats of violence.
- l. Develop a process for discussing local board policies relating to the prevention of student suicide and to the prevention of harassment, intimidation, violence, and threats of violence with students.
- m. 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 system.

Students are expected to comply with the system's prevention strategies related to suicide prevention, intervention, and post intervention support.

6.24.2 Promulgation of Policy and Related Procedures, Rules, and Forms – This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes.

[Reference: Ala. Code §16-28B-8 (1975)] [Approved: November 21, 2016]