

# Haleyville City Schools



## Code of Student Conduct

This document has been revised for the 2017-2018 scholastic year  
and supersedes all previous editions.

## FOREWORD FROM THE SUPERINTENDENT

Dear Parents and Students:

The Haleyville Board of Education is pleased to make available this *Code of Student Conduct* booklet to every student at the beginning of each school year or when students officially enter our schools. Found within these pages is vital information about the school system's policies and regulations. This CODE has been written so students and family members know what behavior is expected and prohibited at school or at school activities.

We believe in fair and consistent discipline that encourages students to be responsible for their actions. At school, we try to create a safe environment where courtesy and kindness prevail, and where there is respect for all people. We urge you to read this publication thoroughly and discuss it with your family and to keep it for future reference.

The development of this Code booklet is reviewed and updated on an annual basis by committees appointed by the school principals. It represents many hours of hard work by building level administrators, teachers, students, parents, and community representatives. If you have any questions about the rules, regulations or the required conduct and consequences for misconduct found within these pages, we encourage you to ask for an explanation from your student's campus principal or other appropriate administrator.

Please share with your child's teacher(s) any information regarding special needs. Our goal is to meet the needs of every child in our district. We also believe that communication between parents, students, and teachers is critical in assuring student success. Our goal each school year is to promote an educational program and school climate of quality and excellence for all students attending Haleyville City Schools and to that end this booklet is devoted.

If you ever have any questions, feel free to stop by the Albright Administrative Building at 2011 Twentieth Street or call me at 486-9231

Thank you for your support!

Sincerely,

Holly W. Sutherland

Dr. Holly W. Sutherland  
Superintendent

## **HALEYVILLE CITY BOARD OF EDUCATION MEMBERS:**

Barry Burleson  
Steve Stott  
Kris Burleson  
Donna Jones  
Beth McAlpine

President  
Vice President

Welcome to Haleyville City Schools

AFTER READING AND SHARING THIS BOOKLET WITH YOUR CHILD, SIGN THE ACKNOWLEDGEMENT FORM IN THE BACK AND RETURN IT TO SCHOOL WITHIN THREE (3) DAYS. FAILURE TO SIGN AND RETURN THE FORM DOES NOT OMIT RESPONSIBILITY FOR THE RULES AND REGULATIONS WITHIN THE CODE OF STUDENT CONDUCT. ALL STUDENTS ENROLLED MUST ADHERE TO THE RULES AND REGULATIONS OF THE SCHOOL.

### **SCHOOL HOURS**

**The school buildings will not be open before 7:30 a.m.** Please do not send your children to school before this time as there are no certified personnel on duty. The only exception is for extracurricular, co-curricular, zero periods where certified personnel have made specific arrangements for students to be on campus before 7:30 a.m. and had it approved by school administration. **Classes begin promptly at 7:55 a.m.**

### **SCHOOL VISITORS**

For the protection of the students and the school employees, all schools have a closed campus policy. Parents and all persons visiting a school are required to go to the principal's office immediately upon entering the building to report their presence and business and must receive a visitor's pass before leaving the main office. Persons wishing to visit administrators, teachers, classes, or attend certain specified activities during school hours must first receive permission from the office. Approval for student guests (who must be from out of the area) must be obtained from teachers and administrators prior to visitation. Pep rallies, band concerts, and games are open to the public with consideration to the rules setup by the state and local school board.

### **STATEMENT OF NON-DISCRIMINATION**

It is the official policy of the Haleyville City School System that no person shall, on the grounds of race, color, handicap, sex, religion, national origin, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity, or employment.

### **EQUAL EDUCATIONAL OPPORTUNITY**

In accordance with the above, the Haleyville City School System does not discriminate on the basis of sex, race, national origin, creed, age, marital status, or disability in its educational programs, activities, or employment policies as required by Title VI ABD, Title VII of the 1964 Civil Rights Act, Title IX of the 1972 Educational Amendments, Section 504 of the Federal Rehabilitation Act of 1973, and the American with Disabilities Act (ADA). Haleyville City Schools utilize curriculum materials that reflect the cultural and racial diversity present in the United States and the variety of careers and roles open to women as well as men in our society. An objective of the total curriculum and teaching strategies is to reduce stereotyping and to eliminate bias on the issue of sex, race, religion, and disability. The curriculum fosters respect and appreciation for the cultural diversity found in our country and an awareness of rights, duties, and responsibilities of each individual as a member of pluralistic society.

## **The Laws Relating to Education**

**Attendance** is mandatory for students ages 6-17. Each parent/guardian having control or custody of a child required to attend school who fails to require the child to regularly attend school and compel the child to properly conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor (may be fined and may be sentenced to hard labor for up to 90 days).

ACT 93 -782 Code of Alabama 1975, §16-28-12

**Violations:** If a person is found to have violated a local board of education policy concerning drugs, alcohol, weapons, physical harm to a person or threatened physical harm to a person, the person may not be readmitted to the public schools until criminal charges, if any, have been disposed of by appropriate authorities and the person has satisfied all other requirements imposed by the local board of education as a condition for readmission. ACT 94-784 Code of Alabama 1975, § 16-1-24.1

**Assault** with intent to cause serious physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his/her duty is a Class C Felony ACT 94-794 Code of Alabama 1975, § 13A-6-21

**Weapons:** No person shall knowingly with intent to do bodily harm carry or possess a deadly weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony. ACT 94-817 Code of Alabama 1975, § 13A-11-72

**Damages:** The parents or guardian of any minor under the age of 18 shall be liable for the actual damages sustained to school property, plus the court costs, caused by intentional, willful or malicious acts of a minor. ACT 93-819 Code of Alabama 1975, § 6-5-380

**Driving:** DPS shall deny a driver's license or learner's permit to any person under 19 who is/has not received a diploma or certificate of graduation, enrolled in a GED program, enrolled in a secondary school, participating in a job training program, gainfully employed, a parent of a minor or unborn child, the sole source of transportation for parents, or exempt under provisions of the law.

**Sexting** is the act of sending sexually explicit messages or photographs. Sexually explicit photographs of anyone under the age of 18, is a felony in all states even if the person is sending photos of themselves. Charges can be placed on the sender along with the person that receives the images.

## TABLE OF CONTENTS

I.	Introduction and Jurisdiction of the School Board . . . . .	6
II.	Family Educational Rights and Privacy Act (FERPA). . . . .	6-7
III.	Role of the Home, Students, School, and School Personnel . .	7-8
IV.	Formal Disciplinary Action and Procedure . . . . .	8-10
	a. Before and After School Detention	
	b. Corporal Punishment	
	c. Disciplinary Probation	
	d. Expulsion	
	e. In-School Suspension	
	f. School Board Hearing	
	g. School Bus Suspension	
	h. Out of School Suspension	
	i. Work Assignments	
	j. Administrative Hearing	
	k. Saturday School	
	l. Alternative School	
	m. Disciplinary Point System	
II.	Administration Of Suspension and Expulsion . . . . .	10
III.	Classification of Offenses . . . . .	11-15
IV.	Student Rules and Procedures . . . . .	15-30
	a. Due Process	
	b. Grievances and Complaints	
	c. Attendance Policies	
	d. Truancy	
	e. Miscellaneous Rules /Tardies	
	f. Check Out Procedures	
	g. Make Up Work	
	h. Attendance and Conduct Law	
	i. “No Fight” Policy	
	j. Searches	
	k. Sexual Harassment	
	l. Students Transportation Rules of Conduct	
	m. Dress Code and Appearance	
	n. Cell Phone/ECD Policy	
VII.	Exemption Policy . . . . .	25
VIII.	Medication Policy . . . . .	25-26
IX.	Acceptable Use and Internet Safety Policy . . . . .	26-29
X.	Section 504 Processes and Procedures . . . . .	29-31
XI.	Harassment Complaint Form . . . . .	32
XII.	“Parents Right to Know” Request Form . . . . .	33
XIII.	Parent Acknowledgement . . . . .	34

**HALEYVILLE CITY SCHOOLS**  
***CODE OF STUDENT CONDUCT***

**I. INTRODUCTION**

***PHILOSOPHICAL BASIS***

The Haleyville City Board of Education believes that instruction should occur in an environment that is conducive to learning. Effective instruction requires good order and discipline, which may be described as the absence of distraction, frictions and disturbances which interfere with the effective functioning of the student, class and school. It is also the presence of a friendly, yet business-like atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals.

As students progress in our public schools, it is reasonable to assume that an increase in age and maturity require different types of disciplinary actions; however, the procedures identified shall apply to all students.

To assist students, parents, administrators and faculty in maintaining such an environment, the Code of Student Conduct is designed to accomplish the following:

- Describe roles of the home, student, school and school personnel.
- Describe student rights and responsibilities.
- Identify formal disciplinary actions.
- Standardize procedures for administering formal disciplinary actions.
- Identify classifications of violations and describe procedures for disciplinary action.

***JURISDICTION OF THE SCHOOL BOARD***

Students enrolled in the Haleyville City School are subject to the policies of the Haleyville Board of Education and to the rules and regulations of the school. This authority applies to all school-sponsored activities including but not necessarily limited to the following:

- Regular school activities.
- Transportation on school buses.
- Field trips.
- Athletic functions.
- Activities where appropriate school personnel have jurisdiction over students.

All school regulations and prohibitions pertain to automobiles driven or parked on school property. In addition to the foregoing, jurisdictional control over the student may be extended to the immediate vicinity of the school when the conduct of the student is deemed to have a detrimental effect of the health, safety and welfare of the school.

**II. NOTIFICATION OF RIGHTS UNDER FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the District receive a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the

District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, SW  
Washington, DC 20202-4605

### **III. ROLE OF THE HOME, STUDENT, SCHOOL, AND SCHOOL PERSONNEL**

In order for effective instruction to occur, there must be a cooperative relationship between student, parent and educator. This relationship may be described as follows:

#### *Parents or Guardians should:*

- maintain regular communication with the school authorities concerning their child's progress and conduct.
- ensure that their child is in daily attendance and promptly report and explain an absence or tardiness to school.
- provide their child with the resources needed to complete class work.
- assist their child in being healthy, neat, and clean.
- bring to the attention of school authorities any problem or condition which affects their child or other children of the school.
- discuss report cards and work assignments with their child.
- maintain up-to-date emergency telephone numbers (home, employment, etc.) at the school, including doctor, hospital preferences and emergency health care forms.

#### *Students should:*

- attend all classes daily and be punctual in attendance.
- be prepared to come to class with appropriate working materials.
- be respectful to all individuals and property.
- refrain from profane or inflammatory statements.
- conduct themselves in a safe and responsible manner.
- be clean and neat.
- be responsible for their own work.
- abide by the rules and regulations of the school and each classroom teacher.
- seek changes in an orderly and recognized manner.

*Schools should:*

- encourage the use of good guidance procedures.
- maintain an atmosphere conducive to good behavior.
- exhibit an attitude of respect for students.
- plan a flexible curriculum to meet the needs of all students.
- promote effective training or discipline based upon fair and impartial treatment of all students.
- develop a good working relationship among staff and with students.
- encourage the school staff, parents or guardians, and students to use the services of community agencies.
- promote regular parental communication with the school.
- encourage parent participation in affairs of the school.

*School personnel should*

- be in regular attendance and on time.
- perform their duties with appropriate materials.
- respect other individuals and their property.
- refrain from profane or inflammatory statements.
- conduct themselves in a reasonable and responsible manner.
- be neat and clean.
- adhere to the rules and regulations established by the school.
- pursue improvements in an orderly and recognized manner.
- utilize a variety of informal disciplinary and guidance methods, in addition to formal disciplinary action including:
  - student program adjustment.
  - referral to appropriate personnel for group or individual counseling with guidance counselor, peer counseling, psychological evaluations, and such other services deemed appropriate.
  - conferences and/or contacts between administrators, parents or guardians, teachers and students.
  - referral to appropriate agencies for specific programs.

*Free Speech/Expression*

Citizens in our democracy are guaranteed self-expression under the First Amendment and Fourteenth Amendments of the United States Constitution. Since one of the basic purposes of education is to prepare students for responsible self-expression, students at Haleyville City Schools are entitled to exercise rights secured to them under these amendments including the right to freedom of speech, religious expression, and assembly so long as these rights do not infringe on the rights of others, on the orderly nature of the educational process, or both. These rights are also subject to the imposition of reasonable restrictions on the time, manner, and place of such activities.

#### **IV. FORMAL DISCIPLINARY ACTION AND PROCEDURE**

The authority of the school officials to control student conduct off school grounds and outside school hours is well settled in the law. Where the students are engaged in a school-sponsored activity, the authority of the school officials is the same as if the activity took place on school property.

#### **BEFORE OR AFTER SCHOOL DETENTION HALL**

Students are assigned to a designated room on campus for a specified period of time.

#### **Corporal Punishment**

Moderate use of physical force or physical contact by a school administrator as may be necessary to maintain discipline or to enforce school rules. When such punishment is required it shall be administered with care, tact, and caution and then only by an administrator in the presence of another adult professional school employee.

#### **Disciplinary Probation**

Assignment for a specified period of time to a staff member who will assist in monitoring the student's adjustment to the school environment (Students will have a behavior plan in place). Any student who receives 20 disciplinary points or more will be subject to disciplinary probation at the discretion of school administration. Students who receive 40 disciplinary points or more will automatically be placed on disciplinary probation in lieu of possible alternative school assignment. Students who receive 40 disciplinary points at the end of the last grading period will be placed probation at the beginning of the next school year and may be placed in alternative school.



### **Expulsion**

Removal of the right and obligation of a student to attend a public school under conditions and regulations set by the school board and State of Alabama for a period of time not to exceed the remainder of the school year and one additional year of attendance for all violations except for any expulsion resulting from a violation of the school's safe and drug free policy.

In addition to any general requirements of the proceeding paragraphs:

If a person is found to have violated the Board of Education's policy concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, the person may not be readmitted until (1) criminal charges or offenses arising from the conduct, if any, have been disposed of by appropriated authorities and (2) the person has satisfied all other requirements imposed by this Board as a condition for readmission.

Any person determined to be guilty of an offense involving drugs, alcohol, weapons, physical harm to another person, or threatened physical harm to a person, may be readmitted to the Haleyville City School System upon such conditions as the Board of Education shall prescribe for preservation of the safety or security of students and employees of the Board, which may include, but are not limited to, psychiatric or psychological evaluation and counseling.

### **In-School Suspension Program**

ISS is a provision of tutorial and guidance services provided in a restricted environment on school grounds.

### **School Board Hearing**

Hearing by the school board, with the parent(s) or guardian and the school board staff both being given an opportunity to speak before the board.

### **School Bus Suspension**

Denial of the privilege of riding a school bus, based on misconduct occurring while the student is being transported at public expense.

### **Out of School Suspension**

Suspension is the removal of students from their regular school program for a period not to exceed ten school days.

### **Work Assignments**

Supervised activities related to the upkeep and maintenance of school facilities. Work assignments are not intended to interfere with any student's academic courses.

### **Administrative Hearing**

An administrative review or hearing shall be conducted on all proposed expulsions prior to presentation to the local board of education.

### **Saturday School**

Students with repeated discipline problems will be required to attend Saturday School. Failure to attend will result in additional days of Saturday school and add discipline points toward alternative school eligibility. Saturday School will be from 8:00am until noon. Students may choose to take work assignments to reduce time. The Administrator has the right to adjust the start and ending time of Saturday school.

### **Alternative School**

Alternative school may be assigned to students who reach a minimum of 40 discipline points, for significant disciplinary infractions as determined by the school principal, or as an option to expulsion as decided by the Superintendent and the BOE.

### **Disciplinary Point System**

Unfortunately, some students may habitually repeat violations of the Code of Student Conduct. Hence, a cumulative point system has been adopted by Haleyville City Schools as a measure to improve student behavior and conduct. The administrator, or his designee, will be responsible for assigning points and for keeping accurate records. To emphasize that the point system is separate and additional to the regular prescribed discipline the point system is to be utilized by the principal or designee, and not teachers. General classroom disruptions will be handled in class by the classroom teacher and will therefore not count points against the student unless an office referral is made. The principal or his designee will document all office referrals and discipline points will be applied for disciplinary violation. The principal or designee will use the criteria below to assign discipline points to students.

### **Code of Conduct Violations and Criteria of Applicable Points**

Class I violations –	2/4 points
Class II violations –	10 points
Class III violations –	40 points

Step 1 - Once a student accumulates 20 discipline points, parental contact will be made in writing or orally informing them of the student's problem. Any student who receives 20 disciplinary points or more will be subject to disciplinary probation at the discretion of school administration.

Step 2 - After a student has received 30 discipline points or more during a semester the school will arrange a parent conference when possible.

Step 3 - If a student accumulates 40 discipline points at any time he/she will be referred to the School Disciplinary Committee and an administrative hearing may be scheduled to determine if the school board will be asked to consider Alternative School placement or long-term expulsion. Students who receive 40 disciplinary points or more will automatically be placed on disciplinary probation in lieu of possible alternative school assignment. Students who receive 40 disciplinary points at the end of the last grading period will be placed on probation at the beginning of the next school year. Additionally, the student may be referred to the Juvenile Court system.

### **V. PROCEDURES FOR THE ADMINISTRATION OF SUSPENSION AND EXPULSION**

A student recommended for suspension or expulsion will be made aware of charges and given an opportunity to respond. Anytime an action warrants suspension or expulsion, a reasonable effort will be made to contact the parents by telephone and by written notice delivered by the student and/or the U.S. mail.

The student is responsible for notifying his/her parents of all written communications from the school. Failure to do so may result in further disciplinary action.

**NOTWITHSTANDING THE FOREMENTIONED**, in the event that a student violates the Board of Education and/or Haleyville City School's policy/policies concerning drugs, alcohol, weapons, physical harm to another person, or threatened physical harm to a person, then in such event, the student shall be immediately suspended and the Principal will then request the Superintendent in writing, that an expulsion hearing be conducted and upon receipt of such writing, the Superintendent shall immediately notify the Board and pursuant to Code Section 16-1-24-1 demand that the Board conduct an expulsion hearing within five (5) days from the date of the suspension of the student for such major violations.

The Superintendent shall also notify the parent and/or guardian of the suspended student, in writing, of the date and time of the expulsion hearing and that all rights of due process and constitutional requirements will be made available at such hearing, including but not limited to the opportunity to attend, call witnesses to testify, cross-examination of witnesses and that they may employ an attorney to represent their interests at such hearing. If the student is found to have violated the local board policy or violated a major offense as that term is defined by the Haleyville City School's Code of Conduct concerning drugs, alcohol, weapons, physical harm to another person, or threatened physical harm to a person, then in such an event, the student shall not be readmitted to any of the Haleyville City School's until such time as (a) any criminal charges or offenses arising from the conduct have been disposed of by the appropriate authorities and (b) the student has satisfied all of the other requirements imposed by the local board of education as a condition for readmission.

### **VI. CLASSIFICATION OF VIOLATIONS**

Violations of the code are grouped into three classes - Class I, Class II, and Class III. Each classification is followed by a disciplinary procedure that is to be implemented by principals and their designees. The three classifications are examples and are not intended to be all inclusive.

In the following classes of violations and disciplinary procedures, it is understood that the principal or his/her designee shall hear the student's explanation and consult further with school personnel, if necessary, before determining the classification of the violation.

Each classroom teacher will deal with general classroom disruption by either taking in-class disciplinary action, by making a personal call to the parents or guardians when feasible, or by scheduling conferences with parents or guardian and other school staff. Only when the action taken by the teachers is ineffective, or the disruption is sufficiently severe, should the student be referred to the principal or his/her designee.

## **MINOR OFFENSES – CLASS I**

### **1.01 Excessive distraction of other students.**

Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or to any other students. Examples: talking excessively, interrupting class functions, chewing gum, provoking other students.

### **1.02 Illegal organization.**

Any on-campus activities of fraternities, sororities, secret societies or non-affiliated school clubs.

### **1.03 Minor intimidation of a student.**

The intentional, unlawful threat by work or act to do harm to another ability to do so, and the performance of some act which creates a well-founded fear in the person that such harm is likely.

### **1.04 Participation in games of chance for minor sums of money and/or other things of little value.**

### **1.05 Excessive tardiness.**

Repeatedly reporting late to school or class. (Refer to page 2)

### **1.06 Unintentional and/or non-directed use of profane or obscene language.**

### **1.07 Non-conformity to dress code.**

### **1.08 Minor disruption on a school bus.**

### **1.09 Inappropriate public display of affection.**

Including, but not limited to, embracing and kissing.

### **1.10 Unauthorized absence from class or classes.**

### **1.11 Intentionally providing false information to a School Board employee.**

Including, but not limited to, student information data and the concealment of information directly related to school business.

### **1.12 Continued refusal to complete class assignments.**

### **1.13 Failure to follow instructions.**

Examples: Failure to carry correspondence home, failure to obey directions in the hallways, assemblies, etc.

### **1.14 Unauthorized use of school or personal property.**

### **1.15 Littering or defacing of school property.**

### **1.16 Possession of cigarette lighters, matches, etc. without written administrative approval and will result in the confiscation of said articles which will only be returned to student's parents or legal guardian.**

### **1.17 Sitting in parked vehicle after arriving at school or returning to vehicle during the day without permission**

### **1.18 Disrespect by student toward a School Board employee.**

### **1.19 Sexual Harassment: any physical, verbal, or visual misconduct of a sexual nature which creates an intimidating, hostile, or offensive educational environment.**

## **1.20 Cheating**

- 1.21 Any other violation which the principal may deem reasonable to fall within this category after consideration of extenuating circumstances.**

### **Disciplinary Actions / Minor Offenses- Class I**

**First Offense:** 2/4 Points: In-school conference, Detention (1-3 days), In School Suspension (1-3 days), Corporal Punishment (1-3 licks), Suspension (1-2 days), Work Assignment, Other

**Subsequent Offenses:** 4 Points: Detention (3-5 days), In School Suspension (1-5 days), Corporal Punishment (1-3 licks), Saturday School, Suspension (1-3 days), Work Assignment, Other

**Repeat Offenders:** 10 Points: Students who have subsequent offenses for the **same offense** (e.g. three or more violations of #1) may be considered repeat offenders and the offense may be moved to a CLASS II offense at the discretion of an administrator.

## **INTERMEDIATE OFFENSES – CLASS II**

### **2.01 Defiance of School Board employee's authority.**

Any verbal or non- verbal refusal to comply with a lawful direction or order of a School Board employee.

### **2.02 Use or possession of tobacco or nicotine products, including electronic cigarettes, vapor pens, etc.**

### **2.03 Simple assault on a School Board employee.**

The intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, the performance of some act which creates a well-founded fear in the other person that such violence is imminent.

### **2.04 Battery upon students (fighting).**

Threatening or appearing to threaten to cause bodily harm to an individual. After investigating the incident, an administrator will determine assignment(s).

### **2.05 Vandalism.**

Intentional and deliberate action resulting in injury or damages of less than \$200 to public property or the real personal property of another.

### **2.06 Stealing – Larceny – Petty Theft – Gambling.**

The intentional, unlawful participation in gambling activities involving amounts less than \$100. Stealing tests, gradebooks, falsifying records, communicating answers or trying to gain unfair advantage for the purpose of improving grades.

### **2.07 Pushing or Shoving**

Intentionally and deliberately pushing, or shoving another student in an aggressive fashion but stopping short of a full fight and stopping the aggressive behavior immediately when directed by a school official.

### **2.08 Possession of stolen property with the knowledge that it is stolen.**

### **2.09 Threats – Extortion.**

Verbally or by written or printed communication, or by use of a weapon or facsimile of a weapon or any device which could be mistaken for or interpreted as a weapon, maliciously threatening an injury to the person property, or reputation of another, with the intent to extort money of any pecuniary advantage whatsoever, or with the intent to compel the person so threatened or any other person to do any act or refrain from doing any act against his or her will. Note: Completion of the threat, either by the victim's complying with the demands or the carrying out of the threats against the victim, constitutes a Class III offense.

- 2.10 Trespassing**  
Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; is warned by an authorized person to depart and refuses to do so
- 2.11 Use of obscene manifestations/language, racial remarks, and/or instigating a disruptive situation or provoking other students by using verbal, written, or gestures directed toward another person(s).**
- 2.12 Directing obscene or profane language or racial remarks to a School Board employee.**
- 2.13 Leaving class or campus without permission, or skipping school.**
- 2.14 Unsolicited written or verbal proposition to engage in sexual acts.**
- 2.15 Possessing and/or igniting fireworks, firecrackers, or smoke bombs.**
- 2.16 Harassment to include one student hitting another but stopping before fighting between the two individuals.**
- 2.17 Speeding (exceeding any posted campus speed limit), reckless driving or failure to observe all traffic laws and local school regulations.**
- 2.18 Any misuse of computers.**  
Students are to use only their passwords and keep their passwords confidential. **Students are to use only the computer programs to which they are assigned. If a student is doing research for a school assigned paper or project they are to only use the internet sites related to their topics or subjects. Students are only to access their email when it is in relation to their school work. Students are not to insert any flash drive or external device or a disc without the permission of the media specialist/teacher/ paraprofessional.**
- 2.19 Unauthorized use or misuse of any electronic devices.** See page 36 and/or Electronic Device Policy
- 2.20 Open disrespect of a School Board employee.**
- 2.21 Forgery of school documents, parent signature, doctor excuses etc.**
- 2.22 Sexual Harassment:** Any sexual advances, request for sexual favors, use of vulgar or sexually explicit verbal or written comments, gestures or conduct, obscene or sexually explicit pictures, sexually oriented “kidding,” teasing, or practical jokes directed toward another person or offensive to a third party observer.
- 2.23 The wearing or displaying of colors or clothing, making hand signals or body gestures, and/or using verbal language or chanting that would suggest gang affiliation.** Students will be sent to Out of School Suspension for one day, and fifteen days at Alternative Placement (6-12) or other Class II Administrative Options.
- 2.24 Any other offense which the principal may deem reasonable to fall within this category after consideration of extenuating circumstances**

#### **Disciplinary Actions for Class II Offenses**

**First Offense:** 10 Points: Detention (5-10 days), Corporal Punishment (1-3 licks), In School Suspension (3-5 days), Saturday School (1-2 days), Suspension (3-5 days), Work Assignments, Other

**Subsequent Offenses:** 10 Points: In School Suspension (5 days), Saturday School (2 days), Suspension (5-10 days), Work Assignments, Other

**Repeat Offenders:** 40 Points: Students who have subsequent offenses for the **same offense** (e.g. three or more violations of #2) may be considered repeat offenders and the offense may be moved to a CLASS III offense at the discretion of an administrator and this may warrant alternative school placement

## **MAJOR OFFENSES – CLASS III**

### **3.01 Drugs**

Unauthorized possession, transfer, use or sale of drugs, drug paraphernalia or alcoholic beverages.  
(Possession means on your person, in your property, locker or vehicle)

### **3.02 Arson**

The willful and malicious burning of any part of Board property.

### **3.03 Battery upon a Board employee**

The unlawful and intentional touching or striking of a Board employee against his or her will, or the intentional causing of bodily harm to a School Board employee.

### **3.04 Robbery**

The taking of money or other property which may be the subject of larceny from the person or custody of another by force, violence, assault, and instilling the fear of same.

### **3.05 Stealing – Larceny – Grand Theft**

The intentional unlawful taking and/or carrying away of property valued at \$100 or more belonging to or in the lawful possession or custody of another

### **3.06 Gambling**

The intentional unlawful participation in gambling activities involving amounts of more than \$100.

### **3.07 Burglary of school property**

Entering or remaining in a structure or conveyance with the intent to commit an offense therein during the hours the premises are closed to the public.

### **3.08 Criminal mischief**

Willful and malicious injury or damages at or in excess of \$200 to public property or to real or personal property belonging to another.

### **3.09 Possession of firearms**

Any firearm (including a starter gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device. Expulsion of minimum of one year if student is found to be in violation of this major offense. (See Gun-Free Schools Act page 30).

### **3.10 Discharging of any pistol, rifle, shotgun, airgun or any other device.**

### **3.11 Possessions of weapons**

Possession of weapons: (possession means on your person, in your property, locker or vehicle) Weapons include but are not limited to the following:

1. A firearm, or any other device from which a projectile is discharged by explosive powder.
2. A realistic replica of any firearm.
3. Air gun, blank gun (starter's pistol), gas operated gun.
4. Explosive device of any type including but not limited to fireworks or ammunition.
5. Knife, irrespective of the blade length, or any other item that utilizes a razor blade or other blade, replacement or fixed; or metal fingernail file.
6. Numchucks (nunchaku), throwing stars, fighting claws or other weapons utilized in martial arts.
7. Any device capable of discharging a projectile of any kind.
8. Any other object not specifically listed which is primarily meant and adapted for attack and for the infliction of injury. Use of cutting devices are allowed when issued by a teacher for classroom use such as biology, art, etc., and is used under the strict supervision of the teacher

### **3.12 Bomb threats**

Any such communication(s) concerning School Board property which has the effect of interrupting the educational environment.

**3.13 Explosives**

Preparing, possession or igniting explosives on School Board property.

**3.14 Sexual acts**

Acts of sexual nature including but not limited to, battery, intercourse, attempted rape, or rape.

**3.15 Aggravated battery – Serious fight**

Intentionally causing bodily harm, disability or permanent disfigurement; use of deadly weapon; any significant physical conflict in which injury occurs or fighting continues after being warned to stop by a school Board employee: fighting is a violation of the Code of Alabama 13A-11-7 and is considered disorderly conduct. Students guilty of this type of fighting will be Out of School Suspended for three days and assigned to Alternative Placement for a minimum of thirty days, followed by a report being filed with the Haleyville Police Department and a referral to the Juvenile Court authorities or other Class III Administrative Options.

**3.16 Inciting or participating in major student disorder**

Leading, encouraging or assisting in (major) disruptions which result in destruction or damage of private public property or personal injury to participants or others.

**3.17 Unjustified activation of a fire alarm system**

**3.18 Offensive touching of another person**

**3.19 Open defiance of a teacher or Board employee**

**3.20 Any gross abuse of computers or computer programs.**

Students are not to take any parts of a computer or damage a computer in any way. Students are not to use computers to bully or threaten any individual or entity. Students are not to misrepresent themselves when using a computer.

**3.21 Possession of gang paraphernalia or insignia, writing gang insignia on personal or school property, exhibiting threatening, hostile, or bullying behavior, etc.**

**3.22 Any sexual harassment that may be a violation of the Code of Alabama.**

**3.23 Any other offense which the principal may deem reasonable to fall within this category after consideration of extenuating circumstances**

**Disciplinary Action/ Major Offenses Class III**

Commission of a Class III Offense may necessitate the involvement of appropriate legal agencies. The principal shall suspend the student and may recommend him/her for expulsion or alternative school as well as requesting restitution of property and damages where appropriate. Due process will be followed. 40 points will be assigned for CLASS “III” offenses.

**VII. STUDENT RULES AND PROCEDURES**

**a. DUE PROCESS**

Any Due Process Procedure should include the following:

1. The student should be given oral or written notice of the charge against him/her.
2. If the student denies the charges, he is entitled to an explanation of the evidence the school has as a basis of the charge.
3. The student shall have an opportunity to tell his side of the story.
4. There need be no delay between the time notice is given and the time of the hearing with the principal and/or his designee. In a majority of cases the principal may informally discuss the alleged misconduct with the student minutes after it has occurred.
5. Since the hearings may occur almost immediately following the misconduct, generally the notice and hearing should precede the suspension.

6. In cases where the presence of the student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the student may be immediately removed from school. In such cases, the notice and hearing should follow as soon as practicable. Code of Alabama (1975) Section 16-1-14 Removal, separation or grouping of pupils creating disciplinary problems.

**b. GRIEVANCES AND COMPLAINTS**

The following steps provide a fair resolution of student grievances, including those complaints alleging any action which would be prohibited by Title IX of the Educational Amendments of 1972 (sex discrimination) and other applicable laws relating to discrimination of any kind including gifted.

**The grievance procedure should proceed through the levels of progression as listed below:**

**Level 1 – School** (Teachers, Bus Drivers, Non-Instructional personnel, Counselors and Coaches) Ask the teacher or person(s) who you feel treated you unfairly to discuss the grievance/complaint with you. **This shall be done within ten (10) days of the day the situation occurred.**

**Level 2 – School Principal**

If the problem is not resolved in step one, **submit your complaint, in writing, to the principal within five (5) days** of speaking with the teacher or person(s) you feel treated you unfairly

**Level 3 – Director of Student Services**

**This should be done within five (5) days of the meeting with the principal.** A meeting will be scheduled by the principal with the grievant and shall investigate with the other parties to bring a satisfactory solution to the problem. **The Director of Student Services will inform the student and his/her parents/guardians of his/her decision within five (5) days of the meeting.**

**Level 4 - Superintendent**

**This should be done within five (5) days of the meeting with the Director of Student Services.** A meeting will be scheduled by the principal with the grievant and shall investigate with the other parties to bring a satisfactory solution to the problem. **The Superintendent will inform the student and his/her parents/guardians of his/her decision within five (5) days of the meeting.**

**Level 5- School Board**

**If a resolution to the problem is not reached in step three, the student or the student's parents/guardians may appeal, in writing, to the Haleyville City Board of Education within fifteen (15) days after the meeting with the superintendent.** The board will consider the complaint at the next regularly scheduled board meeting. At this time the student and/or the student's parents/guardians shall have the right to explain the problem in person or in writing to the board. **The board shall inform the student and his/her parents/guardians in writing of its decision within fifteen (15) days after the meeting.**

**c. ATTENDANCE POLICIES**

The Haleyville School System believes that regular attendance is necessary and required for a student to be successful academically. In order to provide uniformity and credibility in handling enrollment and non-attendance problems, a systematic approach is necessary. Proper communication with students and parents regarding absenteeism is essential. The following policies have been established to accomplish these goals. The only person authorized to make an exception to these policies is the Superintendent of Education.

**1. Attendance**

- a. Compulsory attendance is mandated by Alabama Law for any child age six through seventeen years. Regular attendance is required except when excused by the Superintendent, Board of Education, or the Court.
- b. It shall be the responsibility of all teachers and principals to report cases of non-enrollment and irregular attendance to the attendance supervisor.
- c. Perfect attendance certificates shall be awarded to students who have attended every day for the entire year.
- d. Students with excessive absences (5 or more unexcused) will not be allowed to participate in field trips, prom, or extracurricular activities excluding athletic and co-curricular activities which have in place their own specific policies.



## 2. Absenteeism

- a. Alabama Law provides that proof of excused absences, other than days excused by the principal for participation in school activities, shall be the responsibility of the parent or guardian. Parents/Guardians shall send a note of explanation or send proper legal documentation to the school within three (3) days after the child returns to school. The letter should contain the reason for the absence, a valid phone number where the parent/guardian can be reached, and a signature of the parent/guardian. Failure of the parent/guardian to verify an absence, will result in the absence being marked unexcused. Absences will be recorded as excused or unexcused as defined by the Alabama Department of Education. Acceptable excused absences are: (1) Personal illness, (2) Inclement weather, (3) Legal, (4) Death in immediate family. **Do not assume that an absence is automatically excused if the parent has consented. The decision to EXCUSE or UNEXCUSE an absence is an administrative decision based on Alabama State Law.**
- b. After a total of five (5) excused absences or (5) Check-in/Check-outs verified by parent notes during a semester, students will be required to provide legal documentation (e.g. doctor, dentist, court, funeral, etc.) in order for the absence(s) or Check-in/Check-out to be excused. Additionally, a parent note may not account for consecutive days absent. Under special circumstances an administrator may excuse an absence or consecutive absences or may allow students to make up time via credit recovery, on Saturdays, or during the summer months when appropriate to avoid failure (i.e. FAs).
- c. Should a student miss more than 2 days in a semester (using parent notes as an excuse), the parent or guardian of that student must contact the school administrator by 9:00 a.m. on the day of the 3<sup>rd</sup> and any subsequent absence during the semester, to inform the school administrator about the child's absence and the reason for the absence. Should the parent or guardian fail to contact the school on the 3<sup>rd</sup> or subsequent absence, the parent note delivered when the student returns to school will be deemed unexcused.
- d. Any absence during nine weeks testing or semester exams will require a doctor's excuse or prior written permission from the principal to be excused.
- e. Any student enrolled in grades K – 8 who has accumulated more than twenty (20) unexcused during the year, shall be retained in the same grade the succeeding year. (Regardless of academic average.)
- f. Any student enrolled in grades 9 – 12 who has accumulated more than ten (10) unexcused absences during a semester, shall not receive credit in the course in which the absences exceed ten (10). The principal will determine FAs and under special circumstance may allow students to make up time via credit recovery or by other means as determined by the principal.
- g. The parent or guardian of K - 8 students and attendance supervisor shall be notified by letter when the student has accumulated the 10<sup>th</sup> and 19<sup>th</sup> absence per year.
- h. The parent or guardian of 9 – 12 students shall be notified by letter when a student has accumulated the 9<sup>th</sup> absence of each semester.
- i. The decision of the local school to deny credit or to retain a student may be appealed to: first the local school in a conference with an attendance committee, and second to the Superintendent in writing within five (5) days after the conference at the local school. The Superintendent shall schedule a hearing within ten (10) days and shall give a decision in writing within three (3) days after the hearing.
- j. Provisions must be made for students to make up work missed during an excused absence. It shall be the responsibility of the student to contact the teacher the day they return to school to arrange for make-up work.
- k. Students who have active lice or nits are not allowed to attend school; up to three (3) excused absences are given for time of treatment. After three days, absences will be unexcused.
- l. It shall be the responsibility of the homeroom and class teachers to monitor absentees. All students with absentee problems shall be referred to the principal or assistant principal. The principal or assistant principal shall report all absentee problems to the attendance supervisor.
- m. All absences shall be recorded in the school register according to instructions contained therein and reported as required by directives of the State Department of Education, local board, and local school.
- n. The Haleyville School System participates in the "Early Warning Program," in conjunction with the Winston County Juvenile Court.

## d. TRUANCY

**A parent, guardian, or other person having charge of any child officially enrolled in Alabama public schools (K-12) shall explain in writing the cause of any and every absence of the child no later than three (3) school days following the child's return to school.**

Failure to furnish such explanation shall be evidence of the child being truant each day he/she is absent. The child shall also be deemed truant for any absence determined by the principal to be unexcused based upon the State Department of Education's current School Attendance Manual. The Haleyville City Board of Education follows a stricter policy than that set by the Alabama State Department of Education.

**Alabama Compulsory School Attendance Law** requires any parents/guardians who enroll a student in school to be responsible for the child's (1) regular attendance, and (2) proper conduct. When a student does not regularly attend school or conduct himself/herself properly, the following guidelines have been adopted by the Haleyville City Board of Education to enable the school district to comply with *AL Code §16-28-12 (1975)* **The Early Warning Program**, a School Conduct Intervention Program, is a cooperative effort with the Haleyville City Board of Education, the Winston County District Attorney's Office and the Winston County Juvenile Court.

### **Early Warning Program**

The Early Warning Program consists of the following:

- Notification sent to parents/guardians concerning student absences/conduct
- Student and parents/guardians conferences with an administrator and/or counselors (conduct only)
- Referral to Early Warning – The Juvenile Court Officer and/or District Attorney discusses with the parents/guardians and student the importance of following the *Code of Student Conduct* and school attendance.
- Future sanctions are discussed if behaviors exhibited are not modified.
- Conferences with a court representative, parents/guardians, administrator, counselor, student and other(s) as identified by the principal
- CHINS (Child In Need of Supervision) petition and/or warrant for the parents/guardians

### **Referral**

When a student has reached the maximum number of Unexcused and/or Undocumented absences, check in/out, or tardies the procedure is as follows:

1. The parents/guardians or person having control or custody of the child shall be notified in writing of the referral to the Early Warning Program after 5 unexcused days.
2. The court system will send to the parents/guardians or person having control or custody of the child a notice to attend the Early Warning Program (Court appearance).
3. The parents/guardians of children age twelve (12) and younger will attend the Early Warning Program appointment without the child. Children age thirteen (13) and older are required to accompany their parents/guardians to the Early Warning Program appointment.
4. If a student in Haleyville City Schools has 7 unexcused absences, the principal is required and will file a complaint with the county clerk against the parent/s. The student will not be involved in the complaint, only the parent.

### **e. MISCELLANEOUS RULES**

1. **TARDY** - Promptness is a learned behavior that will be very beneficial throughout a person's life. It is important that students develop the self-discipline and maturity to get to school and class on time. When students are tardy, they miss instructional time and they interrupt class by entering late. When tardy to school or class, students will have to report to the Principal's office to get an admit slip. Tardy students will not enter class without the admit slip. Tardiness will be recorded in the office and students will be punished according to the following schedule:
  - a. 4/5 Tardies - 30 Minutes Detention
  - b. 6 Tardies – 2/30 Minute Sessions of Detention
  - c. 8 Tardies – 1 Day of In-School Suspension
  - d. 10 Tardies – 1 Day of Saturday School or 2 days of ISS (Parents contacted)

**NOTE:** The number of tardies is based on a student's total number of tardies to all classes. All students will start over at zero tardies at the beginning of each grading period. Students who have reached 10 tardies within the grading period will be reinstated at the fifth tardy stage or the ladder of the consequences. Driving privileges will be revoked for students who report late to school (i.e. after first period) 5 times or more per grading period. **Failure to attend assigned detention within three days will result in in-school suspension or other disciplinary action.**

f. **CHECK-OUT PROCEDURE**

The purpose for a school system allowing students to check-out is so that parents can have access to their students in the event of an emergency or situation that requires a student to leave school due to special circumstances.

Parents and students are reminded that the State of Alabama has strict laws concerning school attendance that can result in a court hearing if these laws are abused.

The check-out privilege is often abused. Please help encourage students to be at and stay at school all day. Students checking out during the school day will not be re-admitted that day without a valid excuse (e.g. doctor, dentist, court, funeral, etc.) verified by a parent/guardian.

Our policy concerning check-ins and check-outs are:

1. All check-ins and check-outs will be through the appropriate school office.
2. No student will leave campus without properly checking out.
3. Students arriving after the start of the school day must check-in through the appropriate office to obtain an admission slip before attending class.
4. All check-ins and check-outs will be documented via computer.
5. If an adult other than a custodial parent is permitted to check-out a student, proper documentation is required.

g. **MAKE UP WORK**

**EXCUSED ABSENCE PARENT NOTE** or **EXCUSED ABSENCE–DOCUMENTED** are required for an absence before a student will be allowed to make up assignments missed during an absence. All work should be made up. NOT GRADED.

**The student is responsible for**

- Obtaining assignments from the teacher(s) upon returning to school. It is the students responsibility to make arrangements with each teacher the day they return to school (day 1) all work must be returned by day 3 unless arrangements have been made with the teacher and/or an administrator. Failure to request make up work and return work in the allotted time frame will result in no credit for all missed assignments.
- Completing assignments within the assigned period of time (not to exceed 3 days) unless arrangements are made for an extended make up timeframe with the teacher and/or an administrator.
- Returning the completed assignment to the teacher(s) on the agreed upon time or within the timeframe allotted (3 days).
- Students are not required to take the test the day they return from an excused absence, but they may do so if they so choose. Teachers are not required to give students the same test as the students who were in attendance for the regular scheduled test. The test should however contain the same content as the other test and should be presented in a reasonable format to give the student an opportunity to be successful on the test.

**Student, parents/guardians should also note that**

- Any assignment(s) given with a due date on or during the excused absence date(s) will be due no more than one day from the student's return to school.
- Students returning from a long-term excused absence (e.g. more than three consecutive days) must make arrangements with their teacher(s) and/or an administrator to setup appropriate make-up assignment deadlines for each class.
- Suspension is an unexcused absence. Guidelines for make-up assignments do not apply for this absence and students will not receive credit for work during a suspension.
- All work must be made up before credit can be assigned in the subject.

h. **ATTENDANCE AND CONDUCT LAW**

**Attendance & Conduct (ACT 94-782)**

Each parent/guardian or other person having control or custody of a child required to attend school who fails to require the child to enroll, to regularly attend school, or to compel the child to properly conduct himself/herself as a student in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor (may be fined up to \$100 and may be sentenced to hard labor for up to 90 days).

**Drop-Out / Driver's License** (ACT 94-820 which amended ACT 93-368 as found in 16-28-40, *Code of Alabama 1975*: The Alabama Department of Public Safety shall deny a driver's license or learner's permit to any person under the age of 19 years who is not enrolled or has not received a diploma or certificate of graduation.

***Exceptions made for a person who is***

- ☐ enrolled in a GED program
- ☐ enrolled in a secondary school
- ☐ participating in an approved job training program
- ☐ gainfully employed
- ☐ the parent of a minor or unborn child
- ☐ the sole source of transportation for parent/guardian

**Stewart B. McKinney Homeless Act 1987**

42 USC §§11431-11435 PL 100-77 *Alabama Administrative Code* 290-3-1(7) (c) through 290-3-1-.02(7) (i) (iv) This is a federal program or law to provide outreach to homeless children and youth and help them enroll in and attend school. No other program or law requires states and schools to identify and eliminate barriers to enrollment, attendance, and success in school.

**Age Requirement for Kindergarten**

*1975 Alabama Code §16-28-4*

A child who is five years of age on or before September 2 or the date on which school begins in the enrolling district is entitled to admission to the kindergarten program at the beginning of the school year or as soon as practicable thereafter.

**Documentation Required**

The parents/guardians of children enrolling in grades K-12 in the Haleyville City School System shall provide the following:

- ☐ **Birth Certificate**
- ☐ **Proof of custody when warranted**
- ☐ **Copy of parent/guardian driver's license**
- ☐ **Documented Proof of Immunization** as required by state law—Alabama Forms IMM-50, IMM-49-Temporary; IMM-51-Medical Exemption; and IMM-52-Religious Exemption will be the exceptions
- ☐ **Proof of residency-must provide two types of documentation** (Utility or other type bill/document with the address of the primary residence shown. A Post Office Box is not acceptable for proof of residency)

i. **"NO-FIGHT" POLICY**

The Haleyville City School System Board of Education is obligated to provide a safe and orderly environment that is conducive to teaching and learning. Therefore, it is the policy of this school system that fighting in school buildings, on school grounds, at any school-sponsored event, or on a school-owned/maintained vehicle will not be tolerated. A fight is defined as any conduct falling within the Alabama statutes defining assault, menacing and reckless endangerment, or criminal coercion.

The Superintendent, working cooperatively with the local police and/or sheriff, the District Attorney, and the Juvenile Court, shall enforce this **"NO-FIGHT" POLICY** at all schools within the system.

Individuals who initiate a fight will be subject to a more severe punishment than individuals who are on the defensive. An administrator will determine initiation when possible. However, both parties will be punished as a result of the "NO-FIGHT" POLICY.

j. **SEARCHES**

The Board of Education believes inspection of student lockers, purses, bags, vehicles, like items and their contents is a right and responsibility of school administrators whenever there is a reasonable cause to believe illegal items are kept in such places while on school grounds or at school sponsored activities. Parents and students should be aware that school officials have this right. Lockers, purses, bags, vehicles, like items and their contents shall be opened in the student's presence when administratively feasible. A student not present shall be informed of the search when applicable. Items that are specifically prohibited by law, Board policy, or school regulations may be impounded. Care should be exercised when school administrators anticipate impounding evidence that might be used in criminal prosecution against the student. The student shall be given a receipt for any items impounded by school administrators and parents/guardians shall be notified of any items impounded.

The Board respects the civil rights of each person in our schools and will uphold these rights. At the same time, school property is not to be regarded as a sanctuary from enforcement of the law.

Furthermore, it shall be the policy of the Haleyville City School system to allow law enforcement agencies to make periodic unannounced visits to any Haleyville City School site for the purpose of detecting the presence of illegal drugs.

k. **SEXUAL HARASSMENT**

Students shall not engage in conduct constituting sexual harassment. Sexual harassment, whether between students or between a student and an employee is illegal and will not be tolerated. The Board will investigate all allegations of sexual harassment and take appropriate action against students who engage in sexual harassment. Disciplinary action against students for violation of this policy may include verbal or written warning, suspension, or expulsion.

Sexual harassment is defined to include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the advances, requests, or conduct have the effect of interfering with performance of school related activities or creating an intimidating, hostile, or otherwise offensive environment in or about the school or school facility.

l. **STUDENT TRANSPORTATION RULES OF CONDUCT**

All transportation programs shall be operated in accordance with provisions of The Code of Alabama and State Board of Education rules and regulations. The primary consideration of the transportation program shall be the safety and welfare of the students.

Students, when being transported via Board-owned vehicles, including the activity buses, shall follow the policies listed below:

**Class I Offense/Minor**

1. Failure to remain seated
2. Talking in a loud or disrespectful manner
3. Any other Class I minor offense

**Class I Administrative Options**

- Principal/Student conference – Warning
- Principal/Student/Parent conference – 1- 3 days suspension from riding bus
- Principal/Student/Parent conference – 4-7 days suspension from riding bus
- Principal/Student/Parent conference – 8-10 days suspension from riding bus
- Principal/Student/Parent conference- 11-30 days suspension from riding bus
- Principal/Student/Parent conference – suspension from riding the bus for the remainder of the school year
- Other – at the discretion of the Administrator

**Class II Offense/Intermediate**

1. Refusing to obey driver
2. Fighting (see section 2.04 Class II Offenses) Minimum of 30 days suspension from riding the bus.
3. Profanity
4. Throwing objects
5. Damaging or defacing bus
6. Refusal to identify self
7. Lighting matches
8. Smoking on bus
9. Spitting
10. Pushing (2.07)
11. Tripping
12. Loud talking at a railroad crossing.
13. Hanging out of window.
14. Harassment (2.16)
15. Any other Class II offense

### **Class II Administrative Steps**

- Principal/Student/Parent conference – 1-3 days suspension from riding bus
- Principal/Student/Parent conference – 4-7 days suspension from riding bus
- Principal/Student/Parent conference – 8-10 days suspension from riding bus
- Principal/Student/Parent conference -11-30 days suspension from riding bus
- Principal/Student/Parent conference – suspension from riding the bus for the remainder of the school year
- Other – at the discretion of the Administrator

### **Class III Offense/Major**

1. Possession of firearms or weapons
2. Possession of illegal drugs
3. Aggravated battery (3.15)
4. Any other Class III offense

### **Class III Administrative Steps**

- Principal/Student/Parent conference – suspension from riding the bus for the remainder of the school year, and follow Class III administrative options in the Code of Student Conduct.

Certain acts of misconduct will result in additional punitive action. This action will be decided according to the administrative options for Class I, Class II, or Class III offenses as defined in the *Student Code of Conduct*.

**\*\*Student transportation for selected activities is provided by the Board as a service to the students of the School District. The Board reserves the right to deny a student or students the privilege of being transported at public expense, provided the policies and school rules and regulations outlined above are not followed.**

### **m. DRESS AND APPEARANCE CODE**

The Haleyville City Board of Education recognizes that student dress and appearance is primarily the responsibility of parents and guardians. Through the cooperation of the board, parents, and students, a good learning atmosphere can be enhanced by adhering to a set of policies suggested by students and amended, as necessary, by the Board. Proper standards of dress and grooming are expected of all students at all times. As a general guideline, any manner of dress deemed inappropriate or disruptive during the scholastic day and/or during the practice for, or performance in, extra-curricular activities will not be allowed. The school administration has the authority to determine whether or not a student is in compliance with dress code regulations.

The purpose of the dress code is to insure a good learning situation by disallowing types of clothing or other aspects of appearance that would be distracting in the classroom.

#### **Dress Code Grades K-5**

The parents /guardians should supervise the manner of a student's dress. The student should be dressed so he/she can participate in all aspects of the total educational program including Physical Education. Please read the guidelines listed below. The school administration has the authority to determine whether or not a student is in compliance with dress code regulations.

#### **Dress Code Grades 6-12**

The following policies apply to students attending Haleyville City Schools and this Code of Student Conduct serves as the only warning: Students should be aware of and follow all of the following rules beginning the first day. Disciplinary action will apply if students do not comply with the dress code.

1. All students must wear shoes that are appropriate for school.
2. See-through clothing is not acceptable.
3. Pants with holes in the fabric above the knees will not be worn unless stitched or patched appropriately. If there is a question about appropriateness, don't wear the pants.
4. Proper undergarments should be worn at all times but should not be visible at anytime.
5. Clothes revealing bare midriffs will not be worn.
6. All students are required to wear their hair in such a manner as not to be considered unkempt, unclean, impairing vision, a safety hazard, or a distraction. Students are specifically not to wear hair in an unusual or distracting style such as: mohawks, unnatural colors, shaven head patterns (e.g. numbers, names, symbols, designs, etc.) or any other manner deemed as unusual, unsafe, or distracting by an administrator.

7. Clothing should not be too tight fitting.
8. Skirts, skorts, dresses and shorts in high school and middle school should be modest in nature and not too short e.g. shorter than 2" above the top edge kneecap. If length is **no more than 2"** above the top edge of the kneecap, then it may be worn with or without leggings or tights. If length is **more than 2"** above the top edge of the kneecap then it **must** be worn with leggings or tights only. Splits in skirts, skorts, dresses, or shorts must be modest in nature too (e.g. at fingertips or below).
9. Sundresses and tops may be worn with straps at least two inches in width.
10. Formal attire worn by high school and middle school female students (e.g. prom and/or pageant gowns) must be pre-approved by the school principal, or designee, prior to the event.
11. Neckline must be decent.
12. Sleeveless blouses and tops may be worn with straps at least two inches in width. Shirts and blouses with split or open sides, tank tops, muscle shirts, and other similar top are not acceptable for high school wear.
13. Facial hair (beards, mustaches) is acceptable within reason, but should be kept neat and trim.
14. Clothing (t-shirts, jackets, etc.) with slogans, pictures or symbols advocating the use of drugs and/or alcohol, tobacco, or advertisements for such products is not acceptable for school wear.
15. Headgear including, but not limited to hats, caps, sweatbands, bandanas, visors, do rags, and sunglasses, must be removed before entering the school building and may not be worn or carried around during the school day. Under certain circumstances hats may be approved by the principal for special functions.
16. The wearing of cosmetics (make-up) and/or pierced jewelry earrings, (including earrings) by male students is not acceptable.
17. The wearing of pierced jewelry by girls will be limited to earrings, in the ear only.
18. Articles of clothing, patches, emblems, jewelry and other personal items that promote or endorse demonic worship and/or similar types of harmful and disruptive values are not appropriate for school wear.
19. Trench coats are prohibited and will not be worn.
20. Clothing with words, pictures or symbols of profanity or vulgarity, whether explicit or implied, is not acceptable.
21. Pants worn below appropriate waist-line or sagging pants and pajama/pajama like pants are prohibited. Underwear, shorts, or other like clothing should not be visible under pants or above the waistline.
22. The wearing of wallet chains or chains such as metal leashes, etc. is prohibited.
23. Students may not alter their usual manner of dressing for the purpose of initiation into a sorority, fraternity, or any such group.
24. Shoes may not contain any type of wheel or roller blades.
25. The school administration has the authority to determine whether or not a student is in compliance with dress code regulations.
26. Headphones attached to phones, I-pods or related devices are not allowed to be used in the office, when changing classes or during instruction time without specific permission from a school board employee. Students may use said devices before school, after school, during break and at lunch.

If there is a question about an article of clothing you are considering wearing but not covered above, simply ask yourself whether or not the wearing of the clothing could possibly offend someone or cause undue attention or distraction. If the answer to this question is "yes", then the clothing should not be worn to school.

**AMENDING THE DRESS CODE** - A Student Dress Code Committee will be given an opportunity each school year to review the dress code and suggest any changes in the code which they would have the Board consider for the next school year.

**ENFORCEMENT OF THE CODE** - Both administration and faculty will be responsible for the enforcement of the code. The principal will name a select committee to assist him/her in the interpretation and enforcement of the code.

#### **n. Cell Phone/Electronic Communication Device Policy**

Unauthorized use of any communication device (cell phones, beepers, pagers, etc.) at any time is prohibited. All such devices must be "off" and kept in a secure non-visible location during instructional time unless permission is granted by a school official for instructional purposes. Students committing violations will be subject to disciplinary action.

## Cell Phone/Electronic Communication Device Use Policy

- All cell phone violations **MUST BE** turned in to the office for documentation purposes and disciplinary action.
- Students will be allowed to talk/text **only** during break, lunchtime, and while riding on the school bus. Cell phones should be off and not visible or in use during class unless directed by the teacher for an instructional activity. Students in K-5 are prohibited from using a Cell phone anytime during the day 7:55 -3:00.
- Students **will be** disciplined for personal phone use during class time or other times as designated by the principal or during assemblies.
- Students being disciplined **MUST NOT** use an electronic device without the permission of the administrator. Students that violate this rule will have additional discipline added to the original infraction.
- Haleyville City Schools will not be responsible for any lost, damaged, or stolen electronic devices brought to school.
- Harassing or inappropriate communications **will not be** tolerated and students who engage in these types of activities will be disciplined and their cell phone/electronic communication device privileges may also be revoked for a period to be determined by school administration.

Students violating the above rules by making calls, receiving calls, texting, recording, taking pictures, and/or using the internet will be subject to the following discipline:

### Violation

### Sanctions

#### Indirect Usage

Student not engaged in using the phone, but it goes off during the regular school day (documented by office)

**First Offense:** Teacher Warning

**Second Offense:** Principal Warning

**Third Offense:** 3 Days of detention

**Fourth Offense:** 1 day of ISS and phone confiscated up to 30 days

#### Direct Usage

Student actively using the phone. Phone confiscated for the remainder of the day.

**First Offense:** Warning (documented by office and parent/guardian pick up)

**Second Offense:** 2 days ISS or 5 days of detention

**Third Offense:** 3 days of ISS and phone confiscated up to 30 days

#### **Note:**

- Cell phone use on school grounds is a student privilege and not a student right.
- Cell phone use during school hours may be revoked by administration for abuse.
- In an attempt to ensure student safety and orderly school operations, the school reserves the right to examine all contents on cell phones or ECDs confiscated on school grounds.
- If the item belongs to a third party the person in possession of the item at time of confiscation is responsible for the item and is subject to disciplinary action. In some cases a third party may recover the item by signing a consent form not to redeliver the item to the offender. Nothing in this policy obligates the school to attempt to ascertain whether there is a third party owner.



**Alabama State Department of Education Policy  
Cell Phone/Digital Device in a Testing Setting**

**Cell Phone/Digital Device in a Testing Setting By Students**

The possession of digital devices (including but not limited to cell phones, MP3 players, cameras, mobile entertainment, social connections, navigation devices, or other telecommunication devices) is **strictly prohibited** in the testing setting. Local education agency (LEA) school personnel will collect such devices before students can enter the testing room.

If a device is in the possession of a student in the testing setting, testing for the student will cease, the device will be confiscated, the student will be dismissed from testing, and the student's test will be invalidated. Additional disciplinary action may be taken by the LEA.

**Cell Phone/Digital Device in a Testing Setting By School Personnel**

School personnel involved in administration of state testing may not use digital devices (including but not limited to telephones, cell phones, MP3 players, cameras, mobile entertainment, social connections, navigation devices, or other telecommunication devices) during test administration. Violations may result in disciplinary action/certification revocation.

Additional disciplinary action may be taken by the LEA.

**VIII. EXEMPTION POLICY**

**Haleyville Middle /High School**

Students who have reached academic excellence and who have met the expectations  
For attendance will follow the exemption policy below starting in August, 2015:

1. Students in grades 6-12 will take a mid-term exam in all content area classes December of each school year (English, math, science and social studies). If a student has an A average and perfect attendance (no tardies, no check ins/outs, no absences unless school trips) they will be allowed to exempt their elective classes.
2. Students in grades 6-12 who have an end of the year average of 90 or above, who have no more than 9 absences for the school year (excused or unexcused), whose discipline points are 9 or less for the school year and who have no more than 3 tardies per semester will be eligible to exempt their final exams in May.
3. Students in grades 6-12 who have an end of the year average of 80-89 or above, who have no more than 5 absences for the school year (excused or unexcused), whose discipline points are 9 or less for the school year and who have no more than 3 tardies per semester will be eligible to exempt their final exams in May.
4. Students, who have earned an exemption in a course, have the opportunity to take the final exam to improve their final grade without risk. Principal discretion can be used based on extenuating circumstances related to attendance, grades, and/or student behavior.

**IX. MEDICATION POLICY**

**HALEYVILLE CITY SCHOOLS MEDICATION POLICY**

HHS Nurse:	Cindy Defoor, RN	486-3122
HMS Nurse:	Jamie Tucker, LPN	486-9240
HES Nurse:	Paige Hooker, RN	486-7813

- ♦ Any medication to be administered at school must be brought to the school nurse by the parent/guardian. Medications are not permitted to be transported by students.
- ♦ Each medication to be administered at school requires a parent permission form completed and signed by parent/guardian (this includes over-the-counter or nonprescription medications) in the presence of the school nurse. Prescription medications also require the doctor's signature on the medication authorization form. For some medications, the school nurse will have you to count and sign with her the amount of medication being received.

- ♦ Over-the-counter medications must be in an unopened original container.
- ♦ Prescription medications must be in the original pharmacy labeled container with the specific child's name and current date. Also, ask the pharmacist to provide you with a print out of possible side effects for the school nurse. If you need medication for school and home, ask the pharmacist to provide you with two labeled containers. The first dose of any new medication must be taken at home or in the doctor's office.
- ♦ No student is allowed to have medications in their possession at school or on the bus except for inhalers, epi-pens or other emergency medication as ordered by the physician. These medications also require parent permission form and original pharmacy label.
- ♦ At the end of the year any unused medication remaining must be picked up before the last day of school. We cannot "carry over" any medication to the next school year.
- ♦ You, as parent/guardian, may come to the school and give your child medication as needed.
- ♦ Haleyville City School staff cannot accept phone permission to administer medication.
- ♦ The school does not keep any medications on hand. (Tylenol, Advil, Pepto-Bismol, throat spray, or cough drops)
- ♦ Medications ordered three times a day should be given in the morning before coming to school, after school, and again at bedtime unless ordered to be given with meals.
- ♦ Arrangements must be made in advance with the school nurse for any off campus activities and/or field trips for students that require medicine. Thank you for your help in providing the best possible care and protection for our students.

## **X. ACCEPTABLE USE AND INTERNET SAFETY POLICY**

### **STUDENT ACCEPTABLE USE AND INTERNET SAFETY POLICY FOR THE COMPUTER NETWORK OF THE HALEYVILLE CITY SCHOOL SYSTEM**

The Haleyville City School System is pleased to make available to students access to interconnected computer systems within the System and to the Internet, the worldwide network that provides various means of accessing significant educational materials and opportunities.

In order for the School District to be able to continue to make its computer network and Internet access available, all students must take responsibility for appropriate and lawful use of this access. Students must understand that one student's misuse of the network and Internet access may jeopardize the ability of all students to enjoy such access. While the School's teachers and other staff will make reasonable efforts to supervise student use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access.

Below are the Acceptable Use and Internet Safety Policy of the School District and the Data Acquisition Site that provides Internet access to the School District. Upon reviewing, signing, and returning this Policy as the students have been directed, each student will be given the opportunity to enjoy Internet access at school and is agreeing to follow the Policy. If a student is under 18 years of age, he or she must have his or her parents or guardians read and sign the Policy. The School District cannot provide access to any student who, if 18 or older, fails to sign and submit the Policy to the School as directed or, if under 18, does not return the Policy as directed with the signatures of the student and her/his parents or guardians.

Listed below are the provisions of your agreement regarding computer network and Internet use. If you have any questions about these provisions, you should contact the Technical Coordinator. If any user violates this Policy, the student's access may be denied, if not already provided, or withdrawn and he or she may be subject to additional disciplinary action.

## **PERSONAL RESPONSIBILITY**

By signing the Code of Conduct Acknowledgement form, you are agreeing not only to follow the rules in this Policy, but are agreeing to report any misuse of the network to the Technology Coordinator. Misuse means any violations of this Policy or any other use that is not included in the policy, but has the effect of harming another or his or her property.

## **TERM OF THE PERMITTED USE**

A student who submits to the School, as directed, a properly signed Code of Conduct Acknowledgement form and follows the Policy will have computer network and Internet access during the course of the school year. Students will be asked to sign a new policy each year during which they are students in the School District before they are given access.

## **ACCEPTABLE USES**

- A. **Educational Purposes Only.** The School District is providing access to its computer networks and the Internet for educational purposes only. If you have any doubt about whether a contemplated activity is educational, you may consult with the Technology Coordinator to help you decide if a use is appropriate.
- B. **Unacceptable Uses of Network.** Among the uses that are considered unacceptable and which constitute a violation of this Policy are the following: These are Class II and Class III violations.
1. **Uses that violate the law or encourage others to violate the law.** Don't transmit offensive or harassing messages, offer for sale or use any substance the possession or use of which is prohibited by the School District's Student Discipline Policy, view, transmit or download pornographic materials or materials that encourage others to violate the law, intrude into the networks or computers of others, or download or transmit confidential, trade secret information, or copyrighted materials. Even if materials on the networks are not marked with the copyright symbol, you should assume that all materials are protected unless there is explicit permission on the materials to use them.
  2. **Uses that cause harm to others or damage to their property.** For example, don't engage in defamation (harming another's reputation by lies), employ another's user identifier that misleads message recipients into believing that someone other than you is communicating or otherwise using her/his access to the network or the Internet, upload a worm, virus, "trojan horse," "time bomb" or other harmful form of programming or vandalism, participate in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.
  3. **Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.** For example. Don't disclose or share any password with others, don't impersonate another user.
- C. **Etiquette.** All users must abide by rules of network etiquette when using the network for emailing, chatting, or video conferencing, which include the following:
- Be polite. Use appropriate language. No swearing, vulgarities, or suggestive, obscene, belligerent, or threatening language.
  - Avoid language and uses that may be offensive to other users. Don't use access to make, distribute, or redistribute jokes, stories, or other material that is based upon slurs or stereotypes relating to race, gender, ethnicity, nationality, religion, or sexual orientation.
  - Don't assume that a sender of e-mail is giving his or her permission for you to forward or redistribute the message to third parties or to give his/her e-mail address to third parties. This should only be done with permission or when you know that the individual would have no objection.
  - Be considerate when sending attachments with e-mail (where this is permitted). Be sure that the file is not too large to be accommodated by the recipient's system and is in a format that the recipient can open.

## **INTERNET SAFETY**

### **A. General Warning; Individual Responsibility of Parents and Users.**

All users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged pupils. Every user must take responsibility for his or her use of the computer network and Internet and stay away from these sites. Parents of minors are the best guides to materials to shun. If a student finds that other users are visiting offensive or harmful sites, he or she should report such use to the Technology Coordinator. If a student accidentally encounters a harmful or offensive site, he or she should report the encounter to the Technology Coordinator.

### **B. Personal Safety.** Be safe. In using the computer network and Internet, do not reveal personal information such as your home address or telephone number. Do not use your real last name or any other information which might allow a person to locate you without first obtaining the permission of a supervising teacher. Do not arrange a face-to-face meeting with someone you "meet" on the computer network or Internet without your parent's permission (if you are under 18). Regardless of your age, you should never agree to meet a person you have only communicated with on the Internet in a secluded place or in a private setting.

### **C. "Hacking" and Other Illegal Activities.** It is a violation of this Policy to use the School's computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access. Any use which violates state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance, is strictly prohibited.

### **D. Confidentiality of Student Information.** Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a parent or guardian or, if the student is 18 or over, the permission of the student himself/herself. Users should never give out private or confidential information about themselves or others on the Internet, particularly credit card numbers and Social Security numbers. A supervising teacher or administrator may authorize the release of directory information for internal administrative purposes or approved educational projects and activities.

### **E. Instruction**

All students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

### **F. Active Restriction Measures.** The School, either by itself or in combination with the Data Acquisition Site providing Internet access, will utilize filtering software or other technologies to prevent students from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors. The School will also monitor the online activities of students, through direct observation and supervision by teachers during use and/or technological means, to ensure that students are not accessing such depictions or any other material that is inappropriate for minors.

The term "harmful to minors" is defined by the Communications Act of 1934 (47 USC Section 254 [h] [7]), as meaning any picture, image, graphic image file, or other visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

## PRIVACY

Network and Internet access is provided as a tool for your education. The School District reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and remain the property of the School District and no user shall have any expectation of privacy regarding such materials.

## FAILURE TO FOLLOW POLICY

The user's use of the computer network and Internet is a privilege, not a right. A user who violates this Policy, may at a minimum, have his or her access to the computer network and Internet terminated, which the School District may refuse to reinstate for the remainder of the student's enrollment in the School District. A user violates this Policy by his or her own action or by failing to report any violations by other users that come to the attention of the user. The School District may also take other disciplinary action in such circumstances.

## WARRANTIES/INDEMNIFICATION

The School District makes no warranties of any kind, either expressed or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this Policy. It shall not be responsible for any claims, losses, damages or costs (including attorney's fees) of any kind suffered, directly or indirectly, by any user or his or her parent(s) or guardian(s) arising out of the user's use of its computer networks or the Internet under this Policy. By signing this Policy, users are taking full responsibility for his or her use, and the user who is 18 or older or, in the case of a user under 18, the parent(s) or guardian(s) are agreeing to indemnify and hold the School, the School District, the Data Acquisition Site that provides the computer and Internet access opportunity to the School District and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims or damages resulting from the user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user's parent(s) or guardian(s) agree to cooperate with the School in the event of the School's initiating an investigation of a user's use of a School computer or on another computer outside the School District's network.

## UPDATES

Users, and if appropriate, the user's parents/guardians, may be asked from time to time to sign a new Policy, for example, to reflect developments in the law or technology. Such new policy must be signed if the user wishes to continue to receive service.

## PARENTAL CONSENT

As the parent or legal guardian of the student named on the Code of Student Conduct Acknowledgement form, I grant permission for my son or daughter to access software and Internet services provided by Haleyville City Schools.

As the parent or legal guardian of the student named on the Code of Student Conduct Acknowledgement form, I grant permission for the school to use my son or daughter's photo without identifying name or caption to appear on any district, school, or teacher website connected with Haleyville City Schools. **Please submit a letter of request to the principal if you do not wish to have your child's picture used.**

As the parent or legal guardian of the student named on the Code of Student Conduct Acknowledgement form, I grant permission for my son or daughter's school work to be published without identifying name or caption to appear on any district, school, or teacher website connected with Haleyville City Schools.

## X. SECTION 504 PROCESS AND PROCEDURES

### **A. Child Find**

As part of the on-going identification and referral process, the District will make reasonable efforts to identify and locate every qualified disabled student residing within the District who is not receiving a public education. The District shall inform the parent/guardian of these potentially eligible students (who may be attending private or homeschools) of the District's duties under Section 504. As part of the Child Find effort, the District shall annually publish the Child Find notice in local newspapers, student handbooks, and/or place the Notice in locations likely to be seen by a parent of eligible students (such as supermarkets, pediatrician's offices, etc.). Additionally, every teacher within the District should have information regarding the District's overall early intervention process; understand how to initiate a Section 504 Referral and how to identify students who should be referred.

## **B. Pre-Section 504 Referral**

A parent/guardian, teachers, and other certified school employees will initiate the process of intervention for any student suspected of having a disability that substantially limits the performance of a major life activity. The process often begins with a referral to the school's designated Response to Intervention ("RTI") program.

1. RTI offers effective strategies for strengthening educational opportunities and servicing students with special needs who might otherwise experience difficulties in school. RTI strategies are often encouraged before Section 504 referrals are initiated. RTI strategies are particularly important since many helpful interventions and services can be made during RTI procedures.
2. After the classroom teacher implements RTI and the student continues to experience limitations in one or more of the major life activities, and needs, or is believed to need, special education or related services, the classroom teacher submits the data collected during the RTI to designated individuals at the school, then the student should be referred for Section 504 evaluation.
3. Following its review of the RTI data collecting, the school may suggest additional interventions, refer the student to the Building Level Section

504 Coordinator, or refer the student to Special Education.

## **C. Referral or Request for a Section 504 Evaluation**

An individual (parent/guardian/school staff member) may make a Section 504 referral for a student by completing a "Referral Form". (Form A). Examples of circumstances that may merit a Section 504 referral include when a student:

- is receiving discipline infractions or suspensions over an extended period of time which are excessive or repetitive;
- is being considered for retention;
- is exhibiting poor academic performance;
- is returning to school after a serious illness or injury;
- has received a written diagnosis by an outside agency as having a disability;
- is referred to an IDEA IEP Team for special education evaluation and does not qualify for an evaluation;
- is evaluated under IDEA and is found not eligible for special education services;
- is exhibiting a chronic health problem; substantially limiting a major life activity;
- is identified as having had substance abuse issues, but is not currently "using" addictive substances;
- or is not successful with pre-referral intervention strategies.

Upon the District's receipt of a Section 504 referral, the parent/guardian will be provided a notice of a Section 504 referral meeting (Form B) as well as the "Parent/Guardian Procedural Safeguards" (Form C). At the initial 504 referral meeting, a decision will be made by the Team as to whether to proceed with a full Section 504 evaluation. If the referral is not deemed appropriate, the parent/guardian will be provided a copy of the "Section 504 Team Decision Regarding Referral or Eligibility". (Form H).

In facilitating a Section 504 referral, the local school will:

- Provide notice of the referral meeting. (Form B)
- Provide a copy of the parent/guardian procedural safeguards. (Form C)
- Select the Section 504 referral Team members.
- Obtain consent from parent/guardian for evaluation.
- Consult with referral Team as to what testing or additional records may be needed.
- Provide the parent/guardian with Notice of Intent of Section 504 Team Decision Regarding Referral or Eligibility if the referral for evaluation is not appropriate. (Form H)

## **D. Evaluation/Placement Process**

If a student is accepted for an evaluation, the evaluation must be completed in a timely manner. The District will undertake an evaluation of the student prior to determining his or her appropriate placement or program of services under Section 504, and also before any significant change of placement. An evaluation will also be conducted prior to any discipline, change of placement for students who have or are suspected of having a disability. Absent unusual circumstances, the District will complete the evaluation process within 60 calendar days. If formal assessment instruments are used as part of an evaluation, procedures used to administer assessments and other instruments must comply with the requirements of Section 504 regarding test validity, proper method of administration, and appropriate test selection. The District will appropriately consider information from a variety of sources in making its determination, including, for example, aptitude and achievement tests, teacher recommendations, reports of physical condition, social and cultural background, adaptive behavior, health records, report cards, progress notes, parent observations, scores on tests, and mitigating measures, among others.

In facilitating a Section 504 evaluation, the local school will:

- Provide notice of the eligibility determination meeting. (Form B).
- Provide a copy of the parent/guardian procedural safeguards. (Form C).
- Provide teacher(s) with the Section 504 observation form. (Form E).
- Provide the parent with the Parent Input Form for Section 504 evaluation. (Form F).
- Select the Section 504 Team members.
- Gather documentation necessary to complete “Section 504 Initial Evaluation/Determination Documentation.” (Form G).
- Provide the parent/guardian with “Notice of Intent of Section 504 Team Decision Regarding Evaluation” if the student does not qualify for Section 504. (Form H).

If the Team determines that the student meets the federal definition of disabled under Section 504, a Section 504 Plan shall be developed. (Form I). This plan may be developed at the time of the eligibility meeting or at another meeting. Absent unusual circumstances, the plan should be developed within 30 calendar days after the eligibility meeting. The local school shall ensure that a copy of the plan is provided to the student’s teachers and service providers. (Form K). Documentation of receipt of the plan shall be obtained.

If the Team determines that the student does not meet the federal definition of disabled under Section 504, the Team shall refer the student back for identification of needed classroom intervention strategies as stated in the District’s RTI plan. The parent/guardian should also be provided a copy of the “Notice of Intent Regarding Section 504 Team Decision Regarding Evaluation” (Form M) and the “Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973.” (Form C).

#### **E. Discipline Procedures for Student Under a Section 504 Plan**

A student who has a Section 504 Plan may not be subjected to a disciplinary change in placement for more than 10 school days unless the Section 504 Team first determines that the behavior giving rise to the discipline was not substantially related to the student’s disabling condition or due to an inappropriate implementation of the plan. This process is carried out in an evaluation of behavior, including a manifestation determination/evaluation. (Form L). Suspensions for less than 10 school days may be effectuated without holding a Section 504 Team Meeting. However, a series of short suspensions over the course of the school year that would amount to a total of more than 10 school days may require that a Section 504 manifestation determination meeting be held. When making the manifestation determination, a Section 504 Team, must meet to address the following:

- Was the misconduct caused by, or directly and substantially related to the student’s disability?
- Was the misconduct a direct result of the District’s failure to implement the Section 504 Plan?

If the Section 504 Team determines that there is no substantial relationship between the conduct and the student’s disability and that the Section 504 Plan was properly implemented, the school may proceed to discipline the student in the same manner as it would a non-disabled student.

If the Section 504 Team determines that there is a substantial link between the conduct and the student’s disability or that the Section 504 Plan was not properly implemented, the Section 504 Team must review and/or revise the Section 504 Plan to address the student’s conduct. In such a situation, the student’s placement would not be changed without consent of the parent/guardian of the student. An agreed upon change of placement may occur as a result of disciplinary infractions involving drugs, weapons, or behavior that has substantially injured or endangered the safety of the student or others. Notice of the Section 504 Team’s decision regarding the Manifestation determination will be provided to the parent. (Form M).

Note: A student who is currently using illegal drugs or alcohol, and is to be disciplined by the school for such behavior loses the procedural protections provided by Section 504, including the right to a manifestation determination review prior to a change in placement for disciplinary reasons. This would hold true even if the disabling condition could be related to the misconduct.

**Please contact Susan Riggs, Director of Student Services, at Haleyville City Board of Education for questions concerning referrals for gifted, special, education or 504 by telephone at (205) 486-9231, by email at [sriggs@havc.k12.al.us](mailto:sriggs@havc.k12.al.us), or in person at 2011 20<sup>th</sup> Street, Haleyville, AL 35565.**

# HALEYVILLE CITY SCHOOLS

## Harassment Complaint Form

School Name: \_\_\_\_\_ Date complaint form received: \_\_\_\_\_ (office use only)

Name of person filing Complaint: \_\_\_\_\_ Grade Level \_\_\_\_\_

Contact Information:

Home phone: \_\_\_\_\_ Cell Number: \_\_\_\_\_

<b>INFRACTION REPORTED BY:</b> <input type="checkbox"/> STUDENT <input type="checkbox"/> PARENT/GUARDIAN <input type="checkbox"/> OTHER			
<i>Date of Incident</i>		<i>Time</i>	
<i>I wish to register a complaint against:</i>			
<p>Type of Harassment: <input type="checkbox"/> Sexual <input type="checkbox"/> Religious <input type="checkbox"/> Disability <input type="checkbox"/> Other</p> <p>Check all spaces below that apply:</p> <p> <input type="checkbox"/> Inappropriate Gesturing    <input type="checkbox"/> Damaging Property    <input type="checkbox"/> Staring/Leering    <input type="checkbox"/> Spitting    <input type="checkbox"/> Stalking  <input type="checkbox"/> Inappropriate Touching    <input type="checkbox"/> Taunting/Ridiculing    <input type="checkbox"/> Writing/Graffiti    <input type="checkbox"/> Demeaning Comments  <input type="checkbox"/> Flashing a Weapon    <input type="checkbox"/> Hitting/Kicking    <input type="checkbox"/> Stealing    <input type="checkbox"/> Intimidation/Extortion  <input type="checkbox"/> Shoving/pushing    <input type="checkbox"/> Threatening    <input type="checkbox"/> Name calling    <input type="checkbox"/> Other—describe below         </p> <p><b>Briefly describe incident:</b></p>			

Ala. Code § 16-28B-3. HARASSMENT. 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 contained in the model policy adopted by the department or by a local board. To constitute harassment, a pattern of behavior may do any of the following:

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

Student \_\_\_\_\_ Date \_\_\_\_\_

OR

Parent/Guardian \_\_\_\_\_ Date \_\_\_\_\_



## **XII. “PARENT’S RIGHT TO KNOW” REQUEST**

### **HALEYVILLE CITY SCHOOLS**

Dear Parents:

According to ESEA, 2001 Section 1111 (h)(6), parents may request and school system must provide (in a timely manner) information about the professional qualifications of the student's classroom teacher(s) and/or paraprofessional(s).

Information that must be provided:

- Whether the teacher has met State qualifications and licensing provides instruction.
- Whether the teacher is teaching under emergency or other professional status through which State qualification or licensing criteria have been waived.
- The degree/major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline.
- Whether the student is provided services by paraprofessionals and if so, their qualifications.

Parents wishing to obtain this information may submit a request in writing to the principal of respective school.

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### **XIII. ACKNOWLEDGEMENT**

We, the undersigned parent(s)/guardian(s) of student,

(Name of Student)\_\_\_\_\_

a student of Haleyville City Schools have received and read, or had read to us, the foregoing Code of Student Conduct and will follow the rules of this document.

(Signed)\_\_\_\_\_

Parent/Guardian

(Signed)\_\_\_\_\_

Parent/Guardian

(Signed)\_\_\_\_\_

Student

Date:\_\_\_\_\_

Note: If the student lives with both parents/guardians, both are expected to sign the above statement; if the student lives with only one parent/guardian, only one is expected to sign. The student is also expected to sign the statement. All parts of the Code of Student Conduct should be read by both the parent/guardian and the student.

Parents: Please have your son/daughter read and return this acknowledgement to his/her homeroom teacher during the first week of school. **Also, please understand that this handbook is not all inclusive.** If you have any questions about this booklet or additional rules and regulations set forth by the Haleyville Board of Education and school please contact a school administrator for clarification purposes.

Failure to return this form signed does not exempt students from the rules and regulations within this Code of Student Conduct. Students must follow the rules and regulations at all times.