

STATE BOARD OF EDUCATION
STATE DEPARTMENT OF EDUCATION
ADMINISTRATIVE CODE

CHAPTER 290-040-040
AUDITS AND MANAGEMENT SERVICES

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290-040-040-.01 Student Services.

The State Superintendent of Education shall prepare a disseminate materials designed to assist local education agencies (LEAs) in developing a comprehensive program of student services.

Author:

Statutory Authority: Const. of Ala. of 1901, Amend. No. 184, Code of Ala. 1975, §§ 16-3-11 through 13, 16-4-4.

History: Amended June 15, 1979. cf. Bulletin 1979, No. 7, a Handbook for Comprehensive Guidance Programs, Alabama State Department of Education, Montgomery, AL 36130.

290-040-040-.02 Certain Teaching Techniques.

(1) Each local board of education may offer instruction in yoga to students in grades K-12, subject to the provisions of Chapter 40 of title 16, Code of Ala. 1975.

(2) The State Board of Education specifically prohibits each local board of education from offering K-12 instruction that indoctrinates students in social or political ideologies or theories that promote one race or sex above another. All K-12 instruction, Alabama Courses of Study standards, professional development, and other activities shall be in accordance with the most current State Board resolution regarding intellectual freedom and non-discrimination.

(3) An individual or group of individuals providing classroom instruction to students in kindergarten through the fifth grade at a public K-12 school shall not engage in classroom discussion or provide classroom instruction regarding sexual orientation or gender identity in a manner that is not age appropriate or developmentally appropriate for students in accordance with state

standards. In determining age or developmental appropriateness, local education agencies may consider, but not be limited to, the Alabama Core Teaching Standards, Rule 290-3-3.04, or any derivation thereof, and the Alabama Educator Code of Ethics.

(a) A violation of this subdivision which results in any local education agency employee, who holds an Alabama certificate or license, being terminated, non-renewed, resigning, being placed on administrative leave, or receiving any other disciplinary action shall be reported to the State Superintendent of Education in accordance with the provisions of Rule 290-3-2.04 or other law pertaining to the revocation or suspension of certificates and unsuitability determinations.

(4) Consistent with state law, all school personnel charged with the responsibility of teaching students should take great care to emphasize that conduct prohibited by law is not appropriate in a civilized society. School personnel should also emphasize the consequences of conduct that is prohibited by law or that is highly likely to result in harmful consequences to the health of a person. Such conduct shall not be presented to students as legitimate options for their consideration. Nothing contained herein shall be interpreted as requiring the teaching of and/or about alternative lifestyles and/or illegal conduct.

(5) Local boards of education should make great efforts to identify parental concerns. Specifically, local boards of education shall, at a minimum, afford parents access to instructors and the opportunity to review the programs and materials to be utilized. For programs and materials not otherwise subject to state or local review processes, local boards should make every effort to seek the support of school patrons.

Author: Dr. Eric G. Mackey

Statutory Authority: Constitution of Alabama of 1901, amend 284, Code of Ala. 1975, §§16-3-12, 16-3-13.

History: New 1993. **Amended:** Published October 29, 2021; effective December 13, 2021. **Amended:** Published November 30, 2022; effective January 14, 2023.

290-040-040-.03 Voluntary Prayer At School Related Events
(Repealed 7/25/97).

(Repealed)

Author: Tazewell T. Shepard

Statutory Authority: Code of Ala. 1975, §§16-3-12, 16-3-13.

History: **New Rule:** Filed September 18, 1993; December 3, 1993; effective January 7, 1994. **Repealed:** Filed June 20, 1997; effective July 25, 1997.