



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.
State Superintendent of Education

September 1, 2021

MEMORANDUM

TO: City and County Superintendents of Education

FROM: Eric G. Mackey *EGM*
State Superintendent of Education

RE: *A Manual of State Laws and Regulations: School Safety and Discipline 2021*

A Manual of State Laws and Regulations: School Safety and Discipline 2021 is available online (www.alabamaachieves.org) in response to the *Code of Alabama (1975)*, §16-6B-5, the School Safety and Discipline Section of the 1995 Accountability Act. The manual contains the laws passed by the Alabama Legislature and regulations adopted by the Alabama State Board of Education in the areas of school safety and discipline.

Attached is the *Assurance of Compliance 2021* form to indicate your school system's compliance with selected laws and regulations. The *Assurance of Compliance* form must be submitted to the Alabama State Department of Education (ALSDE) annually as required by the *Code of Alabama (1975)*, §16-6B-5. This form is due to the ALSDE by October 1, 2021, and should be mailed to the address below.

Alabama State Department of Education
Evaluation Accountability and Support
Prevention and Support Services Section
5227 Gordon Persons Building
P. O. Box 302101
Montgomery, AL 36130-2101

I encourage you to personally ensure the accuracy of your school system's report as it will be referenced by auditors and ALSDE monitoring procedures.

If further information or clarification is needed, please contact Dr. Marilyn Lewis at telephone number (334) 694-4717 or via email at mlewis@alsde.edu.

EGM/ML/AP

Attachments

FY21-2119

Alabama
State Board
of Education

Governor Kay Ivey
President

Jackie Zeigler
District I

Tracie West
District II

Stephanie Bell
District III

Yvette M. Richardson, Ed.D.
District IV
Vice President

Tonya S. Chestnut, Ed.D.
District V

Cynthia McCarty, Ph.D.
District VI

Belinda McRae
District VII

Wayne Reynolds, Ed.D.
District VIII
President Pro Tem

Eric G. Mackey, Ed.D.
Secretary and
Executive Officer

**ASSURANCE OF COMPLIANCE
2021
Laws and Regulations Related to School Safety**

The _____ Board of Education has adopted and is implementing policies in the following areas:

<u>Yes</u>	<u>No</u>	<u>Work In Progress</u>	<u>Projected Date Of Compliance</u>	
_____	_____	_____	_____	1. <u>Code of Alabama (1975), §16-6B-7 Accountability Reports to the Public. A School Safety and Discipline Report.</u> (a)(3) School Safety and Discipline Report was made available to the public for year 2019-2020. (b) School Safety and Discipline Report School Incident Report [SIR] data for school year 2020-2021 was released to the State Superintendent of Education by June 12, 2021.
_____	_____	_____	_____	2. <u>Code of Alabama (1975), §16-28A-1 Corporal Punishment</u> A. The school board has adopted and implements written policies and/or guidelines on corporal punishment. B. The school board has adopted and implements written policy on student discipline and behavior. C. The policy on student discipline and behavior is disseminated to all teachers, staff, parents/guardians, and students as follows: ____ Annually to all. ____ As new students enroll during the school year.
_____	_____	_____	_____	3. <u>Code of Alabama (1975), §16-1-24.3 Gun-Free Schools</u> The school board has adopted and implements a policy to provide a gun-free environment.
_____	_____	_____	_____	4. <u>Alabama Administrative Code, Chapter 290-3-1.02(1) Regulations Governing Public Schools</u> (1) Safe School Equipment and Facilities, Laboratories, and Policies.

<u>Yes</u>	<u>No</u>	<u>Work In Progress</u>	<u>Projected Date Of Compliance</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- (a) Safety precautions must be implemented, and adequate facilities must be provided for implementation of programs prescribed by ALSDE Bulletin(s).
- (b) Effective with the 1995-96 school year and thereafter, local boards of education must
 1. Adopt a uniform policy allowing law enforcement agencies to make periodic visits to local public schools to detect the presence of illegal drugs, unannounced to anyone except the local superintendent and building principal.
 2. Adopt a uniform policy prohibiting the use of tobacco products on school property and prescribing specific penalties for violation of this policy.
 3. Adopt and enforce a uniform policy prohibiting all persons, other than authorized law enforcement personnel, from bringing or possessing any deadly weapon or dangerous instrument on school property and prescribing specific penalties for students and school personnel who violate this policy, notwithstanding any criminal penalties which may be imposed.
 4. Adopt and implement written policies to govern the use of physical restraint in accordance with paragraph (f)(2.)(v-xiv).

<u>Yes</u>	<u>No</u>	<u>Work In Progress</u>	<u>Projected Date Of Compliance</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(c) Local school systems which operate alternative educational programs shall provide a curriculum that stresses skills in recognizing and managing anger, alternatives to aggression (verbal and physical assault), strategies for developing self-control and personal responsibility, skills for getting along with others, success through academic achievement, and skills for success in the workplace.

(d) All policies and actions implemented under these mandatory regulations affecting students with disabilities must comply with federal and state special education laws, regulations, and court rulings.

5. Code of Alabama (1975), §16-28b-9
Act 2018-472, HB 366

The school board has adopted and implemented a policy to prevent bullying.

6. Act 2016-456, HB 197

The school board has implemented a Comprehensive programs of sexual abuse prevention.

7. Act 2016-310, SB 11

The school board has implemented
(a) annual training for certified school employees in suicide awareness and prevention.
(b) comprehensive program of suicide prevention for grades K-12

8. The school board has a process in place to comply with Section 504 of the *Rehabilitation Act of 1973*, as amended (29 U.S.C §794), which prohibits discrimination on the basis of handicaps. The Local Education Agency does not

discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

9. The school board has a policy or process in place to address Unsafe School Choice Options.

10. The LEA certification statement for submission of data to the ALSDE: By submitting this information, I certify to the best of my knowledge and belief that the information contained herein is true, complete, and accurate and has been collected in the manner and at the time required under applicable law. I also certify that I am the individual or designated approving authority responsible for submitting the information contained herein. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may lead to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.

I certify to the best of my knowledge and belief that our system of internal controls is effective and working as intended.

Signature of Superintendent

Date

Please return the Assurance of Compliance for 2021 by October 1, 2021 to the following address:

**Alabama State Department of Education
Division of Teaching and Learning
Prevention and Support Services Section
5227 Gordon Persons Building
P.O. Box 302101
Montgomery, AL 36130-2101**