i3 Academy Operating Policies
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CODE OF ETHICS
i3 ACADEMY BOARD OF EDUCATION

The i3 Academy Board of Directors desires to operate with the highest standards of stewardship and principles of public service possible and to that end the board adopts this Code of Conduct to provide that members of this public governing board will:

I. **CONDUCT OF INDIVIDUAL**

1. Attend and participate in regularly scheduled and called board meetings.
2. Read and prepare in advance to discuss issues to be considered on the board agenda.
3. Recognize that the authority of the board rests only with the board as a whole and not with individual board members.
4. Uphold and enforce applicable laws, rules and regulations of the local board and the State Board of Education, and court orders pertaining specifically to the school system.
5. Render all decisions based on available facts by exercising independent judgment instead of the opinion of individuals or special interest groups.
6. Work with other board members and the superintendent to establish effective policies to further the educational goals of the school system.
7. Make decisions on policy matters only after full consideration at public board meetings.
8. Comply with the requirements of the School Board Governance Improvement Act.
9. Communicate in a respectful, professional manner with and about fellow board members and the superintendent.
10. Take no action that will compromise the board or school system administration.
11. Refrain 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 system.
12. Inform the superintendent and fellow board members of business relationships or personal relationships for any matter that will come before the board.
13. Abstain from voting on or seeking to influence personnel or other actions involving family members or close associates or private interests.
14. Communicate to the board and the superintendent public reaction to board policies and school programs.
15. Advocate for the needs, resources, and interests of the public school students and the school system.
16. Safeguard the confidentiality of nonpublic information.
17. Show respect and courtesy to staff members.
II. **CONDUCT OF INDIVIDUALS AT BOARD MEETINGS**

1. 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.
2. Take actions that reflect that the first and foremost concern is for the educational welfare of all students attending system schools.
3. Make decisions in accordance with the interests of the school system as a whole based on system finances available to accomplish educational goals and comply with the School Fiscal Accountability Act.
4. Abide by and support all majority decisions of the board.
5. Act on personnel recommendations of the superintendent in a timely manner, particularly when there are financial implications of such decisions.
6. Approve operating budgets and budget amendments that are aligned with system goals and objectives and are fiscally responsible.
7. Honor and protect the confidentiality of all discussions during executive session of the board.

III. **CONDUCT OF THE BOARD AS A WHOLE**

1. 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.
2. Honor the superintendent’s authority for the day-to-day administration of the school system.
3. In concert with the superintendent, regularly and systematically communicate board actions and decisions to students, staff and the community.
4. Review and evaluate the effectiveness of policies and programs to improve system performance.
5. Develop, in concert with the superintendent, the vision and goals for the school system to address student needs, advance student performance, and monitor the implementation of policies and programs.
6. Provide opportunities for all members to express opinions prior to board action.
BYLAWS

Of

I³ Academy

an Alabama nonprofit corporation

Adopted
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WOODLAWN COMMUNITY CHARTER SCHOOL

ARTICLE 1
Offices

The initial principal office of Woodlawn Community Charter School (the "Corporation") shall be located at 3800 Colonade Parkway, Suite 450, Birmingham, Alabama 35243. The Corporation may have such other offices, within and without the State of Alabama, as the board of directors may determine or as the business of the Corporation may require.

The registered office of the Corporation required by the Alabama Business and Nonprofit Entities Code (the "Code") to be maintained in the State of Alabama shall be Bradley Arant Boult Cummings LLP, 1819 Fifth Avenue North, Birmingham, Alabama 35203, Attention: K. Wood Herren. The address of the registered office may be changed from time to time by the board of directors in the manner provided in the Act.

ARTICLE 2
Board of Directors

Section 2.1 Management of Corporation. All corporate powers shall be exercised by or under the authority of, and the business and affairs of the Corporation shall be managed under the direction of, the board of directors except as otherwise provided by law or the Articles of Incorporation of the Corporation.

Section 2.2 Number, Tenure and Qualifications. The number of directors constituting the initial board of directors is set forth in the Articles of Incorporation of the Corporation. The initial directors shall hold office until the adjournment of the first annual meeting of the board of directors and until their successors shall have been duly elected and qualified. Thereafter, the number of directors constituting the board of directors of the Corporation shall be the number set forth in the Articles of Incorporation or such other number as shall be determined by the board of directors and fixed by an amendment to these bylaws, but no decrease in the number of directors shall have the effect of shortening the term of any incumbent director and there shall always be at least three (3) directors. Directors shall hold office until the adjournment of the next succeeding annual meeting of the board of directors and until their successors shall have been duly elected and qualified or until their deaths or until they shall resign or shall have been removed from office in the manner provided in the Articles of Incorporation of the Corporation. Directors need not be residents of the State of Alabama.

Section 2.3 Vacancies. Any vacancy occurring in the board of directors shall be filled by majority vote of the remaining directors, notwithstanding that the number of remaining directors is less than a quorum. A director elected to fill a vacancy shall be elected to serve for the unexpired term of his or her predecessor in office, and a director elected to fill a vacancy to be filled by reason of an increase in the number of directors shall be elected to serve only until the next election of directors.
Section 2.4 Annual Meetings. The annual meeting of the board of directors, commencing with the year 2019, shall be held in the month of June on such day and date, and at such time and place, within or without the State of Alabama, as shall be determined by resolution of the board of directors or by the president of the Corporation for the purpose of electing directors and for the transaction of such other business as may come before the meeting. At least ten (10) days prior to the date of the annual meeting, the president of the Corporation shall give notice to each member of the board of directors of such meeting in the manner hereinafter provided setting forth the date, time, and place of the meeting. If the election of directors shall not be held on the day designated for the annual meeting of the board of directors, or at any adjournment thereof, the board of directors shall cause the election to be held at a special meeting of the board of directors as soon thereafter as may be conveniently held.

Section 2.5 Regular and Special Meetings. Meetings of the board of directors, regular or special, may be held within or without the State of Alabama. Regular meetings may be held upon such notice, if any, and at such time and place as shall be determined by resolution of the board of directors. Special meetings of the board of directors may be called by the president of the Corporation or any director on five (5) days' notice to each director, which notice shall be in writing (a) delivered personally, (b) delivered by mailing to a director at his or her address as it appears in the records of the Corporation, or (c) delivered by electronic mail or facsimile transmission. The secretary of the Corporation, at the request in writing of the president or of any director, shall send such written notice on behalf of the president or such director. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, so addressed, with postage thereon prepaid. If by electronic mail or facsimile, such notice shall be deemed to be delivered when the sender receives confirmation that such electronic mail or facsimile transmission has been received by the recipient thereof. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice, if any is required, of such meeting.

Section 2.6 Meeting by Telephone. Members of the board of directors or any committee designated thereby may participate in a meeting of the board or such committee by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time and participation by such means shall constitute presence in person at a meeting.

Section 2.7 Quorum. A majority of the whole number of directors then serving on the board shall constitute a quorum for the transaction of business at any meeting of the board of directors. If less than a majority is present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

Section 2.8 Acts of the Board. Except as otherwise provided in these Bylaws or the Articles of Incorporation of the Corporation, the act of a majority of the directors present at a meeting at which there is a quorum shall be the act of the board of directors.
Section 2.9  **Action Without a Meeting.** Any action required or permitted to be taken by the board of directors or a committee thereof at a meeting may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the directors or all of the members of the committee, as the case may be. Such consent shall have the same effect as a unanimous vote of the directors or the members of such committee.

Section 2.10  **Committees of Directors.** The board of directors, by resolution adopted by a majority of the directors present at a meeting at which a quorum is present, may designate one or more committees, each of which shall consist of two or more directors, which committees, to the extent provided in such resolution, shall have and exercise the authority of the board of directors in the management of the Corporation, except that no such committee shall have the authority of the board of directors in reference to amending, altering or repealing these bylaws; electing, appointing or removing any member of any such committee or any director or officer of the Corporation; amending or restating the Articles of Incorporation of the Corporation, adopting a plan of merger or adopting a plan of consolidation with another nonprofit corporation; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the Corporation; authorizing the voluntary dissolution of the Corporation or revoking proceedings therefor; adopting a plan for the distribution of the assets of the Corporation; or amending, altering or repealing any action or resolution of the board of directors which by its terms provides that it shall not be amended, altered or repealed by such committee. Other committees not having and exercising the authority of the board of directors in the management of the Corporation may be designated by a resolution adopted by a majority of the directors present at a meeting at which a quorum is present.

Section 2.11  **Compensation.** The directors of the Corporation shall serve without compensation, but may receive a reasonable amount as reimbursement of expenses incurred in attending to their authorized duties. To the extent deemed necessary or appropriate by the directors, however, a director may from time to time be employed by the Corporation and compensated for his or her services and reimbursed for his or her reasonable expenses other than as a director, but such employment shall be terminable at the discretion of the board of directors.

Section 2.12  **Loans to Employees and Directors.** The Corporation shall not lend money to its directors or officers.

**ARTICLE 3**

**Waiver of Notice**

Whenever any notice is required to be given to any director of the Corporation under the provisions of the Code, the Articles of Incorporation, or these Bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors or any committee designated thereby need be specified in the waiver of notice. The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.
ARTICLE 4
Officers

Section 4.1 Positions. The officers of the Corporation shall be elected by the board of directors and shall consist of a president, one or more vice-presidents, a secretary, a treasurer, and such other officers and assistant officers as may be deemed necessary by the board of directors. Any two or more offices may be held by the same person, except the offices of president and secretary.

Section 4.2 Election and Term of Office. The initial officers of the Corporation shall be elected by the board of directors at the first meeting of the board of directors. Thereafter, the officers of the Corporation shall be elected by the board of directors at its annual meeting. Each officer shall hold office at the pleasure of the board of directors from the date of his or her election until the next annual meeting of the board of directors and until his or her successor is duly elected and qualified, or until his or her death or resignation or removal from office in the manner hereinafter provided. In no event shall any one term of an officer be in excess of three years from election.

Section 4.3 Vacancies. A vacancy in any office may be filled only by the board of directors.

Section 4.4 Removal. Any officer may be removed by the board of directors whenever in its judgment the best interests of the Corporation will be served thereby. Election or appointment of an officer shall not of itself create contract rights.

Section 4.5 Duties of Officers. The officers of the Corporation, if and when elected by the board of directors of the Corporation, shall have the following duties:

(a) President. The president shall be the chief executive officer of the Corporation and shall, subject to the control of the board of directors, supervise and control all of the business and affairs of the Corporation. The president shall, when present, preside at all meetings of the board of directors. The president may sign deeds, mortgages, bonds, contracts or other instruments for or in behalf of the Corporation except where required by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the board of directors to some other officer or agent of the Corporation. In general, the president shall perform all duties incident to the office of president and such other duties as may be prescribed by the board of directors.

(b) Vice-Presidents. In the absence of the president or in the event of the president’s death or inability to act, the vice-president (if there be more than one vice-president, the vice-presidents in the order determined by the board of directors) shall perform the duties of the president, and when so acting, shall have all the powers of and be subject to all the restrictions upon the president. Any vice-president shall perform such duties as from time to time may be assigned to such vice-president by the president or the board of directors.
(c) **Secretary.** The secretary shall keep the minutes of the proceedings of the board of directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records and of the seal of the Corporation; see that the seal of the Corporation is affixed to all documents, the execution of which on behalf of the Corporation under its seal is duly authorized; and in general perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to the secretary by the president or the board of directors. If there is no treasurer of the Corporation, the secretary shall assume the authority and duties of treasurer.

(d) **Treasurer.** The treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation, receive and give receipts for moneys due and payable to the Corporation from any source whatsoever, and deposit all such moneys in the name of the Corporation in such banks, trust companies or other depositaries as may be designated by the board of directors, and in general perform all of the duties incident to the office of treasurer and such other duties as from time to time may be assigned to the treasurer by the president or the board of directors. If required by the board of directors, the treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the board of directors shall determine.

Section 4.6 **Compensation.** Unless otherwise determined by resolution of the board of directors, the officers of the Corporation shall serve without compensation. The officers of the Corporation shall, however, be entitled to receive a reasonable amount as reimbursement of expenses incurred in attending to their authorized duties.

**ARTICLE 5**

**General**

Section 5.1 **Fiscal Year.** The Corporation shall use a calendar year for federal income tax and financial accounting purposes.

Section 5.2 **Checks and Notes.** All checks, drafts or demands for the payment of moneys, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by an officer or agent of the Corporation and in such manner as shall from time to time be determined by resolution of the board of directors. In the absence of such determination by the board of directors, such instruments shall be signed by the treasurer or the secretary and countersigned by the president or a vice president of the Corporation.

Section 5.3 **Deposits.** All funds of the Corporation shall be deposited to the credit of the Corporation in one or more banks, trust companies or other depositories as the board of directors or the president may from time to time designate, upon such terms and conditions as shall be fixed by the board of directors or the president. The board of directors or the president may from time to time authorize the opening and keeping, with any such depository as may be designated by the board of directors or the president, of general and special bank accounts and may make such special rules and regulations with respect thereto, not inconsistent with the provisions of these bylaws, as the board of directors or the president may deem necessary.
Section 5.4 Corporate Seal. The board of directors may select a corporate seal and have inscribed thereon the name of the Corporation, the words “Alabama” and “Corporate Seal,” and such seal may include the date of incorporation of the Corporation. The seal may be used by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced.

Section 5.5 Voting of Corporation’s Securities. Unless otherwise ordered by the board of directors, the president or any vice-president, or such other officer as may be designated by the board of directors to act in the absence of the president or any vice-president, shall have full power and authority on behalf of the Corporation to attend and to act and to vote, and to execute a proxy or proxies empowering others to attend and to act and to vote, at any meetings of security holders of any corporation in which the Corporation may hold securities, and at such meetings the president, or such other officer of the Corporation, or such proxy shall possess and may exercise any and all rights and powers incident to the ownership of such securities, and which as the owner thereof the corporation might have possessed and exercised, if present. The secretary may affix the corporate seal to any such proxy or proxies so executed by the president, or such other officer, and attest the same.

Section 5.6 Gifts and Grants. The board of directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for and consistent with the general purposes, or for and consistent with any specific purpose, of the Corporation.

ARTICLE 6
Exculpation of Directors

Section 6.1 Acts of Director. No director shall be liable to anyone for any acts on behalf of the Corporation or any omissions with respect to the Corporation committed by such director.

Section 6.2 Acts of Other Directors. No director shall be liable to anyone for any act of neglect or default on the part of any one or more of the other directors.

Section 6.3 Indemnification of Directors. A Director shall be indemnified against any judgments, expenses, losses, costs, attorney’s fees, settlements and other amounts incurred or suffered on account of the director’s service as such in accordance with, and subject to meeting the requirements of, Article XII of the Articles of Incorporation of the Corporation.

ARTICLE 7
Amendment of Bylaws

These bylaws may be altered, amended or repealed and new bylaws may be adopted by vote of a majority of all of the directors. Any amendment to these bylaws affecting the manner in which directors are elected at the annual meeting of the board of directors, or to fill a vacancy on the board of directors resulting from the death, resignation or removal of a director, shall not be effective for any purpose until the amendment is jointly approved by the boards of directors of the Foundations.
CERTIFICATION

I, LaShunta White-Boler, as Secretary of Woodlawn Community Charter School, hereby certify that the above and foregoing constitutes a true and correct copy of the original Bylaws of the said corporation adopted by unanimous written consent of the board of directors dated , and that all provisions are in full force and effect and have not been revoked or rescinded.

Dated the day of

__________________________
LaShunta White-Boler, Secretary
III. Fiscal Management

3.1 Chief School Financial Officer

The Board will appoint a Chief School Financial Officer to oversee the financial operations of the Board and to perform the duties of the position that are set forth in state law and regulations. The Chief School Financial Officer is the custodian of all monies to which the Board is entitled to by law, or which may come into its possession. The Chief School Financial Officer may also be referred to as the Chief School Finance Officer.


3.2 Budget

3.2.1 Development – Responsibility for preparation of the budget is delegated to the Head of School and appropriate staff members. A budget will be developed and approved by the Board for each fiscal year, which extends from October 1st to September 30th of the following year. Preparation, presentation, submission, and approval of the budget will be undertaken and completed as provided for in state law and regulations. Budgets will be “balanced” such that the expenditures set forth in the budget for the fiscal year will not exceed revenues and any cash balances on hand.

3.2.2 Amendments – The Board shall retain control of the budget, once adopted, and all officials subject to the Board shall adhere to Board policies in the implementation of the budget. The Board authorizes the Head of School to review and analyze the budget for needed changes and amendments during the fiscal year. Line items in the budget may be changed, with Board approval, anytime during the fiscal year provided such change is consistent with existing laws and regulations of the state and federal governments. The Head of School shall keep the Board informed concerning the status of the budget, and Board action
necessitating expenditures shall be considered sufficient authority to exceed a line item if such action so requires.

3.2.3 **Reserve Funds** – The Head of School or the Chief School Financial Officer will inform the board, before the Board votes on a budget or budget amendment, if the approval of the budget or budget amendment will prevent the establishment or maintenance of a one-month’s operating balance. A one-month’s operating balance shall be determined by dividing the General Fund expenditures and fund transfers out by 12. In determining the General Fund expenditures and fund transfers out, the proposed budget or budget amendment shall be used.


3.3 **Accounting**

3.3.1 Generally accepted accounting standards and procedures will be employed in the administration of all Board and school finances. All Board and school accounts will be reconciled to financial records. The Chief School Financial Officer shall be responsible for verifying that monthly bank statements are reconciled to the financial records on a timely basis that ensures accurate monthly financial statements. All reports required by the State Department of Education will be completed in a timely manner with copies provided to Board members.

3.3.2 **GASB Financial Reporting** -

a. *Fund Balance in Accordance with GASB Statement No. 54* - The following information addresses the implications of Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Definitions.

i. *Governmental Fund Definitions* - The following definitions will be used in reporting activity in governmental funds. The Board may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

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

   b. *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.

c.  *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.

d.  *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.

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

1.  *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, deferred expenditures, long-term receivables, and outstanding encumbrances.

2.  *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: child nutrition programs, construction programs, and restricted grants.

3.  *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.
4. **Assigned fund balances** consist of amounts that are intended to be used by the school system for specific purposes. The Board authorizes the Head of School or Chief School Finance 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.

5. **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.

   iii. When an 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.

   iv. The Board of Education along with the Head of School and Chief School Finance Officer will periodically review all restricted, committed, and assigned fund balances.

### 3.4 Finance Manual Authorized

Financial transactions will be administered in accordance with a general finance manual and any local school finance manual that may be developed by the Head of School or the Chief School Financial Officer. The finance manual(s) will establish and describe specific practices and procedures that are to be followed in connection with all phases of financial administration, including, but not limited to such matters as accounting, bookkeeping, inventory maintenance, payroll, reconciliation, fund security, receipting, disbursement, purchasing, disposal of property, banking, and investments. The practices, procedures, and requirements set forth in the manual(s) will be disseminated or made available to all employees with administrative responsibilities involving the receipt, handling, or expenditure of school or school system funds, and training will be provided by the Head of School and the Chief School Financial Officer regarding the contents of the manual(s).
3.5 **Audits**

Business and financial transactions of the Board and the records of Board financial accounts will be audited in accordance with state law and appropriate auditing and accounting standards.

3.6 **Inventories**

The Head of School is required to establish effective procedures to account for all materials, equipment, and other Board property. These procedures will include an annual inventory and evaluation of tangible Board property (including fixed assets and supplemental property), to be completed no later than the end of each fiscal year, with appropriate reports submitted to the Head of School and Chief School Financial Officer. Inventories will be kept on forms prescribed or approved by the Chief School Financial Officer. Inventory forms will show items on hand at the beginning of the fiscal year, items lost, items disposed of, items purchased or otherwise added during the year, and items on hand at the end of the fiscal year.

3.7 **Purchasing**

Purchases will be made in accordance with an approved purchase order system that will include such requirements and procedures as may be established in the Board Finance Manual.

3.8 **Deposit and Expenditure of Funds**

3.8.1 **Deposits** – The Board shall designate the depository for school funds. All funds of the Board will be deposited with qualified depositories, as defined by law, in the manner prescribed by the Chief School Financial Officer or the Finance Manual.
3.8.2 **Investments** – The Board authorizes the investment of surplus funds in the manner prescribed by law and approved administrative guidelines.

3.8.3 **Expenditures** – The Head of School or his designee, subject to applicable laws, policies, and Board-approved budget limitations, may expend funds for budgeted operation expenditures without advance Board approval of specific expenditures. All such expenditures shall be included in the monthly expenditure report to the Board.


3.8.4 **Consultants** – The Head of School may engage professional consultants, specialists and experts, including but not limited to medical, mental health, educational, legal, financial, technical (e.g., engineering, architectural, computer) experts and specialists, provided that the expenditure is within the amount established for such purposes in the current, Board-approved budget. All such expenditures shall be reported monthly to the Board of Education in the manner prescribed by §16-13A-8 of the Code of Alabama (1975).

3.8.5 **Competitive Bid Law** – All purchases will be made in compliance with the competitive bid law, when applicable, and with such corresponding rules, regulations, and procedures as may be set forth in the Board’s Finance Manual. The Head of School is authorized to enter into cooperative purchasing agreements with other school systems or local governments as may be permitted by law.


3.8.6 **Authorized Signatures** – Checks drawn on the general fund or any special fund, with the exception of school accounts, require the signature of the Head of School and the Chief School Financial Officer or their alternates as designated by the Board. Checks drawn on school accounts require the signature of the principal or the Head of School. All checks used will be prenumbered. Checks drawn on Board funds may be signed and processed by electronic means, under the direction of the Chief School Financial Officer or Head of School.

3.9 **Employee Compensation**

3.9.1 **Salaries and Pay Rates** –

Except as established and governed by the terms of a special employment contract, Board employees will be compensated at rates of pay that are approved by the Board. When required, such salary or compensation will
be included in a schedule to be developed and adopted by the Board in accordance with state law. Employees may receive supplements or other additional compensation when specifically approved by the Board. All compensation must be approved by the Board regardless of the source of funding.


3.9.2 **Salary Administration** – Employees are expected to fulfill the work requirements of the position held for the full term of their appointment. Compensation will be prorated to reflect the number of days actually worked, subject to appropriate adjustments, credits, and allowances for available leave. Salaries for full time employees will be paid over twelve months, regardless of the contract term. However, employees in the first year of employment with the Board may opt to be paid over thirteen (13) months. Personnel will be paid in accordance with customary payroll procedures, which may be modified from time to time as the needs of the system require. No employee is entitled to compensation except for work performed by the employee in accordance with an approved contract or the applicable terms of appointment. Compensation may be withheld pending the employee’s timely, accurate, and complete submission of all required records, data, and reports.

3.9.3 **Salary Deductions** –

Mandatory salary deductions will be made in accordance with applicable law. Employees are required to complete and submit all forms and provide such information as may be required or reasonably required for such purpose. The Board will make voluntary salary deductions upon written request of the individual employee as permitted by law. Deductions for membership dues will be made for organizations with at least 20 active members as established by membership lists provided to the Board by the organization, if such deductions are allowed under state law and the organization has timely provided to the Board all certifications and expenditure reports required by law. Such membership lists will be corrected, updated, and returned to the organization no later than November 10 of each school year. Deductions will be based on the membership lists unless an employee revokes authorization for such deductions by providing written notice to the Head of School or his/her designee on or before September 15th of each school year. Deductions will remain constant during the school year, except by the authorization of the Head of School. Upon termination of employment, any amounts owed under the terms of an employee authorization will be deducted
from the employee’s final pay. The Board will not be liable for any good faith error made in implementing a salary deduction that has been authorized by the employee.

[Reference: Ala. Code §16-22-6 17-17-5 ]

3.9.4 **Minimum Wage and Overtime** – In compliance with the Fair Labor Standards Act (“FLSA”), the Board will pay required minimum hourly wages and overtime to all employees who are not exempt employees as defined by the FLSA. For purposes of determining overtime, the workweek begins at 12:01 a.m. on Monday and ends at midnight on the succeeding Sunday. All non-exempt employees who work more than forty (40) hours in a work week will be paid overtime. Employees must accurately report all time worked for the Board. Non-exempt employees are not authorized to work more than forty (40) hours in a workweek without specific direction or authorization to do so by the Head of School, the employee’s supervisor, or the supervising school principal.

3.9.5 **Compensatory Time** – Non-exempt employees who work more than forty (40) hours in a workweek may, upon agreement between the employee and the Board, be paid overtime in the form of compensatory time. Compensatory time will be based on time worked beyond forty (40) hours in a workweek, and will be recorded in minimum time units of one-quarter hour rounded to the nearest quarter of an hour. No more than two hundred forty (240) hours of compensatory time may be accumulated. The Board reserves the right to require an employee to use compensatory time as its needs require and may “pay down” any compensatory time balance in its discretion. The Head of School is hereby authorized to develop procedures and forms for use in implementing this policy.

3.10 **Expense Reimbursement**

Board members and employees will be reimbursed for reasonable travel and subsistence expenses incurred in connection with official Board business. Reimbursement will be in accordance with Board approved rates and such procedures and standards for submitting and documenting such expenditures as may be developed by the Chief School Financial Officer or provided in the approved Finance Manual.

3.11 **Fees, Payments, and Rentals**
3.11.1 **Facility Use Fees** – The Head of School is authorized to develop a schedule of reasonable fees for use of Board facilities and property by individuals, groups, or organizations that shall be effective upon approval by the Board.

3.11.2 **Copying and Other Charges** – The Head of School is authorized to establish a schedule of reasonable charges which, upon approval by the Board, will be applied uniformly in response to requests for copies of documents and records. Nothing in this policy or in any schedule of charges authorized hereunder creates or expands any entitlement to copies of records or access thereto beyond that which is established by law or specific Board policy.

3.12 **School Accounts**

Funds held in school accounts, regardless of the funding source, will be maintained and accounted for in accordance with the Board's Finance Manual, Local School Finance Manual, and such procedures, rules, and regulations as may be developed by the Chief School Financial Officer or the Head of School. The principal is ultimately responsible for all school funds and for ensuring that such funds are properly accounted for and secured.

Each principal shall be responsible for the proper administration of all business affairs at the local school. He/She shall be directly responsible for the conduct of local school financial activities in accordance with all pertinent laws, policies, rules regulations and procedures. All student activity funds shall be under the control of the local school principal. Such funds shall be accounted for in accordance with financial bookkeeping procedures approved for use by the system. Expenditure of such funds shall be approved by the local school principal and activity sponsor and shall be expended only through written check signed by appropriate school officials. Local school accounts shall be audited annually by a certified public accountant recommended by the Head of School and approved by the Board.

3.13 **Authority to Execute Contracts**

3.13.1 **General Authority** – The president of the Board, or, in the absence of the president, the vice-president, will have authority to execute contracts on behalf of the Board upon approval of the contract by the Board. The Board may also authorize the Head of School to execute contracts on behalf of the Board as its chief executive officer. The contract will be in writing and will be filed with the finance office in the Board's central office.
3.13.2 **Limitation on Authority to Bind the Board** – Principals and other administrators will have authority to enter into agreements with third parties only when such agreements are made in accordance with Board policy, finance manual(s) created under authority of Board policy, or with the express authorization of the Board.

3.14 **Affiliated Organizations**

3.14.1 **School Sponsored Organizations** – School-sponsored student organizations will be subject to Board policies and procedures concerning fiscal management and will maintain organization funds in school accounts. All books, records, and official documents pertaining to the management of such organizations will be maintained at the local school and will be subject to examination and audit by the Board or the principal. The use of funds collected, generated, or held by such organizations will be determined in accordance with the constitution, charter, or by-laws of the organization, with oversight by the sponsor of the organization, and subject to approval of the principal.

3.14.2 **Other Affiliated Organizations** – Other organizations that are affiliated with local schools are permitted to operate or raise funds on Board property or at Board sanctioned events only in conformity with Board and State Department of Education policies, procedures, and standards concerning the fiscal management of such organizations. An affiliated organization must conduct an annual audit of its financial operations and make its books and financial records available to the Board for review or audit.

3.15 **Fundraising and Crowdfunding**

   It is the policy of the Board to limit fund raising activities in the name of a school or school organization. The Board especially discourages fund raising activities requiring sales or solicitations directed toward the business community and sale of any items that do not return to the buyer a reasonable value. Activities involving students may be allowed, but only on a very limited basis. Door-to-door residential fund raising activities are prohibited.

   No money shall be collected or required for any reason in any schools without the approval of the principal. All requests to conduct fundraising campaigns must be submitted to the principal and will be evaluated for
compliance with administrative policy relative to fundraising activities. The organization seeking to conduct the fundraiser will be notified following a decision concerning the request. The Head of School shall have final approval on all requests. Fundraising activities will be permitted on school or Board property only if the following criteria are satisfied:

a. The activity will be held at a time and in a manner that will not be disruptive to the instructional program or to any other school or school system activity or function;

b. The activity is designed and intended to support a *bona fide* school or school system program or activity, or an activity that is consistent with the mission and purposes of the school system;

c. Adequate provision has been made for the security and proper accounting of funds collected;

d. Information regarding the nature, scope, and purpose of the activity is provided to school officials in advance; and

e. Appropriate arrangements have been made for any special activities to be held in conjunction with the fundraising event.

Any property, money, or other resources that are obtained by a Board employee through grants, fundraising, online giving, or like means in the name of or for the benefit of the school system or its students becomes the property of the school system and are subject to board policies and procedures governing board property and resources. The Head of School is authorized to develop procedures governing the approval and administration of any outside fundraising or crowdfunding activities.

### 3.16 Child Nutrition Procurements

The Head of School may enter into a written agreement with the Child Nutrition Program at the State Department of Education in order to procure food and other food related products and services. The Principal and CNP Director will comply with applicable state and federal laws and regulations governing participation in such child nutrition program.

It is an objective of the district that all students have the opportunity to participate in the school lunch program. The Child Nutrition bookkeeper shall determine, in accordance with federal regulations, those students eligible for free or reduced meal prices. The CNP director shall conduct a second review of
all applications and give formal approval. The principal at each school shall insure that these regulations are carried out.

Charged meals are not considered an allowable expense. Therefore, all uncollected charges will be the responsibility of the school where the charge was made. All charges must be paid to the Child Nutrition Program at the end of the school year using non-public funds.

[Reference: Ala. Admin. Code 290-8-3-.01, et seq.]

3.17 Classroom Instructional Support

The Head of School shall develop procedures by which state allotments for classroom instructional support are made available for use by classroom instructors and for the purposes authorized by statute and corresponding state regulations.

[Reference: ALA. CODE §16-1-8.1(b)(7).]
IV. General Administration

4.1 Security / Access to Schools

4.1.1 Security Measures Authorized – The Superintendent, principals, and facility administrators are authorized to take reasonable and lawful measures to protect against personal injury, trespass, vandalism, theft, and like threats to personal safety, property damage, and financial loss to or on Board property or at school functions and activities. The Superintendent should be made aware of any extraordinary or special measures that may be proposed in anticipation of or in response to any unusual security threat or risk (e.g., unusual surveillance, assignment of additional security personnel).

4.1.2 Access Restrictions Authorized – The Superintendent, principals, and facility administrators are authorized to regulate and restrict access to Board schools, buildings, and facilities in order to maintain appropriate security, minimize disruption and distraction within the learning environment, or to avoid a potential risk of harm to a student or employee. To that end, the Superintendent, principals, and facility administrators are authorized to implement building-level requirements and procedures governing access to Board owned or controlled buildings, grounds, property, events, and activities by school and non-school personnel, including family members and relatives, vendors, attorneys, and other visitors, and to adopt “check-in” and “check-out” requirements and procedures for students and employees.

4.1.3 Adult Sex Offenders

Adult sex offenders who have been convicted of a sex offense involving a minor must:

a. notify the principal of the school or his designee before entering school property or attending the K-12 school activity;
b. immediately report to the principal of the school or his designee upon entering the property or arriving at the K-12 school activity; and

c. cooperate with any efforts undertaken by the principal of the school or his designee to discreetly monitor their presence on school property or at the K-12 school activity.

For the purposes of this subsection, a K-12 school activity is an activity sponsored by a school in which students in grades K-12 are the primary intended participants or for whom students in grades K-12 are the primary intended audience including, but not limited to, school instructional time, after school care, after school tutoring, athletic events, field trips, school plays or assemblies.

Adult sex offenders have a duty to comply with this policy, and it shall not be construed as imposing an affirmative duty of any kind on the school principal, his designee, or any other employee, agent or representative of the school or school system.


4.2 Safe Schools Policy (Drugs, Alcohol, Tobacco, and Weapons)

4.2.1 Prohibition on the Possession of Firearms – The possession of a firearm in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel and as provided by law. For purposes of this policy, the term “firearm” has the same definition as is found in 18 U.S.C §921.

a. Penalties for violations – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of firearms:

i. Students – Students will be expelled for a period of one year. The expulsion requirement may be modified in writing by the Board upon recommendation of the Superintendent on a case-by-case basis. Students who are expelled for firearm possession may not attend regular school classes, but may be permitted to attend alternative schools or education programs established by the Board. Discipline of students with disabilities who violate the firearm possession policy will be determined on a case-by-case basis in
accordance with federal and state law. Parents of students who violate this policy will also be notified by the principal of violations.

ii. Employees – Employees will be subject to personnel action, which may include warning letters, reprimands, suspensions, poor job performance evaluations, and dismissal.

iii. Other Persons – Other persons may be denied re-entry to school property.

b. Notification of Law Enforcement – The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

b. Parental Notification – Parents and guardians may be notified of actual or suspect violations of the firearms prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.


4.2.2 Prohibition on the Possession of Weapons – The possession of a deadly weapon or dangerous instrument in a school building, on school grounds, on school property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel. For purposes of this policy, the terms “deadly weapon” and “dangerous instruments” include but are not limited to explosives, incendiary devices, projectiles, knives with a blade length of more than two (2) inches, archery equipment, devices designed to expel projectiles at a high rate of speed, any device so classified under state or federal law, and any device either used or intended to be used in such manner as to inflict bodily harm, provided that the terms “deadly weapon” and “dangerous instruments” will exclude, to the extent permitted by law, devices and equipment that are used for the purpose of and in connection with school or Board sanctioned educational, team, or competitive activities.

a. Penalties for Violations – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of deadly weapons or dangerous instruments:
i. **Students** – Students will be disciplined in accordance with the Board’s Code of Student Conduct.

ii. **Employees** – Employees will be subject to disciplinary action, which may include warning letters, reprimands, suspensions, poor job performance evaluations, and dismissal.

iii. **Other Persons** – Other persons may be denied re-entry to school property.

b. **Notification of Law Enforcement** – The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

c. **Parental Notification** – Parents and guardians may be notified of actual or suspect violations of the weapons prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

[Reference: Ala. Code §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

**4.2.3 Illegal Drugs and Alcohol** – The use, possession, distribution, and sale of alcohol and the illegal use, possession, distribution, and sale of drugs in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited.

a. **Penalties for Violations** – In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of illegal drugs or alcohol:

i. **Students** – Students will be disciplined in accordance with the Board’s Code of Student Conduct.

ii. **Employees** – Employees will be subject to adverse personnel action, which may include termination.

iii. **Other Persons** – Other persons may be denied re-entry to school property.

b. **Notification of Law Enforcement** – The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.
c. **Parental Notification** – Parents and guardians may be notified of actual or suspect violations of the drugs and alcohol prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

### 4.2.4 Tobacco

The use of tobacco products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited. These prohibitions also apply to electronic cigarettes, vape pens, hookah pens, e-hookah pens, e-hookahs, vape pipes and any similar type of device designed to deliver nicotine, flavor, and other chemicals via inhalation.

a. **Penalties for Violations**

i. **Students** – Students who violate the tobacco prohibition will be disciplined in accordance with the Board's Code of Student Conduct.

ii. **Employees** – Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.

iii. **Other Persons** – Other persons who violate the tobacco prohibition may be denied re-entry to school property.

b. **Parental Notification** – Parents and guardians may be notified of actual or suspect violations of the tobacco prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

[Reference: Ala. Code §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

### 4.2.5 Searches

Law enforcement agencies are permitted to make periodic visits to all schools to detect the presence of illegal drugs or weapons and may use any lawful means at their disposal to detect the presence of such substances. The visits will be unannounced to anyone except the Superintendent and principal.

[Reference: Ala. Code §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

### 4.2.6 Drug and Alcohol Free Environment

All students, employees, volunteers, parents, visitors, and other persons are prohibited from possessing, using, consuming, manufacturing, or distributing illegal controlled substances and alcohol while on Board property or while attending any Board sponsored or sanctioned event, program, activity, or
function. Persons who are intoxicated or impaired by the use, consumption, or ingestion of any illegal controlled substance or alcohol are not permitted to be on school property, or to attend or participate in any Board sponsored or sanctioned event, program, activity, or function.


4.2.7 Adoption of Statutory Penalties and Consequences – Persons who violate the Board’s prohibition of firearms, weapons, illegal drugs, or alcohol will be subject to all notification, referral, suspension, placement, re-admission, and other provisions set forth in Ala. Code §16-1-24.1 and 24.3 (1975).

4.3 Accreditation

The Board will implement and adhere to such accreditation policies, principles, standards, and procedures as may be established or required by the Southern Association of Colleges and Schools (“SACS”) as a condition to receiving or maintaining accreditation.

4.4 Use of Board Property

4.4.1 Equipment, Supplies, Materials, Vehicles – Equipment, supplies, materials, vehicles, and other movable or consumable property owned by or under lease to the Board may not be used by or made available to persons or entities for private or personal use, benefit, or consumption, or for any non-Board related use or purpose. Such property may not be removed from Board premises except as necessary to serve a school or Board-related function or purpose, and with the knowledge and approval of the appropriate supervisor, administrator, or the Superintendent.

4.4.2 Use of Board Facilities – Schools and other Board owned or controlled facilities may be made available for use by sanctioned or generally recognized school support organizations if the use of the facility will not disrupt school operations or be inconsistent with the purpose and mission of the school system, and if adequate advance provision is made for security, supervision, maintenance, damage prevention, post-event clean-up, liability insurance, and other risk management measures appropriate to the proposed use. At the discretion of the Board, the use of Board facilities for non-school organizations may be approved if the foregoing conditions are satisfied and a rental contract (or the equivalent thereof) that includes a reasonable fee or rental charge and other
appropriate terms and conditions is approved by the Superintendent or his/her designee.

4.4.3 **Advertising** – Board property will not be used for commercial advertising except upon such terms and conditions as may be expressly approved by the Superintendent or his/her designee.

### 4.5 Naming Board Facilities

The Board shall have the authority to name facilities in the school system, as it deems appropriate. The Board may desire to recognize the outstanding contributions an individual, either living or deceased, has made to the I3 Academy by naming a facility in honor or memory of the person. However, in no instance shall a facility be named in honor of an individual while he/she is serving as a member of the Board or while he/she is an employee of the Board.

When a school facility, building, or special area therein is named, the Superintendent will appoint a committee to recommend to the Board a name for the facility. The committee will include an assistant superintendent as chair, a principal, two teachers and three members from the community. Citizens, members of the board, school personnel and students may submit names for consideration by the committee.

In selecting a name, special consideration will be given to those names that will have special meanings to students and citizens and will enhance the educational and professional aspirations and goals of the programs, personnel and students of the facility.

The following will be used as guidelines in the selection of names of school facilities:

- Street on which facility is located
- Community in which the facility is located
- Memorial
- Recognition
- Such other designation as may be appropriate.

### 4.6 Complaints and Grievances

4.6.1 **General Complaints (Grievances)** – Subject to the limitations set forth below and elsewhere in this policy manual, any employee or member of the public may present to the Board a concern, complaint, grievance, or request for corrective action regarding any aspect of school system operations. Before requesting corrective action or relief from the
Superintendent or the Board, persons with such complaints, grievances, or requests should present them for resolution to the employee, supervisor, or administrator at the lowest administrative level who has the authority and ability to address the problem or to implement the requested action. The Superintendent is authorized to develop specific procedures that will provide for fair consideration and orderly review of complaints and grievances. Such procedures may not unreasonably burden or delay the presentation or processing of such matters, and will be subject to Board review, modification, and approval.

4.6.2 Limitations Regarding Availability and Application of General Complaint/Grievance Policy – The general complaint/grievance policy and any procedures adopted thereunder do not apply to specific complaint or grievance policies and procedures that are established by Board policy or law for application to special factual or legal circumstances (e.g., sexual harassment grievance procedures; review of personnel matters under the Alabama teacher tenure or fair dismissal laws; “due process” hearings provided under the Individuals with Disabilities Education Act). In such instances, the specific statutory, regulatory, or policy-based process is the applicable procedure. The general complaint/grievance procedures that are authorized under the terms of this policy may not be invoked for the purpose of challenging or seeking review or reconsideration of adverse personnel decisions that have received final Board approval. A grievance may be based on an alleged misapplication of Board policies, regulations, or procedures, but may not be used to challenge the Board’s exercise of its discretion to adopt, approve, modify, or repeal a policy, regulation, or procedure or on its failure to exercise such discretion (e.g., adoption of a school calendar, compensation policies, etc.).

4.6.3 Student Complaints and Grievances – Complaints, grievances, and requests for corrective action may be brought to the attention of the Board by or on behalf of students with respect to academic, athletic, extracurricular, or other non-disciplinary matters, issues, and concerns only after reasonable efforts to resolve the matter at the school and administrative levels have been exhausted. The Superintendent is authorized to develop specific procedures that will provide for fair consideration and orderly review of such complaints and grievances. Such procedures will not unreasonably burden or delay the presentation or processing of the complaint or grievance and will be subject to review and approval by the Board. Administrative judgments concerning academic or curricular matters or participation in extracurricular activities may be set aside by the Board only upon a showing that the action or decision in
question is arbitrary and capricious, fundamentally unfair, or that it violates Board policy or the student’s legal rights.

4.6.4 **Student Disciplinary Matters** - The Board may consider appeals of student disciplinary decisions or actions in accordance with standards and procedures specified in the Code of Student Conduct.

4.6.5 **Americans with Disabilities Act Complaint Procedure** -

a. *Complaint Criteria* – Persons who believe that they have been discriminated against on the basis of disability in the provision of services, activities, programs, or benefits covered by Title II of the Americans with Disabilities Act may file a written complaint with the ADA Coordinator.

b. *Complaint Form* – The complaint should be in writing and contain information about the alleged discrimination including the name, address, phone number of complaining party and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

c. *Complaint Process* – The complaint should be submitted to the ADA Coordinator as soon as possible, but no later than thirty (30) days after the alleged violation. The ADA Coordinator will meet with the complaining party to discuss the complaint and possible resolutions. Within fifteen (15) calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complaining party, such as large print, Braille, or audio tape. The response will explain the position of the Board and offer options for substantive resolution of the complaint.

d. *Appeal Procedure* – If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complaining party may appeal the decision within fifteen (15) calendar days after receipt of the response to the Superintendent. Within fifteen (15) calendar days, the Superintendent will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

e. *Records Retention* – All written complaints received by the ADA Coordinator, appeals to the Superintendent, and records relating thereto will be retained by the Board for at least three (3) years.
f. **Additional Procedures Authorized** – The Superintendent is authorized to develop such procedures as are necessary to implement this policy.


4.7 **Risk Management**

The Board may obtain such liability and other forms of insurance or enter into such risk management agreements, pools, cooperatives, and like arrangements, agreements, or undertakings as it deems necessary and appropriate to meet legal requirements or to protect the Board, its employees, or its property from risk of loss.

4.8 **Emergency Closing of Schools**

4.8.1 **Authority of Superintendent to Close Schools** – The Superintendent or his/her designee is authorized to close schools if such action is warranted by weather conditions or other circumstances that pose a risk to the safety and welfare of students and employees, or that render meaningful instruction impossible (e.g., loss of power or other utility services).

4.8.2 **Make-Up Dates** – To the extent not provided for in the school calendar, any days lost by reasons of an emergency closing will be made up and a revised school calendar approved by the Board, if necessary, to reflect any extension or adjustment of the school year required by such action.

4.9 **Internet Safety and Use of Technology**

4.9.1 **Access to Technology Resources** – The Board permits restricted and conditional access to and use of its technology resources, including but not limited to computers, the “Internet,” network storage areas, and electronic mail. Such access and use is restricted to employees, students, and other persons who are engaged in *bona fide* educational and administrative activities that serve and are consistent with identified educational objectives or authorized support functions, and who, by signing an “Acceptable Use Agreement,” agree to abide by all Board policies, rules, and regulations regarding technology use. The Acceptable Use Agreement will be developed by the Superintendent for approval by the Board.

4.9.2 **Restriction or Loss of Technology Privileges** – Persons who violate any Board policy, rule, or regulation regarding technology use may be denied use of the Board’s technology resources and may by subject to additional disciplinary action.
4.9.3 Ownership of Technology Resources and Data – All technology resources, including network and Internet resources, e-mail systems, and computers or other access devices owned, leased, or maintained by the Board are the sole property of the Board. Board personnel may, at any time and without prior notice, access, search, examine, inspect, collect, or retrieve information of any kind from the Board’s technology resources, including computer or related equipment, files, and data, to determine if a user is in violation of any of the Board’s policies, rules, and regulations regarding access to and use of technology resources, for or in connection with any other matter or reason related to the safe and efficient operation or administration of the school system, or for any other reason not prohibited by law. Users of school system technology resources have no personal right of privacy or confidentiality with respect to the use or content of such resources.

4.9.4 Adoption of Rules and Regulations – The Superintendent is authorized to develop for Board approval additional or more specific rules and regulations regarding access to and use of its technology resources and to require adherence to such rules and regulations through such means as the “Acceptable Use Agreement” and application of appropriate disciplinary policies and procedures. Such rules and regulations will address or provide:

a. Measures to block or filter Internet access to pictures that are obscene, that constitute child pornography, or that are harmful to minors;

b. Restriction of access by minors to inappropriate material on the Internet;

c. The safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;

d. Prevention of “hacking” and other forms of unauthorized use of or access to computer or Internet files, sites, databases or equipment; and

e. Unauthorized disclosure, use, and dissemination of personal information regarding minors; and

f. Restriction of minors’ access to harmful material.

4.9.5 Limitation on Liability – The Board makes no warranties of any kind, either express or implied, that the functions or the services provided by
or through the Board's technology resources will be error-free or without defect. The Board will not be responsible for any damage users may suffer, including but not limited to loss of data or interruption of service.

[Reference: 47 U.S.C. §254(h) and (l)]

### 4.10 Data Governance and Use

The Superintendent is authorized to establish procedures governing the storage, use, and sharing of data maintained electronically by the school system. Such procedures shall comply with applicable state and federal law and shall include provisions for data security (including physical security measures), access controls, quality control, and data exchange and reporting (including external data requests, and third party data use). Nothing in this policy or in any procedures authorized hereunder creates or expands any entitlement to confidentiality of records beyond that which is established by law or specific Board policy.

Any unauthorized access, use, transfer, or distribution of Board data by any employee, student, or any other individual may result in disciplinary action (up to and including termination for employees) and other legal action.

### 4.11 Political Activity

Board employees may participate in political activities to the full extent permitted by the United States Constitution and federal and state laws securing the right to engage in such activities, subject to the following restrictions:

a. Employees may not appropriate Board property or resources for use in political campaigns, and may not engage in partisan political activities (including but not limited to the distribution of campaign material or literature) during regular school or duty hours or at Board sponsored or sanctioned events, functions, or at activities at which the employee is on duty or assigned official responsibilities;

b. Employees may not represent their political beliefs or positions on political matters to be those of the Board or other Board officials, or to falsely assert or imply that their political activities or positions are endorsed by or undertaken in the name of the Board or other Board officials;
c. Candidates and representatives of candidates for political office may not invite or allow announced candidates for political office to address student groups except when such candidates are participating in a forum or like format that is designed to provide all candidates the opportunity to participate. Such forums may be conducted only for appropriate age groups, and with the advance approval of the school principal and the Superintendent; and

d. Political signs may not be placed on schools or school board property. Campaign literature and other material may not be distributed on Board property during the regular school or work day, and may not be distributed at school or Board sponsored events or activities in a manner that impedes the normal and safe movement of pedestrian or vehicular traffic, that creates any other safety hazard or risk, or that disturbs or disrupts the function, activity, or event.

e. No person shall use or promise to use official authority to secure for any person an appointment or advancement to a position in the I3 Academy for the purpose of influencing a vote or political action.

f. Nothing in this policy should be construed to limit school or class activities by students or recognized student organizations designed to address, discuss and promote participation in current political affairs. Such activities shall provide an opportunity for bipartisan participation of all students. School employees may serve as advisors or sponsors for such activities and organizations as authorized and approved within the existing relevant policy for student organizations and activities.

4.12 **Automatic External Defibrillator (AED)**

The Superintendent is authorized to develop procedures regarding the use of Automatic External Defibrillators (AED).
VI. Students

6.1 Admissions and Attendance

6.1.1 Compulsory Attendance and Entrance Age – All persons between the age of six and seventeen 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 Head of Schools or is otherwise exempt under state law.

a. Kindergarten Age Requirement – A student must be five years old on or before September 1, the date set by State guidelines, to be admitted for kindergarten for the current school year.

b. First Grade Age Requirement – A student must be six years old on or before December 31, the date set by the State guidelines, to be admitted to the first grade for the current school year. A student who has successfully completed a qualified out-of-state kindergarten, according to that state’s entrance code, during the past year and is not six years old by the date set by the State guidelines can attend Grade 1 in the I3 Academy. Appropriate documentation must be presented. A student who started Grade 1 in another state, according to that state’s entrance code, and is not six years old by the date set by the State guidelines can attend Grade 1 in the I3 Academy. A student transferring to I3 Academy from private schools within Alabama may enter first grade only if the state age requirement for entry has been met.

[Reference: Ala. Code §16-28-3 (1975)]

6.1.2 Admission to Schools -

I3 Academy is a public charter school approved for 420 students in grades K-5. Applications for enrollment are open to all students within Birmingham. Should the number of applications exceed the number of available seats for a specific grade, a random lottery will be held to fill the available seats and offered to those students and
their families who will be asked to complete the enrollment process. A waiting list of completed applicants will be maintained so should a student chosen through the lottery choose to not attend students for that grade on the waiting list will be identified for enrollment.

a. Resident Students – I3 Academy students must live within the Birmingham City School district and must reside with parents or legal guardians, or with an adult resident of the Birmingham serving as the student's guardian. Power of attorney, under §26-2A-7 of the Code of Alabama, may only be used for a period of one year and accepted only under extreme extenuating circumstances as determined by the Head of Schools or his/her designee. Residency on the basis of an appointment or delegation of authority for educational purposes will not be recognized if the guardianship is used for the purpose of evading otherwise applicable residency requirements, and will not be recognized for successive school years except on a showing of unusual hardship or other special circumstances warranting an extension.

The student must reside every day with the parent/guardian or the attorney-in-fact whose power of attorney can be used for only one school year. If the Head of School receives one of the following complaints, the attendance supervisor, accompanied by a uniform police officer, will make a home visit:

1. Student does not reside with the parent, guardian or attorney-in-fact;
2. Guardianship documents or power of attorney documents have not been properly executed;
3. Guardian or the attorney-in-fact does not live within the Birmingham City School District.

If the attendance supervisor cannot confirm residency and/or guardianship, the Head of School will notify the guardian or the attorney-in-fact that the student's enrollment will be terminated. The guardian or the attorney-in-fact may appeal this decision by notifying, in writing, the Head of School. A hearing panel will be convened and consist of the Head of Schools or designee, attendance supervisor and school administrator. The guardian or the attorney-in-fact will be informed of the decision of the panel.

If joint custody has been awarded and one of the parents resides within the Birmingham City School District, the student will be eligible to attend the I3 Academy if the student is living with that custodian for at least three (3) consecutive days during each school week.

If the parent/guardian or the attorney-in-fact has been found to live outside of the city limits, but has recently established residence within the city
limits, complete documentation must be confirmed before the student may enter the I3 Academy. A home visit may be required prior to enrollment to confirm residency.

All homeless, migrant, and immigrant students, children in foster care, and English language learners will have equal access to the same free appropriate public education, including public preschool education, provided to other children and youth and will be provided the opportunity to meet the same challenging state content and state student performance standards to which all students are held without being stigmatized or isolated.

The enrollment of homeless, migrant, and immigrant students, children in foster care and limited English proficient children and youth shall not be denied or delayed due to any barriers that are specifically prohibited by applicable law.

Homeless Students

1. Enrollment - Homeless students will be permitted to enroll without regard to residency status and may be entitled to other accommodations under federal law.

2. Dispute Resolution - Homeless students will continue in the school of origin for the duration of homelessness. Students may enroll in any public school that non-homeless students, who live in the attendance area in which the students reside, are eligible to attend.

3. If the school enrollment decision is contrary to the wishes of the student's parent/guardian, the school will provide the parent, guardian, or unaccompanied youth with a written explanation of the decision, a statement of the right to appeal, and procedure for appealing the placement decision. The Head of School of this school will notify the Board's Homeless Liaison of the dispute and take steps to resolve the dispute.

4. When a dispute arises regarding school placement, the system will immediately enroll the homeless student in the school in which enrollment is sought by the parent, guardian, or unaccompanied youth, pending resolution of the dispute. The Board's Homeless Liaison will expeditiously take steps to resolve the dispute. If the dispute cannot be settled by the homeless liaison, the liaison will assist the complainant in seeking technical assistance form an appropriate service agency.


c. Students Expelled or Suspended from Other School Systems – Any student who is under suspension or expulsion from another school system or a private, parochial, or other school will not be permitted to enroll until the student has satisfied
the conditions for readmission set by the expelling or suspending board or authority in addition to generally applicable admission requirements established by the Board.

d. Required Documentation – Students entering the school system for the first time, regardless of grade level, are not required to submit a birth certificate, but may be requested to submit a birth certificate or another form of acceptable documentation to verify the student’s age. A social security number may also be requested, but such request is voluntary and is not a requirement of enrollment.

In addition, students may also be required to submit other registration materials as school officials may reasonably require, including but not limited to a certificate of immunization or an exemption as prescribed by the Department of Health and signed by a private physician or appropriate health department official. The Head of Schools may accept alternate forms of evidence or modify otherwise applicable requirements as necessary and appropriate to accommodate migrant, immigrant, limited English proficient or homeless students.

f. Students in Foster Care – A student in foster care will enroll or remain in the student’s school of origin, unless it is determined that remaining in the school of origin is not in such student’s best interest.

f. Placement of Students – The Board will determine the placement of newly enrolled students in accordance with state law.

6.1.3 Attendance Zone and Class Assignment -

a. Attendance Zone Assignment – Students residing within the Birmingham City School District are eligible for admission to I3 Academy and should the total number of available seats not be filled by students within the Birmingham City School District student from any school district within the State of Alabama my become eligible for admission.

b. Children of I3 Board members shall be eligible for admission to I3 Academy.

c. Class Assignment – Head of Schools will assign students to classes in keeping with school accreditation standards and any procedures or criteria that may be established by the Board.

6.1.4 Absences and Excuses – Students are not permitted to be absent from school without a valid excuse. Absences will be designated as excused or unexcused. Excused absences will be permitted for the following reasons:

Personal illness
Hospitalization
Emergency
Death in immediate family
Court subpoena
Religious holidays with prior Head of Schools approval
Absences approved by the Head of School

Documentation supporting an excused absence must be submitted within three (3) school days of the absence or the absence will be deemed to be unexcused. Special and extenuating circumstances will be considered and reviewed by the Head of School. 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.

6.1.5 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]

6.2 Transfers and Withdrawals

6.2.1 Transfers – transfers to another public or private school will follow the receiving schools’ guidelines for documentation and records submission.

6.2.2 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]

6.3 Student Fees, Fines, and Charges

Reasonable fees, fines, and charges not prohibited by law may be established by the Head of School and approved by the Board. All such fees, fines, and charges will be collected and accounted for in accordance with the procedures, rules, and regulations to be developed by the Chief School Financial Officer or as provided in the Board finance or local school finance manual(s).

6.4 Extracurricular Activities
6.4.1 General – Students may be offered an opportunity to participate in extracurricular activities and organizations. An extra-curricular activity is defined as an organized school function that requires after school practice and performance. Examples are athletics, band, drama and chorus. The school Head of School will identify school functions that meet these criteria and ensure that sponsors, students, and parents are so informed. Extracurricular activities must meet the following criteria:

a. The organization or activity must be approved by the Head of School and must have an assigned faculty supervisor/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. Extra-curricular activities subject to this policy may establish additional requirements;

d. The sponsor of an extra-curricular activity will be responsible for providing the Head of School or designee with a list of participants and the governing rules and by-laws;

e. The organization or activity must operate under and subject to general supervision of school officials.

6.5 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 Head of School;
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;

The Head of Schools 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.

6.6 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.

6.7 Students with Disabilities

6.7.1 Prohibition - Adhering to the definitions, guidelines and requirements set forth in Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and the Americans with Disabilities Act (“ADA”), the Board prohibits discrimination against students with disabilities referred to in these statutes in any program or activity offered or sponsored by the Board.

6.7.2 Independent Educational Evaluations – The Head of Schools and his/her designee is authorized and directed to develop procedures for responding to parental requests for an Independent Educational Evaluation (IEE) in accordance with the provisions of the Individuals with Disabilities Act (IDEA) and the Alabama Administrative Code (AAC). Copies of the procedure for requesting an IEE will be available to parents upon their written request to the office of the ACS Special Education Coordinator.

6.8 Title IX
6.8.1 Prohibition – In accordance with Title IX (20 U.S.C. §1681, et seq.), the Board strictly prohibits discrimination based on 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.

6.8.2 Title IX Coordinator – The Head of Schools 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.

6.9 Student Sexual Harassment

6.9.1 Sexual Harassment Prohibited – Sexual harassment in any form that is directed toward students is prohibited. Persons who violate the policy will be subject to the full range of disciplinary consequences up to and including termination (for employees) and expulsion (for students) as dictated by the nature and severity of the violation and other relevant considerations. If appropriate, the circumstances constituting the violation may be reported to law enforcement agencies or child welfare agencies for further investigation and action.

6.9.2 Definition – For purposes of this policy, sexual harassment means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, school employees, or third parties, when:

a. Submission to the conduct is made explicitly or implicitly a term or condition of the student's education, including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education;

b. Submission to or rejection of the conduct is used as the basis for decisions affecting the student's academic performance, participation in school-sponsored activities, or any other aspect of the student's education;

c. The conduct has the purpose and effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities or creating an intimidating, hostile, or offensive education environment.
The following are examples of conduct that may constitute sexual harassment, depending on the circumstances:

a. Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or pictures, and sexual propositions;

b. Repeated unwelcome solicitations of sexual activity or sexual contact;

c. Unwelcome, inappropriate sexual touching;

d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats about the student’s educational status.

6.9.3 Sexual Harassment Complaint Procedures Authorized – The Head of Schools is authorized and directed to establish, implement and revise more detailed sexual harassment complaint procedures that are designed to provide students who believe that they are victims of unlawful sexual harassment with a thorough, discreet, and prompt internal procedure for investigating and resolving sexual harassment complaints. The procedures will be drafted so as to facilitate the gathering of relevant facts and evidence, permit timely assessment of the merits of the complaint, provide an opportunity for informal resolution of complaint where appropriate, eliminate any harassment that is established by the investigation, and prevent any retaliation based upon the filing of the complaint. The procedures will reflect due regard for the legal rights and interests of all persons involved in the complaint, and will be drafted, explained, and implemented to be understandable and accessible to all student population groups and ages.

6.9.4 Initial Confrontation of Accused Harasser Not Required – A student who invokes the harassment complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to report allegations of suspected harassment to any appropriate Board administrator, teacher, counselor, or employee, and such persons have a duty to promptly refer such allegations to the Head of Schools or his/her designee or to take such action as may be required by the procedures established under “Sexual Harassment Complaint Procedures Authorized” (6.11.3) above. In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decision making responsibility with the processing of the complaint.

6.9.5 Notice of Policy to be Promulgated – The Head of Schools or his/her designee will promulgate and disseminate this policy and the complaint procedures to the schools and will take such other steps and measures as may be reasonably available and expedient for informing the school community of the conduct prohibited by this
policy and the recourse available to students who believe that they have been subjected to sexual harassment.

6.10 Protection of Pupil Rights Amendment

6.10.1 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.

6.10.2 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.

6.10.3 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.

6.10.4 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.

6.10.5 Additional Policies and Procedures Authorized – In consultation with parents, the Head of Schools or his/her designee 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.


6.11 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 Head of Schools is authorized to establish administrative standards and procedures respecting access to such records, including a schedule of reasonable charges for the reproduction thereof. Parents and students will be provided required annual notification regarding educational records through the Pupil Progression Plan and Statement of Responsibilities for School Personnel, Parents and Students or by other appropriate means.

[Reference: 20 U.S.C. §1232g(a)(4); 34 C.FR. §99.3]

6.12 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 Head of School 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 Head of Schools is authorized to develop and promulgate procedures, rules, and regulations concerning the taking, administration, and handling of medication at school consistent with state law and appropriate health standards.

6.13 Student Conduct

The Head of Schools 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 I3 Academy. 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]

6.14 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 Head of Schools 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 frisk or “pat down” of the student, a search of personal items and clothing. 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. A record of the search shall be made, and copy filed in the Head of School’s office. Parent(s)/guardian shall be notified, in writing, of all such searches of a student’s person. A copy of said notice shall be retained by the Head of School.

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.

e. **Interrogation of Students** – A student enrolled in the school shall not be interrogated by any law enforcement authority on public school property during regular school hours without the knowledge of the school’s Head of School or designee. All interrogations shall be conducted in private, with an official school representative (Head of School or designated representative) present. Every reasonable effort shall be made to have a parent or guardian present. In those instances where a parent/guardian cannot be present within a reasonable period, school officials may allow interviews by law enforcement officials to proceed in the absence of the parent or guardian. Other non-school persons shall not interview students at school except for Department of Human Resources (DHR) personnel or parents or guardians.
6.15 Punishment and Restraint

6.15.1 Corporal Punishment - The Board does not permit the use of corporal punishment therefore for inappropriate behavior if school personnel are not prohibited from using appropriate physical contact or intervention in response to emergencies or other circumstances reasonably requiring such action.

6.15.2 Seclusion and Restraint - All schools and programs will follow Alabama Rule 290-3-1-.02(1)(f) with respect to the use of physical restraint and seclusion. The Head of Schools or his/her designee will develop procedures that will specify the way the schools and all personnel within I3 Academy will execute the requirements of said rule.


6.16 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, Head of Schools may temporarily suspend a student pending a conference with the parent or guardian of the student and a final disciplinary decision. In-school and Out-of-school suspension may also be imposed as a disciplinary measure as provided in the Code of Student Conduct. Out-of-school suspensions will be counted as unexcused absences except in the case of truancy. Make up work may 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 considering 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

6.17 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 Head of Schools 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 proceeding 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.

6.18 Electronic Communication Devices

The display of and/or use of wireless communication devices or any use of other electronic communications devices used by students for non-instructional purposes is prohibited on any I3 Academy campus during regular school day instructional hours. If a violation occurs, the device will be confiscated, and consequences will be imposed accordingly, as indicated by the school administrator. The Board assumes no responsibility for theft, loss, or damage to any personal/wireless communication device. The Head of School or his designee may approve the use of such devices during medical emergencies, natural disasters, after regular school hours, at events or when the use of the devices serves safety and convenience without disrupting academic or school operations. Use of electronic equipment, such as wireless laptops, distributed by the school system for instructional purposes is allowed.

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 to the suspected violation.

6.19 Harassment, Violence, and Threats of Violence Prohibited

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

6.19.2 Definitions –
a. The term “harassment” as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth in Section 6.23.2(b) below. To constitute harassment, a pattern of behavior may do any of the following:

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

b. The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

c. The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.

d. The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.

e. The term “student” as used in this policy means a student who is enrolled in the I3 Academy system.

6.19.3 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, violence, or intimidation; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student; and (3) to refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.

b. Violence, threats of violence, harassment, and intimidation are prohibited and will be subject to disciplinary consequences and sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the victim of such conduct:

1. The student’s race;

2. The student’s sex;

3. The student’s religion;

4. The student’s national origin; or

5. The student’s disability.

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

6.19.5 Reporting, Investigation, and Complaint Resolution Procedures -

Complaints alleging violations of this policy must be made on Board approved complaint forms available at the Head of School 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 Head of School or the Head of School’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 Head of School or the Head of School’s designee will, in their sole discretion, determine if the complaint alleges a serious violation of this policy. If the Head of School or the Head of School’s designee determines that the complaint alleges a serious violation, the Head of School or the Head of School’s designee will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period considering the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions
will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the Head of School or the school system. The person, student and/or parents or legal guardian reporting the violation may, upon request, be given an explanation of the outcome of the investigation and of any steps taken to prevent a recurrence of the violation, subject to any limitations on the disclosure thereof that may be imposed by law. A person reporting a violation who is not satisfied with the outcome of the investigation may appeal the decision in writing to the local Superintendent.

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

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

7.1  **Curriculum**

The Head of Schools will coordinate the design and development of a comprehensive curriculum plan in accordance with state law and any requirements of the State Department of Education for approval by the Board.

7.2  **Textbooks**

Textbooks will be purchased and distributed in accordance with State Department of Education regulations. Students are loaned textbooks for the duration of the course that requires the textbook and are responsible for the care of the textbook. The parent, guardian, or student must reimburse the Board for the cost of any textbook(s) that are lost or damaged beyond reasonable wear and tear.

[Reference: ALA. CODE §16-36-62 (1975)]

7.3  **Academic Standards**

Teachers will assign grades and confer academic credit for work and activities performed by students in accordance with objective and generally accepted instructional and grading standards, applicable laws and regulations, and criteria hereinafter specified.

7.3.1  **Special Education Grading Standards** – Students who are receiving special educational services may be graded according to an individualized educational plan, and nothing in Board policy or procedure prohibits the extension of appropriate academic modifications or accommodations to students who may be eligible for such modifications or accommodations under provisions of state and federal law.
7.3.2 **Report Cards** – Report cards reflecting student progress will be provided to the parents or legal guardians of students on a regularly scheduled basis.

7.3.3 **Promotion** – Students are promoted from grade to grade based on academic credit earned during the school year, in summer school programs, or in such other academic programs as may be approved or recognized by the Board.

7.3.4 **Credit Recovery** – The Head of Schools is authorized to develop procedures for a program through which a student may recover credits in one or more failed courses, in compliance with regulations promulgated by the State Department of Education. The curriculum will align with the State Board of Education course of study and study content standards in which the student seeking credit recovery is deficient.

[Reference: Ala. Admin. Code 290-3-1-.02(12)]

7.4 **Testing**

The Head of Schools is authorized to develop and implement a standardized testing program that will include, at a minimum, all testing required under state and federal law. All standardized tests are to be conducted in accordance with the appropriate test administration manual guidelines and any rules or regulations that are intended to ensure their security and validity. Teachers are authorized to conduct tests for their courses in order to determine their students’ abilities, knowledge and skills, and to use in calculating a student’s grade. Confidentiality of test results will be assured, and information will be released only in compliance with the law.

7.5 **Summer School Operations**

The summer session shall be provided as an extension of the schedule for the I3 Academy. The schedule for summer session shall provide for enrichment and remedial services as determined by the interests and needs of the students. The Head of Schools is authorized to develop and maintain rules and regulations for the operation of summer school.

[Reference: Ala. Admin. Code 290-3-1-.02(6)]

[Reference: Ala. Admin. Code 290-3-1-.02(12, 13)]

7.6 **School Wellness**
7.6.1 **Nutrition Education** – Nutrition education that teaches the knowledge, skills, and values needed to develop healthy eating behaviors will be integrated into the curriculum and offered throughout school campuses, including school dining areas and classrooms, by appropriately trained personnel.

7.6.2 **Nutrition Standards** – The Board will ensure that reimbursable school meals meet the program requirements and nutritional standards established by applicable state and federal regulations. The Board will encourage students to make nutritious food choices and will monitor all food and beverages sold or served to students, including those available outside federally regulated child nutrition programs. The Board will consider nutrient density and portion size before permitting food and beverages to be sold or served to students.

7.6.3 **Physical Education and Physical Activity Opportunities** – The Board will offer physical education opportunities that include the components of a sound physical education program. Physical education will equip students with the knowledge, skills, and values necessary to maintain healthful lifelong physical activity. Physical education instruction will be aligned with the curriculum. All students will be provided the opportunity to participate regularly in supervised physical activities that are intended to maintain physical fitness and to impart the benefits of maintaining a physically active and healthy lifestyle.

7.6.4 **Other School-Based Activities Designed to Promote Student Wellness** – The Board may implement other programs that help create a school environment that conveys consistent wellness messages and that is conducive to healthy eating and physical activity.

7.6.5 **Administrative Implementation** – The Head of Schools is authorized to develop and implement administrative rules and directives that are consistent with this policy and that are based on input from teachers (including specialists in health and physical education), school nurses, parents and guardians, students, representatives of the school food service program, school board members, school administrators, and the public. The Head of Schools will report to the Board, as requested, on programs and efforts that are designed to meet the purpose and intent of this policy.

7.7 **Selection of Instructional Materials and Materials for the School Libraries**

The Board recognizes the right of parents to request that their children not read a given book or use a given audio-visual material or participate in special instructional programs provided a written request is made to the child's school principal. (Special instructional programs represent defined units of...
instruction which either supplement or replace previously approved programs of study.)

The Head of Schools shall develop or cause to be developed adequate due process procedures whereby any parent or group of parents may request reconsideration of the use of any reading matter, audio-visual material or participation in a special instructional program. The appeal process shall include a review and final decision by the Board.

Reference: Code of Alabama 16-1-30

7.8 **Parent and Family Engagement**

In order to comply with the requirements of Every Student Succeeds Act (ESSA) §1116, the Board will comply with the following requirements:

7.8.1 **Joint development of required plans** – The school system will involve parents and family members in jointly developing the Board's Title I, Part A plan, and the development of school support and improvement plans as required by the ESSA.

7.8.2 **Coordination of activities within the school system** – The school system will provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the school system in planning and implementing effective parent and family involvement activities designed to improve student academic achievement and school performance. Such coordination may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education.

7.8.3 **Coordination with other laws and programs** – The school system will coordinate and integrate parent and family engagement strategies to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs.

7.8.4 **Annual evaluation** – The school system will conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools served under this part, including identifying—

a. Barriers to greater participation by parents/families in activities authorized by this section (with attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);

b. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
c. Strategies to support successful school and family interactions. The school system will use the findings of the annual evaluation to design evidence-based strategies for more effective parental and family engagement, and to revise, if necessary, the parent and family engagement policies described in this section.

7.8.5 **Involvement of parents/family members** - The school system will involve parents in the activities of the schools, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the school system to adequately represent the needs of the population. This advisory board will help develop, revise, and review the parent and family engagement policy.

[Reference: 20 U.S.C.A.§ 6318(a)(2)]

**7.9 Youth Suicide Awareness and Prevention**

I3 Academy will meet the policy, the instructional, the professional development and resource obligations of the Jason Flatt Act (ACT #2016-310) in order to equip our educational institutions and personnel 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.

The Head of Schools or their designee shall develop and implement a program to prevent suicide among our students which includes programmatic elements stated in The Jason Flatt Act (Act #2016-310). The instructional program developed and approved to meet the policy requirements will be made available to students, parents, and legal guardians and employees by such means and methods as are customarily used for such purposes. 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 act shall be subject to state immunity law.