

## 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 Duty of Sex Offender to Notify School of Presence – This policy is implemented pursuant to the provisions of Ala. Code § 15-20A-17. In accordance with that section, any adult sex offender, after having been convicted of a sex offense involving a minor, shall not enter onto school property or attend any K-12 school activity without: (1) notifying the principal or the principal’s designee that he or she intends to enter onto the premises for a legitimate purpose, which purpose shall be communicated to the principal or the principal’s designee; and (2) immediately reporting to the school principal or the principal’s designee upon entering the school property or arriving at the K-12 school activity.

Nothing in this policy shall be construed as imposing an affirmative duty on the school principal; the principal’s designee; any member of the school board, staff, faculty, or any other agent, representative, or other associated party of the school board to investigate or determine the sex offender status of any individual prior to, or upon, that individual’s entering on school property or arriving at a K-12 school activity.

Reference: Ala. Code § 15-20A-17

### 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 while attending any Board sponsored or sanctioned event, program, activity, or function 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:

1. *Students* – Students will be expelled for a minimum of one calendar 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.

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

3. *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.

[Reference: ALA. CODE §16-1-24.1, 24.3 (1975); Ala. Admin. Code 290-3-1-.02; Federal Gun Free Schools Act, 20 U.S.C. 7151; Federal Gun Free School Zone Act of 1995 (20 U.S.C. §922(q)]

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 while attending any Board sponsored or sanctioned event, program, activity, or function 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:
  1. *Students* – Students will be disciplined in accordance with the Board’s Code of Student Conduct.
  2. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
  3. *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.

[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 while attending any Board sponsored or sanctioned event, program, activity, or function 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:
  1. *Students* – Students will be disciplined in accordance with the Board’s Code of Student Conduct.
  2. *Employees* – Employees will be subject to adverse personnel action, which may include termination.
  3. *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.

4.2.4 Tobacco – The use of tobacco products and the illegal possession, distribution, and sale of tobacco products in a school building, on school grounds, on Board property, on school buses, or while attending any Board sponsored or sanctioned event, program, activity, or function is prohibited. These prohibitions also apply to electronic cigarettes, vape pens, 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*

1. *Students* – Students who violate the tobacco prohibition will be disciplined in accordance with the Board’s Code of Student Conduct.
2. *Employees* – Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.
3. *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 or designee 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 in a school building, on school grounds, on Board property, on school buses, 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.

[Reference: ALA. CODE §16-1-24.1, 25-5-330 (1975)]

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 AdvanceED and the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (“SACS CASI”) 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, except as authorized by board approved contract, lease, or facilities use agreement. 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 Incidental Use of Communication Devices – The foregoing restrictions will not be deemed to prohibit Board employees from using Board owned, leased, or furnished equipment or communication devices for limited use, subject to the following conditions and limitations:

- a. The nature, content, or subject matter of the use is not unlawful or otherwise in violation of Board policy;
- b. The nature and substance of the use is suitable for and appropriate to the public school setting;
- c. The personal use of Board owned, leased or provided equipment has so little value that accounting for it would be unreasonable or administratively impracticable.

The accommodations hereby authorized do not repeal or modify any restrictions, requirements, or limitations applicable to the use of computer, electronic, or communication equipment or devices that are established elsewhere in board policy, procedure, or regulation, and nothing herein shall be construed to establish any right or expectation of privacy or confidentiality in or relating to the personal use of board owned or furnished equipment or device. The authorization hereby conferred is a limited and conditional privilege that is granted for the convenience of employees. It is subject to revocation generally or in individual cases upon a showing or suspicion of its violation or abuse.

4.4.3 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. 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 Board.

- 4.4.4 Renovations or Upgrade to Board Facilities - Any work performed to renovate or upgrade Board facilities must be Board approved, notwithstanding the source of the labor or funds.
- 4.4.5 Advertising – The Superintendent is authorized to develop guidelines and procedures governing commercial advertising on Board property for approval by the Board.

#### **4.5 *Naming Board Facilities***

Any naming of a school facility or property under the control of the Board must be Board approved.

#### **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.

[Reference: 42 U.S.C.A. §12131, *et seq.*]

#### **4.7 *Emergency Closing of Schools***

- 4.7.1 Authority of Superintendent to Close Schools – The Superintendent 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).
- 4.7.2 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, if necessary, to reflect any extension or adjustment of the school year required by such action unless approval to waive the days is obtained in accordance with state law.

#### **4.8 *Employee Acceptable Use of Technology and Related Resources***

- 4.8.1 General – To facilitate achieving a quality education for its students, it is the policy of the Board of Education (Board) to provide all students and employees with opportunities to access a variety of technological resources to fully prepare students for life beyond the K-12 educational environment. A large and varied technological environment requires that technology use by employees and students be legal, ethical and safe. Technology use must be consistent with the educational vision, mission, and goals of the Board.
  - a. The Board employs a Coordinator of Technology Infrastructure (CTI) to provide technology support at the school system and school levels and designates a Technology Assistant at each school.

- b. The Board employs a Coordinator of Instructional Technology to ensure that the faculty are using the technological resources in a way that is consistent and appropriate to the educational vision, mission, and goals of the Board.
- c. School computers, networks, e-mail and Internet access are provided to support the educational mission of the Madison City School System and are to be used primarily for school-related purposes. Personal use of school computers must not interfere with the employee's job performance or student's academic performance, must not violate any of the rules contained in Board policy, procedures, or other like directives and must not damage the school's hardware, software or communications systems.
- d. "Community Use" of wireless internet resources may be permitted through the district's guest wireless network providing that the use does not violate any applicable laws or board policies, procedures, and like directives and does not affect the educational environment. The Madison City School System reserves the right to suspend community use at any time without notice.
- e. The term "system" for purposes of this policy may mean the totality of resources serving the central office and schools, the totality of resources within a school, or the totality of resources accessible by a given workstation or application.

4.8.2 Policy Rules – The goal of using the school's computers, local area network, the system's wide area network and the Internet is to bring available educational resources to both students and staff and to facilitate diversity and personal growth in technology, information gathering skills, and communication. Providing these resources is intended to promote educational excellence by linking individuals and classrooms to global resources to facilitate resource sharing, innovations, and communications. These rules establish usage appropriate for an educational setting and require users to act responsibly and accountably.

4.8.3 Copyright Law – It is the obligation and intent of the Board to comply with the copyright laws of the United States. Board employees and students shall use technology resources in accordance with Board policies and procedures, as well as local, state, and federal laws and guidelines governing the use of technology and its component parts.

- a. Individuals are responsible for keeping unauthorized, copyrighted software of any kind from entering the local area network or wide area network via the Internet or other means. This includes the loading, copying, or downloading of any programs, games, electronic media, etc.
- b. If a single copy of a software package is purchased, it may only be used in one computer at a time. Multiple loading or "loading the contents of one

disk on multiple computers” (1987 Statement on Software Copyright) is not allowed.

- c. If more than one copy of a software package is needed, a site license, lab pack, or network version will be purchased. CTI will work with appropriate district personnel to determine how many copies will be purchased for the location.
- d. The CTI is authorized to sign license agreements for a school within the district or the district itself.
- e. Employees may be held personally liable for any actions that violate copyright laws.

4.8.4 Network Accounts – Network user accounts are provided to faculty, staff, and students. These accounts are utilized to provide access to district resources. Wherever possible, the district synchronizes these accounts with third party systems to allow easier access for our faculty and students.

- a. All staff may receive network accounts after Board approval of the personnel action or upon the first day of employment if requested by the principal or supervisor in writing to the CTI. For requested accounts, the principal/supervisor will be responsible for notifying the CTI if employment is not approved by the Board.
- b. Network accounts for contract or temporary employees may be requested in writing to the CTI by the principal or supervisor. Requests must be accompanied by a copy of the contract and description of duties. For requested accounts, the principal/supervisor will be responsible for notifying the CTI if employment ends prior to the expiration of the contract period.
- c. Student network accounts are generated based on pertinent information pulled from the district’s student information system.
- d. The CTI may provide temporary or special use accounts at his/her discretion provided that they do not violate any applicable law or board policy.
- e. Network accounts should never be shared with other users, or outside organizations. Doing so is a direct violation of this policy. If an account has been compromised, it should be reported to the technology department immediately.
- f. Network accounts may be disabled or otherwise restricted for disciplinary or other reasons at the request of the applicable principal or supervisor or at the discretion of the CTI, Superintendent, or his designee.

- 4.8.5 Data Networks – The Madison City School System provides multiple data networks for the use of the faculty, staff, and students for the purpose of meeting the educational vision, mission, and goals of the Board. Use of the data networks may be suspended or revoked as deemed necessary by the CTI, Superintendent, or his designee.
- a. Users may utilize only those computers and devices approved by the MCS Technology Department on the wired district network or the internal wireless network and are prohibited from connecting any device to the physical network or network equipment without the knowledge and consent of the CTI.
  - b. Personally owned devices may only be connected to the provided guest wireless network.
- 4.8.6 Privacy – 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. Authorized 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. The Board reserves the absolute right to access and monitor all messages and files on Board equipment. Employees and students shall have no expectation of privacy with regard to such data. Spam or obscene e-mail that bypasses the school system filtering should be reported to the CTI.
- 4.8.7 Data Governance – 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.
- 4.8.8 Rules of Behavior on System Networks or Equipment – Employees and students are responsible for their behavior on school computer networks just as they are in

other aspects of their jobs. Employees and students who misuse the school system's technology may be subject to denial of computer usage, monetary charges, and/or other disciplinary action. Violation of civil and/or criminal law relating to technology and its use may result in the notification of law enforcement officials. Specific guidelines include those below.

- a. Employees and students may not access, transmit, or retransmit material which promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacture of destructive devices such as explosives, fireworks, smoke bombs, incendiary devices, etc.
- b. It is forbidden to advocate or promote violence or hatred against a particular individual or groups of individuals or advocate or promote the superiority of one racial, ethnic, or religious group over another. Production or dissemination of hate mail, obscenity, harassment, inflammatory material, chain letters, discriminatory remarks, disrespectful language, and other behaviors disruptive to the educational environment are prohibited on district resources. This includes, but is not limited to:
  - i. Harassing, threatening, insulting, bullying or attacking others.
  - ii. Using the system network to create dissension or conflict.
- c. The MCS network may not be used to access, transmit, or retransmit any information containing pornographic or other sexually oriented material or language (pornographic means pictures or writings intended to stimulate erotic feelings by the description or portrayal of sexual activity or the nude form). Accessing, transmitting, or retransmitting may include but may not be limited to:
  - i. Viewing pornography on the computer.
  - ii. Conducting sexually explicit discussions with Internet partners at any time of the day.
  - iii. Sending, displaying, viewing or downloading offensive messages, pictures or movies.
  - iv. Using obscene or profane language.
- d. Individuals may not use technology for illegal activities including gambling, plagiarism of materials found on the Internet and creating of illegal materials such as counterfeit money, fake identification, etc.
- e. Users may not purchase or install software or other digital media to be used on system networks and/or individual workstations within the system without express written permission of the CTI. For purposes of this

policy, “install” is defined as copying software of any kind in any form, downloading software from the Internet, and/or loading software from any external source, including personal copies, onto an individual computer, a network directory, or mapped drive.

- f. It is forbidden to use or possess bootleg software (bootleg software means any software which has been downloaded or is otherwise in the user’s possession without the appropriate registration of the software including the payment of any fees owed to the owner of the software). Illegal, unauthorized, or unlicensed copies of software must not be used on school system equipment.
- g. Users may not commit or attempt to commit any willful act involving the use of the network which disrupts the operation of the network or compromises its security within the school district or any network connected to the Internet including the use or attempted use or possession of computer viruses.
- h. Individuals shall not transmit personal and confidential information concerning students or others to those not authorized to receive such information. Care must be taken to protect against negligent disclosure of such information.
- i. It is forbidden to use passwords improperly or negligently or for employees to use or modify another’s passwords. No message should be transmitted without the sender’s identity. Transmittal of messages with anonymous or fictitious names is prohibited. Accounts are to be used only by the authorized/registered user and for the intended purposes of the account.
- j. District computers may not be moved off campus unless authorized by the administrator and CTI.
- k. District devices assigned to employees may be taken off campus upon completion of a Faculty Device Contract.
- l. Individuals may not advertise and solicit on the school network or offer or provide products or services on system networks. District internet and e-mail accounts may not be used for commercial purposes or personal or political gain.
- m. Users shall not intentionally modify files, other data, or passwords belonging to other users. Users shall not misrepresent other users on the Internet.
- n. Individuals are responsible for any hardware and/or software damages to the computers or the network caused by inappropriate behavior while using the system. These include, but are not limited to, tampering with the

equipment, altering programs and/or files, installing programs without authorization, or reconfiguring any part of a computer.

4.8.9 System Integrity and Control – To assure the integrity and control of system resources and capability, the CTI, Technology Department Staff and Media Specialists will be the only persons authorized to access original software disks at a given school location.

- a. To assure compliance with copyright and licensing requirements, only members of the District Technology Department may install software to be used on system networks and/or individual workstations within the system. Staff should contact technology for assistance with software installation. For purposes of this policy, “install” is defined as copying software of any kind in any form, downloading software from the Internet, and/or loading software from any external source, including personal copies, onto an individual computer, a network directory, or mapped drive.
- b. Individuals are not authorized to make copies of any software or data without the knowledge and permission of the CTI. Any questions about copyright provisions should be directed to the CTI. Illegal, unauthorized, or unlicensed copies of software must not be used on school system equipment. Any copies will be subject to the district’s data governance policy and procedures.
- c. District owned software cannot be installed on personal devices unless specifically allowed by the software’s licensing agreement.

4.8.10 Application of Policy –

- a. All Board technology resources, regardless of purchase date, location, or fund sources (including donations), are subject to this policy.
- b. Employees who misuse the school system’s technology may be subject to denial of computer usage, monetary charges, reprimands, and/or loss of employment.
- c. Students who misuse the school system’s technology may be subject to denial of computer usage, monetary charges, and/or other disciplinary action.
- d. The Superintendent or his designee will prepare procedures for implementing this policy at the system and school levels.
- e. The administration of each school will be responsible for reviewing these policies at the beginning of each year with the faculty and staff and with individual employees who are hired after the initial review. The administration must have faculty and staff members sign this policy indicating they are aware of the rules and have reviewed them. The

administration is encouraged to have a separate review of copyright law each school year.

- f. The legal and ethical practices and responsibilities of appropriate use of technology resources will be taught to all students in the system during lab orientation, by homeroom teacher, media specialist, etc.
- g. Individuals are expected to report any violations of this policy and/or problems with the security of any technology resources to the Principal, Technology Assistants, and/or CTI.
- h. Any questions about this policy, its interpretation, or specific circumstances shall be directed to the CTI.

4.8.11 Disclaimer of Liability –The Board makes no warranties of any kind; either expressed 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.

4.8.12 Electronic Mail – Electronic E-mail is available for the support of educational, instructional, extracurricular, and administrative activity. With that purpose in mind, electronic mail accounts are available to employees and students according to the following guidelines:

- a. Staff will receive e-mail accounts when their network accounts are created.
- b. Students receiving e-mail accounts must use these accounts for instructional purposes only and, while at school, should only use mail accounts provided by the district when using the school system’s network or school-owned technology device.
- c. All staff and student e-mail accounts are subject to monitoring and acceptable use policies.
- d. The Board cannot guarantee the privacy, security, or confidentiality of any information sent or received via electronic mail. The Board will use a filtering device to screen e-mail for spam and inappropriate content.
- e. District email and other electronic communications are subject to long term logging and/or archiving as deemed appropriate by the Superintendent and CTI.

4.8.13 Internet – The intent of the Board is to provide access to resources available via the Internet with the understanding that faculty, staff, and students will access and use only information that is appropriate, beneficial, and/or required for various curricular or extracurricular activities or staff duties. Teachers will screen

resources that will be used in the classroom for instructional content prior to their introduction. Board policies and procedures shall apply to use of the Internet.

- a. Internet access is provided to allow students, faculty and staff to conduct research and access resources. Users gaining access to the Internet agree to conduct themselves in a considerate and responsible manner. By signing the Code of Student Conduct for each student in the household, legal custodians/parents provide written permission for their child to have access to the Internet and network resources.
- b. The Board provides technology protection measures that include blocking or filtering Internet access to visual depictions and text that are obscene, pornographic, or harmful to minors. These measures cannot be considered 100% effective. Teachers must preview websites being used for instructional purposes and observe students using the Internet. Teachers are responsible for monitoring and overseeing student use of computers and online resources in accordance with this Acceptable Use Policy, and for educating students about digital safety and ethics as well as integrating into their teaching the Technology Course of Study. If a student encounters inappropriate content online, they are to immediately close the browser and report the incident to the teacher. Sites that are deemed inappropriate or a disruption of the learning atmosphere should be reported to the CTI. Teachers may request blocked sites be opened which they feel are appropriate and needed for instruction by contacting the Technology Department.
- c. Sites found to disrupt the learning atmosphere by consuming excessive internet bandwidth may be blocked or otherwise limited at any time without notice.
- d. Network users are prohibited from accessing external networks or alternate Internet service providers while within the Madison City Schools' internal network unless expressly authorized by the Superintendent or Superintendent's designee and properly protected by a firewall, other appropriate security device(s), and appropriate filtering software. This prohibition includes, but is not limited to, VPN or other technologies that attempt to bypass district filters/security, cellular "hot spots", cellular data plans, etc.
- e. All school rules and guidelines for appropriate technology use shall apply to use of the Internet. Because communications on the Internet are often public in nature, all users must engage in appropriate and responsible communications with particular regard to avoiding disruption of the educational environment.
- f. Employees and students should be aware that posting of personal information of any kind about themselves or others is prohibited. Personal

information includes home addresses, work addresses, home phone numbers, social security numbers, etc.

4.8.14 Learning Management Systems – The school system provides methods for students to upload and send assignment files to teachers.

4.8.15 Mass Electronic Notification Systems -

- a. General. The City of Madison Board of Education maintains mass electronic notification systems for the purpose of facilitating dissemination of educationally-related information to stakeholders. It is the hope of the Board that each school will use such systems for distributing emails and pertinent announcements to parents and guardians.
- b. Uses. The mass electronic notification system from Madison City Schools (MCS) will be used for educational and informational purposes only and in accordance with all Madison City policies and procedures. All submissions/postings to the program will be written and released by approved webmasters and/or administrators.
- c. Membership. Because mass electronic notification systems maintained by MCS are intended for informational purposes for stakeholders, information for membership will be distributed by each of the schools within the school system and on the school system websites.
- d. Disclaimer. The City of Madison Board of Education and its employees cannot be held responsible for postings through mass electronic notification systems including, but not limited to, acts of omission, accidental misinformation, or information that may come into the possession of unintended parties or individuals.

4.8.16 District Devices and Equipment – All purchases of technology-related devices and equipment for the district, regardless of funding source, must be coordinated through the technology department in order to ensure inventory integrity and safeguard network management, control, and compatibility. Only devices and equipment approved by the CTI may be purchased with district or donated funds. Any technology-related donations to the district must be coordinated through the CTI before being accepted.

4.8.17 Personal Devices – Madison City Schools promotes a Bring Your Own Device (BYOD) program to supplement the devices provided in each school. A wireless network is provided for this purpose and for guest use. All personal devices should utilize the guest wireless network.

4.8.18 Web Sites (District, School, and School-Sponsored Activities) – The District provides a website platform used by all district entities to maintain consistency. Because District web sites are globally available and represent the community at

large, webmasters are required to adhere to all acceptable use standards and present an appropriate and positive image.

#### **4.9 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. To the extent not inconsistent with said constitutions and laws participation in political activities by Board employees is, however, subject to the following restrictions:

- a. As addressed in this policy, “political” or “political activities” shall refer either to activities in support of or in opposition to a candidate for elected office at any level of government (excluding only student elections for offices, positions or honors selected by students)(herein referred to as “electioneering activities”), or activities in support of or in opposition to an issue, initiative, or ballot question (herein referred to as “issue advocacy activities”);
- b. Employees may not appropriate Board property or resources for use in electioneering activities, and may not engage in electioneering activities (including but not limited to the distribution or display of campaign material, cards, buttons, stickers, literature, etc.) 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;
- c. 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 except as provided herein.
- d. Candidates and representatives of candidates for elected or appointed political office may not invite or allow announced candidates for political office to address student groups except when all candidates either for a particular party’s nomination (in a primary campaign) or all candidates on the ballot (in a general election campaign) are offered an opportunity to participate in the forum or a similar forum of 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
  1. Political signs may not be placed on schools or school board property. Political campaign literature and other material may not be distributed on Board property during the regular school or work day or at Board sponsored or sanctioned events and/or functions.

2. Nothing in this policy shall be deemed to prohibit Board employees from engaging in personal political expressions while on duty provided that the activity:
  - a. Is “passive” in form (e.g., lapel buttons or bumper stickers) and does not consist of active campaigning or “electioneering” while on duty;
  - b. Is not disturbing or disruptive of the learning environment;
  - c. Is not displayed, presented, or discussed so as to suggest that students or subordinate employees who do not support or agree with employee’s political position will suffer any retaliation or adverse consequences as a result of such disagreement;
  - d. Is not falsely represented to represent the view or position of the Board or of any Board official
- e. The Board may use its restricted public funds to seek support for non-partisan ballot initiatives that serve a public purpose or further the Board’s purpose and missions in accordance with state law.

#### **4.10 Service Animals in Public Schools**

The Madison City Board of Education acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a "service animal" in its school buildings, in classrooms, and at school functions, as required by the Americans with Disabilities Act, 28 CFR Part 35, subject to the following:

4.10.1 Service Animals – A "service animal" means a dog, or in specific circumstances a miniature horse, that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability or necessary to mitigate a disability.

School officials may ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person's disability and may not require documentary proof of certification or licensing of the animal as a service animal.

4.10.2 Requirements that must be Satisfied Before a Service Animal will be Allowed on School Property

- a. *Request* – Any request for an individual with a disability to be accompanied by a service animal must be addressed in writing to the

Superintendent of Schools and must contain documentation of vaccinations. This written request must be delivered to the Superintendent of Schools at least ten (10) business days prior to bringing the service animal to school or a school function. The request must be renewed each school year.

- b. *Vaccinations* – The service animal must be immunized against diseases common to that type of animal. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Coronavirus), Bordetella, and Rabies. Owners of service miniature horses must provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephelomyelitis, Rhinoneumonitis, Influenza, and Strangles.
- c. *Health* – The service animal must be in good health. The service animals must be kept clean and groomed to avoid shedding and dander. The service animal must be treated for, and kept free of, fleas and ticks. The service animal must be spayed or neutered.
- d. *Control* – A service animal must be under the control of its handler at all times. The service animal must have a harness, backpack, vest identifying the service animal as a trained service animal, leash (blaze orange in color for hearing service animals), or other tether unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal's safety or effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.

4.10.3 Service Dogs in Training – Experienced trainers of service animals may be accompanied on school property by a dog that is in training to become a service animal. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons conducting continuing training of a service animal may be accompanied by a service animal while on school property for the purpose of school business. Persons who are part of a three-unit service dog team may be accompanied by a service dog while on school property provided that person is conducting continuing training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

- a. *Use of Harnesses, Vest, etc.* A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.

1. A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on a blaze orange leash.
2. A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in a harness, backpack, or a vest identifying the dog as a trained service dog.
3. The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.
4. All requirements of this policy which apply to service animals, such as health certificates, annual written requests, and supervision, care and damages, also apply to dogs in training.

4.10.4 Miniature Horses – The school district will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school district must consider the following factors:

- a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- b. Whether the handler has sufficient control of the miniature horse;
- c. Whether the miniature horse is housebroken; and
- d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

4.10.5 Extra Charges – The owner or handler of a service animal cannot be required to pay an admission fee or a charge for the animal to attend events for which a fee is charged.

4.10.6 Supervision and Care of Service Animals – The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal. In the case of a young child or student with disabilities who is unable to care for or supervise the service animal, the parent is responsible

for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the Superintendent or his or her designee.

4.10.7 Damages to School Property and Injuries – The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

4.10.8 Removal of Service Animals from School Property – A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

- a. The animal is out of control and the animal's handler does not take effective action to control it;
- b. The animal is not housebroken;
- c. The presence of the animal poses a direct threat to the health or safety of others; or
- d. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

4.10.9 Denial of Access and Grievance – If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school's Section 504 Coordinator.

[Reference: ADA Regulations, 28 CFR Part 35 (as amended 2010)]

## **4.11 *Intellectual Property***

### **4.11.1 Ownership of Works -**

The term “Works” as used herein shall be understood to include any literature, written materials, musical works, dramatic works, pantomimes, choreographic works, pictorial, graphic, and sculptural works, motion pictures, video recordings and other audio visual works, sound recordings, or architectural works, for example, and without limitation, drawings, graphic designs, video recordings, schematics, prototypes, work papers in connection therewith, works in progress, manuals, processes, computer programs (including source code and object code), methods, and any other creations in which copyright subsists, and which are:

- a. created for the benefit of the school system;

- b. to be used, directly or indirectly, in the performance of the employee's duties; or
- c. using school system equipment, facilities, or resources; and
- d. whether or not created during regular school or duty hours, or during any school system events or functions.

Employee acknowledges that such Works are the exclusive property of the Board and hereby agrees to assign, and does assign, all right, title and interest in and to such Works to the Board. Any copyrightable work prepared in whole or in part by employee will be deemed "a work made for hire" under the United States Copyright Act, 17 U.S.C. 101, *et seq.*, and the Board shall own all rights comprised in the copyright therein. Employee shall promptly and fully disclose all such Works to the Board and shall cooperate with the Board to protect the Board's interests in and rights to such Works. Employee expressly waives any claim to any "moral rights" that may attach to any such Works. In the event an Employee hires an independent contractor to create Works, the agreement shall include the terms set forth in this Section.

In the event Employee authors a Work and desires to perform, publicly display, sublicense, publish, copy, or distribute a Work for his or her own benefit, Employee may obtain an exclusive license from the Board, the grant of such exclusive license shall not be unreasonably withheld; provided, *however*, Employee shall agree that any such license shall not preclude the Board from being able to publicly display, perform, copy, distribute such Work.

#### 4.11.2 Third Party Works -

A "Third Party" in this section shall mean a party that is not an employee or an employee-hired independent contractor identified in Section 1.1.4, a non-limiting example of which is a student or a parent. In the event a Third Party creates a Work and submits such Work to a School for the School's use, benefit, public display, or publication, the Board shall retain exclusive ownership of such Works and advise applicable Third Parties of this policy.

### 4.12 ***School Logo Use Policy***

School logos and mascots are property of the Board, and shall be used only as authorized by the Board. In the event the Board authorizes the manufacture, sale, or distribution of merchandise displaying school logos or mascots, such merchandise shall display a superscript "TM" in proximity to all logos.

