



# **STUDENT CODE OF CONDUCT AND ATTENDANCE**

***2023 – 2024***

## **ELEMENTARY AND INTERMEDIATE SCHOOLS**

Shelby County Schools  
410 East College Street (35051-9301)  
P.O. Box 1910 (35051)  
Columbiana, Alabama  
205-682-7000

Dr. Lewis Brooks, Superintendent

<https://www.shelbyed.k12.al.us/>

## **SHELBY COUNTY BOARD OF EDUCATION MEMBERS**

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The information in this book has been approved by the Shelby County Board of Education.

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**Shelby County Schools Vision:**  
*To be the model for excellence in education.*

**Shelby County Schools Mission:**  
*To make every student a graduate and every graduate prepared.*

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### **\*\*\*\*\* P L E A S E   R E M E M B E R \*\*\*\*\***

All students and their parent(s)/legal guardian(s) are required to sign an acknowledgement of the receipt of a copy of the Student Code of Conduct and Attendance at the beginning of each school year.

It is the intent of the Shelby County Board of Education that our schools remain safe and drug free for all students and school employees. The Board, therefore, has established policies and practices consistent with laws that promote a safe school environment - free of illegal drugs, alcohol, or weapons on a school bus, school campus, or school sponsored activity.

When you registered your student in SCORE this year you were required to acknowledge that you are responsible for knowing the information contained in this booklet.

*All policies of the Shelby County Board of Education are provided on the System Web Site at*  
<https://www.shelbyed.k12.al.us/>

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	Jennifer Cofer	Student Services Supervisor
	Marisa Pinchin-Polk	Student Services Supervisor
	Treasa Daly, RN	Nurse Supervisor
	David Hogue	Supervisor of Athletics, Physical Education, Health and Driver Education
	Cindy Warner	Community Education/After School Care, Public Relations Supervisor
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	Joann Gates	Coordinator of Accounting and Finance
	Lacey Brackner Motes	Supervisor of Accounting and Finance
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	Jennifer Galloway	Human Resources Supervisor
<b>INSTRUCTION</b>	Dr. Lynn Carroll	Deputy Superintendent/Assistant Superintendent of Instruction
	Dr. Angela Walker	Coordinator of Instruction - Professional Development Supervisor
	Dr. Leah Anne Wood	Director of Instruction
	Debbie Horton	Elementary Program Coordinator
	April Brand	Secondary Program Coordinator
	Jay Peoples	Coordinator of Instruction
	Celita Carmichael	Elementary Instructional Supervisor
	Dr. Allison Campbell	Instructional Supervisor
	Dr. Marla Aldrich	Special Education Coordinator
	Sharyn Hillin	Special Education Coordinator
	Lauren Woolley	Technology Coordinator
	Fred Watson	Technical Services Supervisor
	April Tolbert	Guidance and Testing Supervisor
	Brent Tolbert	Supervisor of Assessment, Data, and Accountability
	Kimberly Brown	Gifted Ed. and Advanced Programs Supervisor
	Leah Dobbs-Black	English Second Language Supervisor
	Michelle Hall	Library Media and Fine Arts Supervisor
	Julie Godfrey	Career and Technical Education Supervisor
	Beth Fuller	Federal Programs Supervisor
<b>OPERATIONS</b>	David Calhoun	Assistant Superintendent of Operations / Chief of Staff
	Nathan Hayes	Child Nutrition Coordinator
	Barbara Snyder	Facilities and Maintenance Coordinator
	Scott Armstrong	Maintenance Supervisor
	Shane Miskelly	Construction Supervisor
	Rick Vines	Transportation Coordinator
	Brent Copes	Transportation Supervisor
	Craig Lamar	Transportation Shop Supervisor

SCHOOL	PRINCIPAL	ADDRESS	PHONE	FAX
Calera Elementary (K-2)	Shannon Montgomery	855 10th Street Calera, AL 35040	682-6120	682-6125
Calera Intermediate (3-5)	Haley Franks	8454 Highway 31 South Calera, AL 35040	682-6500	682-6505
Chelsea Park Elementary (K-5)	Mary Anderson	9000 Chelsea Park Trail Chelsea, AL 35043	682-6700	682-6705
Elvin Hill Elementary (K-5)	Courtney Madison	201 Washington Street Columbiana, AL 35051	682-6620	682-6625
Forest Oaks Elementary (K-5)	Stevi Sims	1000 Hornet Parkway Chelsea, AL 35043	682-7220	682-7225
Helena Elementary (K-2)	Genet Holcomb	187 Third Street Helena, AL 35080	682-5540	682-5545
Helena Intermediate (3-5)	Sasha Baker	3500 Highway 52 Helena, AL 35080	682-5520	682-5525
Inverness Elementary (K-3)	TBA	5251 Valleydale Road Birmingham, AL 35242	682-5240	682-5245
Linda Nolen Learning Center (K-12)	Todd Crenshaw	2280 Highway 35 Pelham, AL 35124	682-5800	682-5805
Montevallo Elementary (K-5)	Wendy Cespedes	171 Jeter Circle Montevallo, AL 35115	682-6420	682-6425
Mt Laurel Elementary (K-5)	Tina Neighbors	1 Jefferson Place Birmingham, AL 35242	682-7230	682-7235
Oak Mountain Elementary (K-3)	Jan Curtis	5640 Cahaba Valley Road Birmingham, AL 35242	682-5230	682-5235
Oak Mountain Intermediate (4-5)	Dr. Laura Junkin	5486 Caldwell Mill Road Birmingham, AL 35242	682-5220	682-5225
Shelby Elementary (K-5)	Stacy Aderholt	19099 Highway 145 Shelby, AL 35143	682-6630	682-6635
Vincent Elementary (K-5)	Dr. Tonya Borden-Hudson	40800 Highway 25 Vincent, AL 35178	682-7320	682-7325
Wilsonville Elementary (K-5)	Melody Byrne	71 School Street Wilsonville, AL 35186	682-6640	682-6645

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## **STUDENT CODE OF CONDUCT AND ATTENDANCE - INTRODUCTION**

The Shelby County Board of Education (SCBOE) believes that instruction should occur in an environment conducive to learning because effective quality instruction requires orderly procedures and discipline. The purpose of this handbook, as well as the enforcement of its rules, is to ensure the presence of a safe, friendly, and professional atmosphere in which students and school personnel work cooperatively toward mutually accepted goals. Acting in the best interest of all the residents of Shelby County, the SCBOE requires principals, faculties, staff, students, parents, and guardians to comply with this adopted Student Code of Conduct and Attendance handbook. The guidelines and expectations set forth in this document are applicable to all students who are enrolled in the Shelby County School System, inclusive of both traditional (all-day) and non-traditional (virtual, charter, homeschool) students.

As students progress in the public schools, it is reasonable to assume that an increase in age and maturity will result in the students' assumption of greater responsibility for their actions. Although it is true that differences in age and maturity require different types of disciplinary action, the expectation of student behavior identified in this handbook will apply to all students in grades kindergarten through twelve.

The contents of this handbook:

- Describe roles of the home, student, school, and school personnel.
- Describe student rights and responsibilities.
- Define student discipline in the context of the Board of Education's philosophy.
- Identify formal disciplinary actions.
- Identify classifications of violations and describe procedures for disciplinary actions.
- Standardize procedures for administering formal disciplinary actions.
- Conform to the mandates provided in The Education for All Handicapped Children Act; The Rehabilitation Act of 1973; and The Alabama Exceptional Child Act.

## **EQUAL EDUCATION OPPORTUNITY STATEMENT**

It is the policy of the SCBOE that no person shall be denied employment, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program or activity on the basis of disability, sex, race, religion, national origin, color, or age. Ref: Sec. 1983, Civil Rights Act, 42 U.S.C.: Title VI and VII, Civil Rights Act of 1964; Rehabilitation Act of 1973, Sec. 504; Age Discrimination in Employment Act; Equal Pay Act of 1963; and the Title IX of the Education Amendment of 1972. For more information contact the Title IX, 504, and/or ADA Coordinator, P.O. Box 1910 Columbiana, AL 35051, or call 205-682-7000.

## **DUE PROCESS**

The policy of the SCBOE is to adhere to due process when carrying out the procedures contained in this handbook. Principals are responsible for familiarizing their staff with due process procedures and providing each staff member with a copy of this handbook.

The handbook has been published with the following concepts in mind:

- School rules must be clearly stated and related to the educational purposes of the school.
- School rules must be fair and specific enough for students to know what they may or may not do.
- Students, parents, and guardians must be informed of the rules affecting behavior and discipline.
- When disciplinary action is involved, school personnel and students must comply with required procedures set forth in the Student Code of Conduct and Attendance.
- When addressing incidents of misconduct, a student should be informed of the school rule(s) that has been broken and given an opportunity to share his/her account of the incident with school personnel.
- School personnel are permitted to speak to students regarding school-related issues without obtaining prior parent permission.

The consensus of this Board is that the regulations in this handbook deal with a matter of legitimate interest with the intent of protecting the health, safety, and welfare of students and ensuring the efficient operation of the schools.

## **ROLES OF THE PARENTS, STUDENTS, SCHOOL AND SCHOOL PERSONNEL**

In order for effective teaching and learning to take place, there must be a cooperative relationship among students, parents and guardians, and educators. This relationship may be described as:

Parents and Guardians who:

- Keep in 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 officials.
- 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.
- Discuss report cards and work assignments with their child.
- Maintain up-to-date home, work, and emergency telephone numbers and addresses at the school, including doctor, hospital preferences, and an emergency health care form.
- Attend scheduled parent-teacher conferences.

Students who:

- Attend all classes daily and are punctual in attendance.
- Are prepared to come to class with appropriate working materials.
- Are respectful to all individuals and of all property.
- Refrain from profane or inflammatory statements.
- Conduct themselves in a safe and responsible manner.
- Are clean, neat, and appropriately dressed.
- Show a positive, cooperative attitude toward school.
- Abide by the rules and regulations set forth by the school and Board.

Schools that:

- 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 discipline based upon fair and impartial treatment of all students.
- Welcome and encourage participation by parents and guardians.
- Encourage the school staff, parents and guardians, and students to use the services of community agencies.
- Encourage parents and guardians to keep in regular communication with the school and to seek ways to involve students, parents, and community members in the educational process.

School Personnel who:

- Are regular in attendance and punctual.
- Are prepared to perform their duties with appropriate materials and lesson plans.
- Are respectful to all individuals and of all property.
- Refrain from profane or inflammatory statements.
- Conduct their self in a safe and responsible manner.
- Are clean, neat, and appropriately dressed.
- Abide by the rules and regulations set forth by the school and Board.
- Seek changes in an orderly and recognized manner.
- Strive whenever appropriate to use a variety of informal disciplinary and guidance methods, prior to, during, and after formal disciplinary action including:
  - Students' program adjustment.
  - Referral to guidance personnel for group or individual counseling with counselors, peer counseling, psychological evaluations, and other services deemed appropriate.
  - Conferences and/or contacts between administrators, parents and guardians, teachers, and students.
  - Referral to special education or appropriate agencies for special problems.
  - Continuous improvement of professional knowledge and skills.
  - Positive, cooperative attitudes toward parents and guardians, students, co-workers, and the total school program.

### **JURISDICTION OF SCHOOL BOARD**

Shelby County students are subject to the rules of the SCBOE during the school day, while in attendance at school related activities, and while being transported to and from school or school-related activities.

Jurisdictional control over student behavior may be extended beyond the school campus whenever the conduct of the student is deemed to have a detrimental effect on the health, safety, and welfare of the school community.

Administrators and teachers have jurisdiction to implement the disciplinary procedures of the Code of Conduct on any campus in the school system even though the student(s) may not be enrolled at the school in which the violation(s) occurs.



## **GUIDANCE SERVICES**

### Philosophical Basis:

Personal concerns of students can seriously limit or enhance educational development. Schools have the responsibility to provide a guidance program and to make relevant and objective information available to students in such a manner that it will enhance educational development.

### Student Responsibilities are:

- To use guidance services for their educational and personal improvement.
- To schedule appointments with guidance personnel in advance unless the problem or concern is an emergency.
- To work cooperatively with guidance personnel.

### Student Rights are:

- To be informed as to the nature of the guidance services available in school.
- To have access to individual and group guidance.

### Social and Emotional Safety Protocol:

Shelby County Schools are concerned about the safety and well-being of all students. The duty to protect and ensure the safety of all students includes situations in which a student may, through verbal or written communication, threaten to harm himself/herself. In the event that a student makes a threat to harm him/herself, Shelby County Schools will initiate a safety and assessment protocol to evaluate the student's risk level and offer resources to students and families. If a student is determined to need further safety assessment for thoughts of self-harm/suicide then the student will be required to complete further evaluation before returning to school/campus activities. Shelby County Schools will offer mental health resources for further assessment or will work with the family's preferred mental health provider to determine the next best step to ensure the safety and well-being of the student.

## **SPECIAL EDUCATION**

### Philosophical Basis:

Schools will provide appropriate special education services for any eligible student residing within the county unless the student is residing and/or receiving services in a state facility or institution.

### Student Responsibilities are:

- To use special education for educational and personal improvement.

### Student Rights are:

- To be informed of the least restrictive environment needed for appropriate education.
- To have access to small group instruction based on an individualized educational program where appropriate.

## **PROBLEM SOLVING TEAMS (PST)**

Problem-Solving Teams (PSTs) will help to guide general education intervention services for all students who have academic or behavior difficulties. PST is a school initiated process. The PST is central to the school's successful implementation of the Response to Instruction (RTI) framework. The PST is responsible for the day-to-day decisions which ensure that (1) students receive instruction and interventions matched to their identified needs, (2) appropriate progress monitoring tools are utilized to provide evidence of students' response to instruction and intervention, and (3) progress monitoring data are used to make timely instructional decisions which maximize student outcomes. Parents will be notified and informed of these instructional strategies, as well as their child's progress monitoring data.

Team members could include the following:

- Teachers
- Instructional Coaches (Reading, Literacy, Math, Graduation, etc.)
- School Counselor
- Administration

Response to Instruction (RTI) refers to an instructional framework that promotes a well-integrated system connecting general, gifted, supplemental, and special education services in providing high quality, standards-based instruction and intervention that is matched to students' academic, social-emotional, and behavioral needs. The purpose of the RTI framework is to combine core instruction, assessment, and interventions within a multi-tiered system to increase student achievement and to reduce behavior problems.

Simply put, RTI involves:

- Doing what is needed to teach students.
- Teaching students using scientifically validated methods.
- Checking regularly to see how well students are learning.

- Adjusting instruction as needed to improve student outcomes.

### **CURRICULUM**

Philosophical Basis:

Student opinion regarding curriculum offerings is extremely important and, therefore, deserves careful analysis and consideration. The degree of student involvement in curriculum development is determined by the student's age, grade level, and maturity. Final determination of course requirements and program consistency will rest with the professionals who are assigned the curriculum development responsibility.

Student Responsibilities are:

- To request participation in academic programs and extracurricular activities that are compatible with ability.
- To seek assistance in course selection from informed professionals in the school.
- To contribute to an atmosphere free from bias and prejudice.
- To cooperate fully and exert every effort to achieve mastery of the basic skills.

Student Rights are:

- To have equal access to educational opportunities offered by their home school.
- To receive curriculum information that will facilitate informed choices.
- To receive instruction in courses of study under competent instructors in an atmosphere free from bias and prejudice.
- To participate in appropriate instructional programs in elementary, middle, and high schools.

### **VIRTUAL SHELBY**

A remote learning option (Virtual Shelby) is available for students in Shelby County Schools in grades 9-12. Parents/Legal guardians who are full time residents in the Shelby County School Zone are eligible to enroll their child in Virtual Shelby, as long as the student meets the admission criteria and is in good standing regarding discipline. Students must commit to participate in Virtual Shelby for the entire school year. Shelby County Schools will closely monitor student engagement and attendance and, if the need arises, we will contact students and parents for immediate corrective action. Shelby County Schools will consider students truant who are not making adequate progress due to lack of participation. These students will be subjected to the attendance guidelines set forth in the Shelby County Student Code of Conduct and Attendance manual. These guidelines could involve student and parent participation in Early Warning Court and Agency Meetings. Students will be required to participate in state assessments, which will be administered at the local school or a designated testing site. Virtual Shelby students will be permitted to participate in extracurricular activities and allowed on campus before or after school hours only. Specific information regarding Virtual Shelby, such as admission criteria, course options, accountability, instructional delivery, and grading can be located on the school system's website in the High School Academic Guide.

### **FREE SPEECH/EXPRESSION**

Philosophical Basis:

Citizens in our democracy are guaranteed self-expression under the First and Fourteenth Amendments of the Constitution of the United States; therefore, in a democratic society, one of the basic purposes of education is to prepare students for responsible self-expression.

Student Responsibilities are:

- To respect the rights of others and to express disagreement in a manner that does not infringe upon the rights of others and that does not interfere with the orderly educational process.
- To act in a manner that preserves the dignity of all persons.
- To plan for, seek approval of, and conduct activities which are consistent with the educational objectives of the school.

Student Rights are:

- To form and express viewpoints through speaking and writing in a manner which is not obscene, slanderous, libelous, or disruptive to the educational process.
- To affirm identity with the American ideals as are exemplified in the Constitution of the United States.
- To refrain from any activities that violate the precepts of their own religion.

### **PLAGIARISM AND ACADEMIC DISHONESTY**

Integrity means to integrate one's values and beliefs into every activity that is undertaken. The Shelby County School District believes that honesty is right and that stealing and cheating are wrong. Academic integrity means doing one's own work to the best of one's ability, without the unauthorized help or assistance of someone else. Therefore, in an effort to foster academic integrity in all Shelby County students, this honor code has been created to help students recognize, understand, and practice ethical conduct with regard to their academic assignments.

There are various academic scenarios pertaining to the completion of academic assignments that would be considered unethical. These instances include, but are not limited to the following:

- Cheating: copying another student's work, and is inclusive of both giving and receiving information on an academic assignment.
- Plagiarism: defined as either the intentional or unintentional use of another person's words, ideas, or data without providing the proper acknowledgement of the source through quotations, references, or footnotes.
- Fabrication/Falsification: scenario in which one either invents or distorts the origin or content of information used as authority. This is inclusive of citing a source that does not exist, citing information from a source that does not actually contain the information that was cited, as well as listing a bibliography source when the source was neither referenced nor cited in the assignment.

Generally, when academic assignments are made, the expectation is that each student will do their own work without the help or assistance of others. Exceptions to this expectation might include group projects in which the teacher authorized certain students to work together on a particular assignment. When instances of academic dishonesty have been discovered, typically, either reduced credit or possibly no credit (i.e., a "zero") will be awarded. Further, instances of academic dishonesty will be documented in the student's individual conduct file, and additional consequences may also be assigned as applicable to the particular incident.

### **GRADES**

Philosophical Basis:

An academic grade should reflect the teacher's most objective assessment of the student's academic achievement. Academic grades will not be used as a means of maintaining order in a classroom.

Student Responsibilities are:

- To become informed of the method of grade determination in each class.
- To maintain standards of academic performance equal to ability, and to make every effort to improve performance upon receipt of notification of unsatisfactory progress.

Student Rights are:

- To be knowledgeable of a teacher's method of grade determination in each class at the beginning of each year or semester course.
- To receive periodic progress reports.

### **PRIVACY AND PROPERTY RIGHTS**

Philosophical Basis:

Federal and state laws provide persons with a reasonable expectation of privacy in addition to freedom from unreasonable search and seizure of property. Such guarantees are not unlimited and must be balanced by the school's responsibility to protect the health, safety, and welfare of all students.

Student Responsibilities are:

- To attend school-related activities without bringing materials or objects prohibited by law or Board policy or which detract from the educational process.
- To respect the property rights of their fellow students, as well as those of others, on school grounds or at school activities, and to refrain from destruction of, or damage to, such property.

Student Rights are:

- To maintain privacy of personal possessions unless appropriate school personnel have reasonable cause to believe a student possesses any object or material which is prohibited by law or Board policy.
- To attend school in an educational environment in which personal property is respected.

### **STUDENT RECORDS**

Philosophical Basis:

Student records will be maintained by the schools and will be used in making appropriate educational decisions for the students. All information regarding students and their families will be collected, maintained, and distributed under safeguards of privacy. These safeguards may be obtained through informed consent, verification of accuracy, limited access, selective discard, and appropriate use.

Student and Parent/Guardian Responsibilities are:

- To inform the school of any information that may be useful in making appropriate educational decisions.

Student and Parent/Guardian Rights are:

- To inspect, review, and challenge the information contained in records directly relating to the student.
- To be protected by legal provisions that prohibit the release of personally identifiable information to anyone other than legally authorized persons without the consent of the parent(s), guardian(s), or eligible student(s).

## **STUDENT PUBLICATIONS**

Philosophical Basis:

Education is the process of inquiring and learning, acquiring and imparting knowledge, and exchanging ideas. One of the important roles of the school is to provide effective avenues through which students may express themselves on a wide range of subjects.

Student Responsibilities are:

- To refrain from publishing libelous or obscene materials deemed disruptive to the educational process.
- To seek full information on the topic about which they write.
- To observe the accepted rules for responsible journalism under the guidance of the faculty advisor and/or principal.

Student Rights are:

- To participate, as part of the educational process, in the development and distribution of publications.

### **SUMMARY OF CIVIL LIABILITIES AND CRIMINAL PENALTIES**

The following summaries of laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees. Local boards of education are required to provide notice to parents, guardians, and students.

#### **Attendance and Conduct (§16-28-12)**

**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 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 up to \$100 and may be sentenced to hard labor for up to 90 days).**

#### **Child Abuse and Neglect Reporting (§26-14-1)**

Certain persons and institutions are required by law to report known or suspected child abuse or neglect under a penalty of a misdemeanor, fine or sentence. Those who are required by law to report are: hospitals, clinics, sanitariums, doctors, physicians, surgeons, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, nurses, school teachers and officials, peace officers, law enforcement officials, pharmacists, social workers, day care workers or employees, mental health professionals, or any other person called upon to render aid of medical assistance to a known or suspected victim of child abuse or neglect. Besides those persons who are required by law to report child abuse and neglect, any person may make such report, if such person has reasonable cause to suspect that a child is being abused or neglected.

#### **Drug Dealing (§6-5-72)**

A person who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage or both suffered by a third person caused by or resulting from the use of the controlled substance by the minor, if the sale, furnishing, or giving of the controlled substance is the proximate cause of the injury or damage.

#### **Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (§16-1-24.1)**

The school principal shall notify appropriate law enforcement officials when a person violates local board of education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If any criminal charge is warranted, the principal is authorized to sign the appropriate warrant. If that person is a student, the local school system shall immediately suspend that person from attending regular classes and schedule a hearing within 5 school days.

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 of readmission.

#### **Sexual Harassment (§26-14-3)**

A student who believes that he or she has been or is being subjected to any form of sexual harassment shall immediately report the matter to a teacher, the school counselor, principal, or the Superintendent. Any student who suspects that another student is being sexually harassed shall immediately report the information to a teacher, school counselor, principal, or the Superintendent. A student's request to make his or her report to someone of the same sex will be granted. Information regarding Title IX Sexual Harassment, including filling a Title IX Sexual Harassment complaint, can be found on our website at <https://www.shelbyed.k12.al.us/page/title-ix> or email the Title IX Coordinator, Michael Jones, at [mjones@shelbyed.org](mailto:mjones@shelbyed.org).

**Teacher Assault (§13A-6-21)**

A person commits the crime of assault in the second degree (Class C felony) if the person assaults 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 or her duty.

**Tobacco Possession (§28-11-13)**

It is unlawful for any minor to purchase, use, possess, or transport tobacco or tobacco products within this state... (See Alabama Law §28-11-14 for additional reference.)

**Vandalism (§6-5-380)**

The parents, guardians, or other persons having control of any minor under the age of 18 with whom the minor is living and who have custody of the minor shall be liable for the actual damages sustained to school property, plus the court costs, caused by intentional, willful, or malicious act of the minor.

**Weapons in Schools (§13A-11-72)**

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. (Note: Deadly weapons include but are not limited to hand grenade, explosive or incendiary device; a pistol, rifle, or shotgun; or a switch-blade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, black-jack, bludgeon, or metal knuckles.)

**LOCAL SCHOOL BOARDS OF EDUCATION ARE REQUIRED TO PUBLISH THE FOLLOWING ACT AND SECTION**  
**Expectations of Parents Regarding Attendance and Behavior in Public Schools, Alabama Code §16-28-12**

“(a) Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, church school, denominational school, or parochial school, or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in any public school in accordance with the written policy on school behavior adopted by the local board of education pursuant to this section and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100) and may also be sentenced to hard labor for the county for not more than 90 days.

The absence of a child without the consent of the principal, teacher of the public school he or she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.”

“(b) Each local public board of education shall adopt a written policy for its standards on school behavior. Each local public school superintendent shall provide at the commencement of each academic year a copy of the written policy on school behavior to each parent, guardian, or other person having care or control of a child who is enrolled. Included in the written policy shall be a copy of this section. The signature of the student and the parent, guardian, or other person having control or custody of the child shall document receipt of the policy.”

“(c) Any parent, guardian, or other person having control or custody of any child enrolled in public school who fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the superintendent of education of the school system in which the suspected violation occurred.

The Superintendent, or his or her designee, shall report suspected violations to the district attorney within 10 days. Any principal or superintendent or his or her designee intentionally failing to report a suspected violation shall be guilty of a Class C misdemeanor.

The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in public school.”

**Seclusion and Restraint for All Students, Alabama Administrative Code §290-3-1-.02(1)(f)**

1. Definitions. (i) Chemical Restraint - Any medication that is used to control violent physical behavior or restrict the student's freedom of movement that is not a prescribed treatment for the student's medical or psychiatric condition. Use of chemical restraint is prohibited in Alabama public schools and educational programs. (ii) Mechanical Restraint - The use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by



the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation. Use of mechanical restraint is prohibited in Alabama public schools and educational programs. (iii) Physical Restraint - Direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to promote student safety or prevent self-injurious behavior, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, providing comfort, or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property. (iv) Physical restraint that restricts the flow of air to the student's lungs - Any method (face-down, face-up, or on your side) of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs. Use of this type of restraint is prohibited in Alabama public schools and educational programs. (v) Seclusion - a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student, time-out as defined in paragraph (1.)(vi) of this rule, in-school suspension, detention, or a student-requested break in a different location in the room or in a separate room. Use of seclusion is prohibited in Alabama public schools and educational programs. (vi) Time-out - A behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used when: (I) The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled. (II) The duration of the time-out is reasonable in light of the purpose of the time out and the age of the child; however, each time-out should not exceed 45 minutes. (II I) The student is reasonably monitored by an attending adult who is in reasonable physical proximity to the student and has sight of the student while in time-out. (IV) The time-out space is free of objects that unreasonably expose the student or others to harm.

2. Requirements. (i) The use of seclusion is prohibited in Alabama public schools and educational programs. (ii) The use of any method of physical restraint that restricts the flow of air to a student's lungs is prohibited in Alabama public schools and educational programs. (iii) The use of mechanical restraint is prohibited in Alabama public schools and educational programs. (iv) The use of chemical restraint is prohibited in Alabama public schools and educational programs. (v) The use of physical restraint is prohibited in Alabama public schools and educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Notwithstanding the foregoing, physical restraint is prohibited in Alabama public schools and educational programs when used as a form of discipline or punishment. (vi) All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress. (vii) Schools and programs that use physical restraint in accordance with paragraph (2.)(v-xiv) of this rule must develop and implement written policies to govern the use of physical restraint. Parents must be provided information regarding the school or program's policies governing the use of physical restraint. The written policies must include the following provisions: (I) Staff and faculty training on the use of physical restraint and the school or .programs policy and procedures, (II) Written parental notification when physical restraint is used to restrain their student within a reasonable time not to exceed one school day from the use of restraint, (III} The use of physical restraint to be documented and a debriefing session held by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained, (IV) Procedures for the periodic review of the use of restraint and the documentation described in paragraph ( 2.)(vii)(III}, (V) Procedures for reporting the use of restraint and the documentation described in paragraph (2.)(vii)(III} and any prohibited use of seclusion and chemical, mechanical, or physical restraint to the local board of education annually, (VI) The documentation described in paragraph (2.)(vii)(III) (monthly summary reports) and any prohibited use of seclusion and chemical, mechanical, or physical restraint is to be submitted to the Alabama Department of Education annually, and (VII) The written policies described in paragraph (2.)(vii)(I and II} are to be included in each local education agencies' code of conduct and/or the student handbook. (viii) Schools and programs that use physical restraints in accordance with paragraph (2.)(v-xiv) of this rule, must ensure that staff and faculty are trained in the use of physical restraint. This training shall be provided as a part of a program, which addresses prevention and de-escalation techniques as well as positive behavioral intervention strategies. Schools and programs must maintain written or electronic documentation on training provided. A list of participants that attended each training session must also be provided. Records of such training must be made available to the Alabama Department of Education or any member of the public upon request. (ix) Nothing in this rule shall be construed to interfere with a school system,

school or program, or school or program employee's authority to utilize time-out as defined in paragraph (1.)(vi) of this rule or any other classroom management technique or approach, including a student's removal from the classroom, that is not specifically addressed in this rule. (x) Nothing in this rule modifies the rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28-12. (xi) Nothing in this rule shall be construed to prohibit a school system, school, or program employee from taking reasonable action to diffuse or break up a student fight or altercation. (xii) Nothing in this rule shall be construed to prohibit a school system, school, or program employee from taking reasonable action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student. (xiii) Nothing in this rule shall be construed to eliminate or restrict the ability of an employee of a school system, school or program to use his or her discretion in the use of physical restraint to protect students or others from imminent harm or bodily injury. Nothing in this rule shall be construed to create a criminal offense or a private cause of action against any local board of education or program or its agents or employees. (xiv) In some instances in which a student is an immediate danger to himself or herself or others, the school or program must determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in these rules shall be construed to interfere with the duties of law enforcement or emergency medical personnel. Parents must be promptly informed when students are removed from the school or program setting by emergency medical or law enforcement personnel.

#### **TITLE IX SEXUAL HARASSMENT**

Title IX Is a federal statute that prohibits sex discrimination in any educational program or activity receiving federal funds. Title IX states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

Title IX protects students, employees and applicants for employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to address stereotypical notions of masculinity or femininity. All students (as well as other persons) at institutions/districts that receive federal funds are protected by Title IX - regardless of their sex, sexual orientation, gender identity, disability, race, or national origin – in all aspects of a recipient's educational programs and activities (OCR Title IX Resource Guide).

Information regarding Title IX Sexual Harassment, including filing a Title IX Sexual Harassment complaint, can be found on our website <https://www.shelbyed.k12.al.us/page/title-ix> or email the Title IX Coordinator, Michael Jones, at [mjones@shelbyed.org](mailto:mjones@shelbyed.org).

#### **DEFINITIONS AND RULES RELATING TO FORMAL DISCIPLINARY ACTION**

All students shall be afforded an opportunity for due process in all matters pertaining to disciplinary matters.

##### **Detention Hall**

Detention hall is defined as a required period of time that may be used for study, isolation, or work detail before, during, or after school. Detention hall assignments are supervised by school personnel and take place inside the school building. It is the parent's responsibility to provide transportation.

##### **In-School Suspension/Detention**

In-school detention is a structured disciplinary action in which a student is isolated or removed from regular classroom activities but is not dismissed from the school setting. The principal or his/her designated person(s) has the authority to assign students to in-school detention for a reasonable and specified period of time.

##### **Suspension**

Suspension is defined as the temporary removal of a student from school for a violation of school policies, rules, regulations, or for interfering with the orderly operation of the school. Without an appropriate disciplinary hearing, cumulative suspensions shall not exceed 10 school days per semester for non-special education students and 10 days per year for special education students. In the event a proposed suspension results in cumulative suspensions exceeding ten (10) school days per semester for non-special education students or ten (10) full days per year for special education students, an appropriate disciplinary hearing will be held. Only the Superintendent or his or her designee, principal, or assistant administrator shall have the authority to suspend students.

- A. Days absent from school because of suspension are unexcused. No credit for daily work is permitted when a student is absent as a result of suspension.
- B. At the discretion of the principal, credit for major tests, nine-week tests, midterm exams, and final exams may be given to students who have been suspended during exam periods.
- C. Any single suspension shall not exceed ten school days without an administrative hearing by the superintendent or his designee. Any suspension of 10 or more days is considered 'Long-term suspension'.

- D. After an administrative hearing, the Superintendent or his designee may suspend the student until action is taken by the Board.
- E. A student being suspended will be informed of the reason for suspension and the number of suspension days. Custodial parents or legal guardians will receive verbal or written notification of the suspension from administration.
- F. The custodial parent or guardian will be given the opportunity to confer with the principal before the student is readmitted to school.
- G. Students suspended for any portion of the school day are not allowed to participate in or attend any school-related activities until reinstated by the school administrator.

### **Expulsion**

Expulsion is denial of school attendance by the Board of Education. Expulsion may be recommended for one calendar year, the remainder of the school year, or for a time period determined on a case-by-case basis. Upon the receipt of the principal's recommendation, the Superintendent shall schedule an administrative hearing. In the event expulsion is recommended, the custodial parent will be notified by registered mail prior to action by the SCBOE.

### **Early Warning**

The Early Warning Program is a school/community-based program to assist public school personnel, parents, and law enforcement personnel in providing early intervention for children and youth who are truant, or in danger of becoming truant, or for conduct.

### **Juvenile Court Referral**

Students may be referred to Juvenile Court for attendance or behavior related problems. Once a student is referred, the Court will take such action as it deems appropriate. Student referral will be in the form of a complaint or petition.

The kinds of petitions are as follows:

- A. Child In Need of Supervision (CHINS), for status offenders;
- B. Delinquent, for juveniles committing misdemeanors or felonies;
- C. Dependent, for abused or neglected juveniles.

### **CLASSIFICATION OF VIOLATIONS**

Proper behavior is that which enhances the learning environment. Classroom teachers are responsible for maintaining classroom discipline and will deal with general classroom disruptions. Only when the action taken by the teacher is ineffective or the disruption is sufficiently severe should the student be referred to the principal or his or her designee.

Parents or guardians of students who consistently disrupt class and/or exhibit poor work habits should be notified by the teacher or other school official and/or referred to a guidance counselor. When a student is brought to the office of the supervising employee, the principal/designee shall hear the student's explanation and consult further with other school personnel, if necessary, before determining the classification of violation or disciplinary measure.

Violations of the Code of Conduct are grouped into four classes: Class I, Class II, Class III, and Class IV. Each classification is followed by a disciplinary action that is to be implemented by principals or their designee. Parental contact (verbal and/or written) will be made as disciplinary consequences are assigned to a student for misconduct.

Additionally, law enforcement and other state agencies (i.e., DHR) may be contacted depending as circumstances dictate.

#### **CLASS I VIOLATIONS**

- 101 **EXCESSIVE TARDINESS** – Three or more incidents of reporting late to school, class, or assigned area during a calendar month.
  - 101.1 **TARDIES TO SCHOOL**
  - 101.2 **TARDIES TO CLASS**
- 102 **DISTRACTION OF OTHER STUDENTS OR THE SCHOOL PROGRAM IN GENERAL** – Any behavior which is disruptive to the educational process.
- 103 **NON-CONFORMITY TO DRESS CODE**
- 104 **MINOR DISRUPTION ON A SCHOOL BUS**
- 105 **INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION**
- 107 **LITTERING OF SCHOOL PROPERTY**
- 108 **FAILURE TO COME TO CLASS PREPARED WITH ALL NECESSARY MATERIALS**
- 109 **UNAUTHORIZED USE OF SCHOOL OR ANOTHER PERSON'S PERSONAL PROPERTY**



- 110 **POSSESSION OF NUISANCE ITEMS** – Any item which disrupts the instructional program is not allowed at school. Such items will be confiscated and may be claimed by a parent or guardian. Examples include but are not limited to: iPods, CD players, radios, toys, trading cards, playing cards, or other hand-held video games. Students bring these items to school at their own risk. The local school is not responsible for attempting to recover these items should they be lost or stolen while at school.
- 111 **ANY OTHER OFFENSE WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL WITHIN THIS CATEGORY**
- 112 **FAILURE TO ATTEND**
- 112.1 **BEFORE OR AFTER-SCHOOL DETENTION**
- 112.2 **SATURDAY SCHOOL**
- 112.3 **SCHEDULED INTERVENTIONS**

#### Class I Disciplinary Actions

##### *First Violation:*

Principal/teacher/student conference, parental contact, or in-school parental conference if warranted. Placement in detention hall, in-school suspension, or extra work assignments may be assigned.

##### *Subsequent Violations:*

Disciplinary actions may include detention hall, extra academic work, in-school suspension, Saturday School, and/or referral to the Early Warning Program. Repeated or cumulative Class I Violations may result in suspension from school and/or bus.

#### **CLASS II VIOLATIONS**

- 201 **DEFIANCE OR DISRESPECT OF SCHOOL BOARD EMPLOYEE'S AUTHORITY** – Any refusal to comply with a reasonable direction or order of a school board employee, or showing a lack of respect for a person or their authority through word or action.
- 201.1 **DEFIANCE**
- 201.2 **DISRESPECT**
- 202 **POSSESSION AND/OR USE OF PRESCRIPTION, NON-PRESCRIPTION MEDICATION, INHALANTS, AEROSOL SPRAYS, OR OTHER OVER-THE-COUNTER PRODUCTS** – Failure to comply with the SCBOE Medication Policy and Procedures. Required medications must be delivered to the school by the parent or other responsible adult accompanied by the completed Alabama State Department of Education designated medication authorization form and kept in accordance with the SCBOE medication policy and procedures.
- 203 **POSSESSION, USE, AND/OR SALE OF LIGHTERS OR MATCHES**
- 204 **INTENTIONALLY TOUCHING OR STRIKING ANOTHER PERSON AGAINST THE WILL OF THE OTHER**
- 205 **USE OF PROFANE OR OBSCENE LANGUAGE**
- 205.1 **POSSESSION OF PORNOGRAPHIC, SUGGESTIVE, OR INAPPROPRIATE MATERIAL**
- 206 **THREAT, HARASSMENT, INTIMIDATION OR BULLYING OF STUDENTS** – The threat by word or act to do harm to another student, with an apparent ability to do so, or doing some act which creates a well-founded fear in the person that such violence is imminent. Harassment is inclusive of name-calling, as well as conduct, which directly affect another individual's emotional state of mind.
- 207 **VANDALISM** – Intentional and deliberate action resulting in injury or damages of less than \$200 to public property or to real or personal property of another. A police report will be filed.
- 208 **"SKIPPING" CLASS OR SCHOOL** – Unauthorized absence from class or school. Group skip days are included in this category and are not permitted by the Board of Education.
- 209 **ACADEMIC DISHONESTY** – A breach of academic integrity as outlined in the Plagiarism and Academic Dishonesty section in this book. Typically, with instances of academic dishonesty, the student will receive either reduced credit or no credit on the particular assignment, along with other appropriate disciplinary action.
- 210 **GAMBLING** – Any participation in games of chance for money and/or other items of value.
- 211 **INTENTIONALLY PROVIDING FALSE INFORMATION TO A SCHOOL BOARD EMPLOYEE**
- 212 **STEALING/LARCENY/PETTY THEFT** – The intentional taking and/or carrying away of property valued at less than \$100 belonging to or in the possession or custody of another.
- 213 **POSSESSION OF STOLEN PROPERTY** – The possession of stolen property valued at or less than \$100, with the knowledge that it is stolen.
- 214 **THREATS TO DO EXTORTION** – Verbal or written.

- 215 **TRESPASSING** – Willfully entering or remaining on any school property without first checking in at the main office, completing visitor check-in procedures and receiving approval.
- 216 **POSSESSION AND/OR IGNITING FIREWORKS OR FIRECRACKERS**
- 217 **INAPPROPRIATE SEXUAL BEHAVIOR**
- 218 **USE OF PHYSICAL OR GRAPHIC OBSCENE GESTURES**
- 219 **THE UNAUTHORIZED USE OF ELECTRONIC COMMUNICATION DEVICES (PERSONAL OR SCHOOL)** – This includes but is not limited to cell phones, computers, and wearable technology such as iWatch, wireless headphones, or wireless speakers.
- 220 **USE OF SLURS: RACIAL, ETHNIC, OR OTHER** – Verbal or written insults, comments, or remarks that are derogatory or demeaning in nature, including but not limited to comments about one’s race, ethnicity, or sexual orientation.
- 221 **ANY OTHER OFFENSE WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL WITHIN THIS CATEGORY**
- 222 **MINOR VIOLATION OF STUDENT ACCEPTABLE USE POLICY FOR THE USE OF TECHNOLOGY** – Examples of minor violations could include: the intentional attempt to circumvent the school’s computer filtering or security system; the unauthorized use, misuse, and/or abuse of the school computer equipment, other technological devices, or other school equipment.
- 223 **POSSESSION OF INAPPROPRIATE DEVICES** – Including but not limited to ammunition, artificial weapons, facsimiles and/or replicas.
- 224 **DISRUPTION ON A SCHOOL BUS**
- 225 **UNAUTHORIZED ORGANIZATION** – Any on-campus participation in non-sanctioned fraternities, sororities, secret societies, or non-affiliated school clubs.
- 226 **MAJOR DISTRACTION OF OTHER STUDENTS OR THE SCHOOL PROGRAM** – Any behavior which is significantly disruptive to the educational process.

#### Class II Disciplinary Actions

Class II violations are serious enough that they may require an in-school parental conference plus the appropriate disciplinary action.

##### *First and Second Violations:*

Require parental notification and/or one or more of the following disciplinary actions: in-school suspension, extended work assignments before-and after-school, detention, suspension from school and/or bus, or Saturday School. Law enforcement and/or juvenile court personnel may be contacted.

##### *Subsequent Violations:*

May result in suspension up to ten school days plus additional disciplinary action as warranted. Special circumstances may warrant contact with law enforcement, referral to the Early Warning Program, or the filing of a complaint or petition in Juvenile Court.

#### **CLASS III VIOLATIONS**

- 301 **CHARGE OF A MISDEMEANOR CRIME**
- 302 **MISUSE OR ABUSE OF PRESCRIPTION OR NON-PRESCRIPTION MEDICATION, INHALANTS, AEROSOL SPRAYS, OR OTHER OVER-THE-COUNTER PRODUCTS** – Required medications must be delivered to the school by the parent or other responsible adult accompanied by the completed Alabama State Department of Education designated medication authorization form and kept in accordance with the SCBOE medication policy and procedures.
- 303 **STEALING/LARCENY/GRAND THEFT** – The intentional taking and/or carrying away of property valued at more than \$100 belonging to or in the possession or custody of another.
- 304 **BURGLARY OF SCHOOL PROPERTY** – Entering or remaining in a structure or conveyance with the intent to commit an offense therein.
- 305 **CRIMINAL MISCHIEF/VANDALISM** – Willful and malicious injury or damages at or in excess of \$200 to public property or to real or personal property belonging to another.
- 306 **POSSESSION OF A KNIFE**
- 307 **POSSESSION OF DANGEROUS DEVICES** – Including but not limited to tasers, mace, tear gas, “blank” guns, facsimiles, Orbeez, igniting of fireworks, replicas, and/or artificial weapons or any item used inappropriately with intent to harm and/or cause a disruption to the school day.

- 308 **INDIVIDUALS OR GROUPS INCITING OR PARTICIPATING IN UNAUTHORIZED DEMONSTRATIONS AND/OR DISORDERLY ACTIVITIES** – Which lead to disruption of the normal school program. This includes any gang related behavior, instigators, and students who have been fighting and attempt to re engage after the fight has been stopped and other types of misbehavior that disrupt the school day.
- 309 **THE INTENTIONAL THREAT, HARASSMENT, INTIMIDATION, STRIKING, OR BULLYING OF A SCHOOL BOARD EMPLOYEE** – The threat by word or act to do harm to an employee, with an apparent ability to do so, and doing some act which creates a well-founded fear in the person that such violence is imminent. Harassment is inclusive of name-calling, as well as conduct, which directly affect another individual's emotional state of mind.
- 310 **THE INTENTIONAL THREAT, HARASSMENT, INTIMIDATION, STRIKING, OR BULLYING OF A STUDENT** – The threat by word or act to do harm to another student, with an apparent ability to do so, and doing some act which creates a well-founded fear in the person that such violence is imminent. Harassment is inclusive of name-calling, as well as conduct, which directly affect another individual's emotional state of mind.
- 311 **FIGHTING** – Any physical conflict involving two or more individuals.
- 312 **DIRECTING OBSCENE, PROFANE LANGUAGE OR GESTURES TO A SCHOOL BOARD EMPLOYEE** – Verbal or written.
- 313 **SEXUAL HARASSMENT**
- 314 **MAJOR VIOLATION OF STUDENT ACCEPTABLE USE POLICY FOR THE USE OF TECHNOLOGY** – Examples of major violations could include: tampering with another student's class work; the intentional use of school system or personal technology, while on school property, to break laws involving theft, identity theft, and distribution of stolen and/or illegal items; the intentional disruption, and/or destruction of school-owned technology equipment; the intentional disruption of network services resulting in school or district level network outages. Students may be required to pay for any repair and replacement damages, including labor costs. In addition, the student's privilege to bring personal technology to school and/or use technology while on school property may be revoked.
- 315 **INTENTIONALLY PROVIDING FALSE INFORMATION TO A SCHOOL BOARD EMPLOYEE OR HINDERING THE INVESTIGATION IN REGARD TO A CLASS III OFFENSE**
- 316 **UNJUSTIFIED ACTIVATION OF A FIRE ALARM SYSTEM OR ITS COMPONENTS, EMERGENCY OR SECURITY SYSTEMS**
- 317 **ANY OTHER OFFENSE WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL WITHIN THIS CATEGORY**
- 318 **ASSAULT** – Alabama State Department of Education defines assault as an attack that is: one-sided, causes bodily injury, and requires a police report.
- 319 **THE MISUSE OR ABUSE OF ELECTRONIC COMMUNICATION DEVICES (PERSONAL OR SCHOOL)** – Sending, sharing, possessing, creating inappropriate messages, videos and/or images via electronic communication devices or any other form of technology, whether personally owned or owned by the school district, at any time, may result in serious school, personal, and/or civil or criminal legal consequences. This may include, but is not limited to, taking photos or videos in areas in which there is a heightened expectation of privacy, such as restrooms, locker rooms, and performance areas; therefore cell phones or other recording devices are banned from use in these areas. SCBOE forbids the unauthorized recording of teachers' classes. Refer to the unauthorized video/audio recording information in the Acceptable Use Practice (AUP) Rules and Regulations section in this handbook.
- 320 **SEXUAL OFFENSES** – Acts of a sexual nature including, but not limited to lewd behavior, indecent exposure, sexual contact, sexual intercourse, or other conduct intended to result in sexual gratification.
- 321 **THREAT** – An expression (verbal or written) of intent to do harm or act out violently against oneself or others. The principal or the school system may impose additional measures that are reasonably calculated to prevent a recurrence of the violation before returning to regular classes.
- 322 **POSSESSION, USE, OR SALE OF TOBACCO PRODUCTS, E-CIGARETTE PRODUCTS, VAPORIZERS, AND SYNTHETIC NICOTINE PRODUCTS**
- 322.1 **TOBACCO, E-CIGARETTES, VAPORIZERS, SYNTHETIC NICOTINE PRODUCTS, POSSESSION**
- 322.2 **TOBACCO, E-CIGARETTES, VAPORIZERS, SYNTHETIC NICOTINE PRODUCTS, SALE**
- 322.3 **TOBACCO, E-CIGARETTES, VAPORIZERS, SYNTHETIC NICOTINE PRODUCTS, USE**

### Class III Disciplinary Actions

The disciplinary action for such violations committed on school premises or during school related functions may be in-school suspension or out-of-school and/or bus suspension up to ten days with possible recommendation for referral to New Direction or expulsion. Parental contact will be made as soon as possible. Law enforcement and/or juvenile court personnel may be contacted and a complaint or petition may be filed after consultation with juvenile authorities.

### **CLASS IV VIOLATIONS**

- 401 **ALCOHOL OR ILLEGAL DRUGS** – The unauthorized use, sale, transfer, possession, soliciting, trafficking, misuse, and/or abuse of alcohol or drugs. These include, but not limited to, alcoholic beverages, barbiturates, central nervous system stimulants, hallucinogens, synthetic replicas, THC oils and waxes, any hemp variant or by-product, cannabis-variant or by-product, and any mood/mind-altering substance, drug paraphernalia, and all other drugs to which the narcotic and drug abuse laws of the United States, local municipalities, and the State of Alabama apply. Students who use or are in possession of, intoxicated, or impaired by any of the above-mentioned substances are not permitted to be on school property, or to attend or participate in any Board sponsored or sanctioned event, program, activity, or function.
- 401.1 **ALCOHOL, POSSESSION**
- 401.2 **ALCOHOL, SALE**
- 401.3 **ALCOHOL, USE**
- 401.4 **DRUGS, POSSESSION**
- 401.5 **DRUGS, SALE**
- 401.6 **DRUGS, USE**
- 402 **ARSON** – The willful and malicious burning of any part of School Board property.
- 403 **ASSAULT UPON SCHOOL BOARD EMPLOYEES** – The intentional touching or striking of a school employee against his or her will, or the intentional causing of bodily harm to a School Board employee.
- 404 **POSSESSION OR DISCHARGING OF DANGEROUS WEAPONS OR DEVICES** – In the school building, on the school campus, in a vehicle, or at any school related function. The term “dangerous weapon” means a firearm or anything designed, made, or adapted for the purpose of inflicting death or serious physical injury, and such term includes but not limited to a bazooka, hand grenade, missile, or explosive or “incendiary device;” a pistol, rifle, or shotgun; or a switch-blade knife, gravity knife, stiletto, sword, or dagger.
- 404.1 **KNIFE, USE**
- 405 **EXPLOSIVES** – Preparing, possessing, or igniting on School Board property explosives likely to cause serious bodily injury or property damage.
- 406 **SEXUAL MISCONDUCT** – Acts of a sexual nature including, but not limited to abuse, battery, attempted rape, or rape.
- 407 **AGGRAVATED ASSAULT** – Intentionally causing great bodily harm, disability, or permanent disfigurement; use of a deadly weapon.
- 408 **ROBBERY** – The taking of money or other personal property from a person by force, violence, assault, or putting the person in fear of the same.
- 409 **THE CHARGE OF A CRIME** – As defined under the laws of the city, State of Alabama, or United States while on school property or participating in a school activity. (§16-1-24.1, Code of Alabama, 1975)
- 410 **BOMB THREAT** – Any such communication(s) which has the effect of interrupting the educational environment.
- 411 **POSSESSION OF A FIREARM (HANDGUN, RIFLE, SHOTGUN) RESULTS IN RECOMMENDATION OF EXPULSION FROM THE SHELBY COUNTY SCHOOL SYSTEM FOR A PERIOD OF NOT LESS THAN ONE YEAR**
- 411.1 **HANDGUN, POSSESSION**
- 411.2 **HANDGUN, SALE**
- 411.3 **HANDGUN, USE**
- 411.4 **RIFLE/SHOTGUN, POSSESSION**
- 411.5 **RIFLE/SHOTGUN, SALE**
- 411.6 **RIFLE/SHOTGUN, USE**
- 412 **INTENTIONALLY PROVIDING FALSE INFORMATION TO A SCHOOL BOARD EMPLOYEE OR HINDERING THE INVESTIGATION IN REGARD TO A CLASS IV OFFENSE**
- 413 **MISUSE OR ABUSE OF PRESCRIPTION DRUGS** – The unauthorized use, sale, transfer, possession, soliciting, trafficking, misuse of prescription drugs. These include any drug that requires a doctor's prescription

to legally possess. Students who are impaired by the use, consumption, or ingestion of any illegal controlled substance are not permitted to be on school property, or to attend or participate in any Board sponsored or sanctioned event, program, activity, or function.

414 **ANY SECOND MAJOR OFFENSE FROM THE CLASS III CATEGORY**

415 **ANY OTHER OFFENSE WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL WITHIN THIS CATEGORY**

416 **TERRORIST THREAT** – A threat by any means (verbal or otherwise) to commit a crime of violence or to damage any property. The principal or the school system may impose additional measures that are reasonably calculated to prevent a recurrence of the violation before returning to regular classes.

**Class IV Disciplinary Actions**

The disciplinary action for such violations committed on school premises or during school related functions shall be suspension up to ten days with possible recommendation for expulsion or referral to New Direction. Parental contact will be made as soon as possible. Law enforcement and/or juvenile court personnel shall be contacted and a complaint or petition may be filed after consultation with juvenile authorities.

Additional disciplinary actions as a result of a Class IV Violation may result in one of the following:

1. Additional suspension days from school and/or bus or other disciplinary action as determined by the principal after consultation with the Superintendent or his designee.
2. Expulsion from the Shelby County School System.

The SCBOE finds that there is a compelling public interest in ensuring that all schools are safe and drug free. The SCBOE, consistent with Ala. Code §16-1-24.1, adopted disciplinary actions which will be enacted in addition to any other disciplinary action outlined in the Code of Conduct.

When a student violates any SCBOE policy concerning drugs, alcohol, weapons, physical harm to a person, or threatens physical harm to a person, the principal shall notify appropriate law enforcement officials. If any criminal charge is warranted arising from the conduct, the principal is authorized to sign the appropriate warrant. The local schools **shall** immediately suspend that person from attending regular classes and within five (5) days schedule a hearing at the earliest possible date.

If the student is found to have violated any SCBOE policy concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, the student shall not be readmitted to a Shelby County school other than New Direction, until (1) criminal charges or offenses arising from the conduct, if any, have been disposed of by appropriate authorities, and (2) the student has satisfied all other requirements imposed for readmission.

Readmission of any student determined to be guilty of an offense involving drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, may be conditioned upon the student meeting certain conditions mandated by the Board of Education, the Superintendent and/or his designee.

**ADDITIONAL CONDUCT POLICIES**

**Participation in Graduation Ceremonies and Class Recognition Programs**

Any student, including a graduating senior, may be denied the opportunity to participate in graduation ceremonies and special recognition programs at the discretion of the principal. The principal may deny participation and assign appropriate disciplinary action for major conduct infractions, class pranks, and other incidents which disrupt the educational process and reflect a negative image on the individual, class or school in general.

**Search and Seizure Policies**

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search. This can include specially trained dogs and metal detectors. As used in this policy, the term “unauthorized” means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission, or process of the school, or any item described as unauthorized in school rules available beforehand to the students. A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

**Personal Searches**

A student's person and/or personal effects (e.g. purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal, unauthorized, or contraband materials. If a pat down search of a student's person is conducted, it shall be conducted in private by a school official of the same sex. Another adult witness shall also be present.



If the school official has reasonable suspicion to believe that the student has on his or her person an item imminently dangerous to the student or to others, a more intrusive search of the student's person may be conducted. Such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the Superintendent or his/her designee, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures.

**Personally-Owned Technology:**

School officials may read, examine, or inspect the contents of any personally-owned technology upon reasonable suspicion that the contents or recent utilization of the technology contains evidence of a violation of rules and policies, as well as any local, state, or federal laws.

**Searches Involving Outside Personnel, Dogs, And/Or Detection Devices**

Searches of students which involve outside (non-school) personnel, dogs, and/or detection devices are permitted and will be conducted when appropriate.

**Seizure of Illegal Materials**

If a properly conducted search yields illegal, unauthorized, and/or contraband materials, said items may be impounded by school officials. Students shall be given a receipt for any items impounded and parents or guardians shall be notified of all items seized.

**Documentation**

The principal shall fully document every incident where a search is conducted. Such documentation shall include a detailed account of the search, items impounded, the student(s) involved, a list of all witnesses present, and other information regarding the incident.

**Grievance Procedures**

A grievance shall mean a complaint by a student or group of students that there has been a violation, a misinterpretation, or inequitable application of any policy or practice of the school or school system. The primary purpose of this procedure is to provide for the prompt and equitable resolution of appeals for long-term suspensions, alternative school placements, and expulsions. The Superintendent or the Disciplinary Review Committee will hear grievances on these matters only. Grievances including, but not limited to, short-term suspensions, in-school suspensions, silent lunches, detentions, Saturday Schools, and other disciplinary assignments will be heard by the local school principal. The decision by the principal is final with no further right of appeal.

The Superintendent is authorized to develop procedures that will provide for fair consideration and orderly review of all other student complaints and grievances. Attendance hearings or other matters not specifically mentioned herein, that may be appealed under provisions provided in the Student Code of Conduct and Attendance or other authorized and prescribed procedures are not subject to the provisions of this policy. The grievance may be initiated orally or in writing at Level One and must be filed within 5 work days following the act or condition which is the basis for the complaint. Beyond the initial step, the grievance shall be in writing.

**Procedures**

Each level of the procedure shall be observed and proper channels followed. At the request of the student or parent, exceptions may be granted by the Superintendent in emergency situations.

**A. Level One (Informal Procedures)**

- The aggrieved student/parent shall first seek resolution of the complaint or grievance through free and informal communications as close as possible to the point of origin. A student/parent with a grievance must first take it to his/her immediate teacher, or if the complaint concerns that teacher and the student/parent does not feel comfortable, he or she may take it to the school administration. Both shall be consulted prior to further resolution procedures.

**B. Level Two (Formal Procedures)**

**Step 1**

If, as a result of the discussion between the student, teacher, and principal, the matter is not resolved to the satisfaction of the student, then within five workdays, the student shall set forth the grievance in writing to the Superintendent specifying:

1. The nature of the complaint or grievance
2. The nature or extent of the injury, loss, or inconvenience
3. Relief sought
4. The results of previous discussions
5. Dissatisfaction with the decision previously rendered

The Superintendent, or the Discipline Review Committee acting on behalf of the Superintendent, shall hear the grievance and render a decision within 15 workdays after receiving the notice of appeal concerning a long-term

suspension or alternative school placement. At this Discipline Review Committee meeting, the student may be accompanied by a parent or legal guardian. The decision rendered by the Discipline Review Committee regarding long-term suspensions or alternative school placements is final with no further right of appeal.

If the student/parent chooses to be accompanied by legal representation at the Discipline Review Committee meeting, a Board Hearing will be scheduled instead with the school system's attorney and Board Members present.

#### **Step 2**

Concerning an expulsion consequence, a student/parent may appeal to the Board of Education. The written appeal must be filed within five workdays after receiving confirmation of a recommendation for expulsion by the principal. At the Board hearing, the aggrieved student may be accompanied by a representative of his/her choice and present evidence supporting the grievance.

#### **Step 3**

In the event the student/parent is not satisfied with the disposition of the grievance by the Board of Education, the student/parent may appeal the Board's decision to expel to the appropriate authorities as provided by law.

### **Miscellaneous Provisions**

#### **A. Time Lines**

- It shall be understood that the time lines imposed at each level and step shall be strictly enforced, and unless the appeal is made within the time allotted, the grievance shall be deemed to have been settled and the student shall have no further right of appeal with said grievance.

#### **B. Hearing Procedures**

- The Superintendent and/or the Board of Education may establish hearing procedures to be followed at Level Two, Step 1 and Level Two, Step 2.

### **Field Trips**

Student participation in a school sponsored field trip is considered a privilege. Students may be denied the opportunity to participate in a school sponsored field trip if safety is a concern due to the student's behavior in the school setting. Should this happen, the principal may request that the parent/legal guardian attend the field trip. Parents are not allowed to ride a Shelby County school bus. If the parent/legal guardian is unable to accompany the student on the field trip, the principal may deny participation in the field trip. In the event a student is not eligible to attend the field trip, school attendance will be expected.

Students making a trip under the sponsorship of the school are required to have a form signed by their parents/guardians giving them permission to take the trip and releasing the school from any liability for any accident or injury. Students will be transported via school bus and/or charter bus to/from field trip locations. Prior to the day of the field trip, students should communicate with teachers about deadlines and due dates of class assignments.

### **Dress Code**

Students are required to be neat, clean, and fully clothed at all times. Teachers and administrators will refer students to parents when clothing, jewelry, or grooming is questionable or inappropriate. Students who have questionable or inappropriate dress will not be allowed to attend class. The following items will serve as a minimum guide to acceptable dress for Shelby County students. Any school modifying the SCBOE Dress Code must obtain approval from the Superintendent. All modifications must be presented in writing to students prior to enforcement.

#### **Dress Code Guidelines**

- A. Ear piercings are allowed. All other piercings, hairstyles, and other adornments (including tattoos) that draw attention to oneself in a manner that may be disruptive to the educational process are prohibited.
- B. No obscene language and/or illegal substances advertisements (to include alcohol and tobacco advertisements) may be worn on clothing or accessories.
- C. Pants, shorts, and skirts must be worn at the waist and fit properly. Articles of clothing worn too low, too long, too large, too short, too tight, or too loose are not permitted. Skirts, shorts, and dresses must be mid-thigh or longer in front and back. No slits or leg openings may be above mid-thigh. Leggings/Jeggings/Yoga style pants may only be worn with a top that is mid-thigh or longer in length.
- D. Tucked in shirts are requested for grades K-5. No halters, backless dresses, midriff shirts, spaghetti straps, or cut-off shirts will be allowed.
- E. Jackets and coats are to be worn in good taste. Generally, these are inappropriate to be worn in the classroom.
- F. No hats, caps, head coverings, hair curlers, picks, or sun glasses will be worn in school.
- G. Students are required to wear appropriate shoes at all times. Shoes with wheels are not appropriate for the school environment. Tennis shoes will be required for physical education class.
- H. Students' clothing should be neat and clean and not in noticeable disrepair. Unhemmed (cut-off) shorts, skirts, shirts, pants, and garments with inappropriate holes or inappropriate slits above mid-thigh are not allowed.

- I. Appropriate undergarments must be worn and not visible.
- J. Students are prohibited from wearing any metal chains, metal spiked apparel, or accessories.
- K. Students are to wear clothing in the manner it is designed to be worn, i.e., clothing worn backwards or inside out is not allowed. No excessively tight or revealing clothing, such as fishnet or see-through garments, may be worn.
- L. Students are prohibited from wearing or carrying any sign, symbol, or logo that promotes any type of violence or hate speech, including but not limited to affiliation with any gang, cult, or other unauthorized group. This also includes any avenue for the promotion of products or activities prohibited by school policy or that are inflammatory and may generate negative feelings among the student body. Any other apparel or accessories that may be disruptive in the school setting (as determined by the administration) will not be permitted.
- M. Principals shall have the discretion to determine the appropriate dress for special occasions.

#### **Enforcement of Dress Code**

Parents, teachers, and principals will strictly enforce the dress code. A student may be sent home to make any necessary alterations. Since this normally works a greater hardship on the parents and guardians than the students, parents are urged to supervise their child's dress on a daily basis. We expect parents to take an active role in supporting this dress code.

#### **Suspension/Expulsion of Students with Ability Impairments**

Any student who has been identified as ability impaired under the provisions of the Individuals with Disabilities Education Act; Americans with Disabilities Act; and/or Section 504 of the Rehabilitation Act of 1973, may be suspended or expelled when all procedural safeguards set forth in the above mentioned applicable laws are followed. Concerns and questions relating to Section 504 should be referred to the Special Education Coordinator.

#### **Public Complaints**

The proper channeling of complaints involving individual students or a local school matter is as follows: 1) the teacher; 2) the principal; 3) the Superintendent of Schools; 4) the Board of Education.

#### **School Visitors**

Visitors to the school must report to the principal's office for permission to visit. Authorized visitors will be issued a visitor's badge prior to visiting the school. Persons without badges will be considered trespassers. Security cameras are located throughout the school buildings and campuses and anyone on school property may be videotaped. SCBOE forbids the unauthorized recording of teachers' classes and/or other school-related meetings. Refer to the unauthorized video/audio recording information in the Acceptable Use Practice (AUP) Rules and Regulations section in this handbook. The school reserves the right to "no trespass" individuals whose conduct violates the schools acceptable standards of conduct, or creates a disruption to the school program.

#### **Transportation**

Parents and students should be aware that the sole purpose of a school bus is to transport students safely to and from school. Since the school bus driver carries this heavy burden of responsibility, the school bus is considered an extension of the classroom and all SCBOE rules apply. The following guidelines are to be followed when riding the bus. Any student not abiding by these guidelines may be subject to discipline as outlined in the DEFINITIONS AND RULES RELATING TO FORMAL DISCIPLINARY ACTION in this publication:

- A. Students will be picked-up and dropped-off at their residence or designated bus stop only.
- B. Students should be at the bus stop at least five (5) minutes prior to the designated time.
- C. Once students arrive at their school bus stop, they are subject to the rules of the school system. It is recommended that parents supervise their children at the bus stop.
- D. Students must obey instructions given by the driver.
- E. Students must be courteous to fellow pupils and the bus driver. (Do not annoy other students.)
- F. Horseplay, threats, and fighting are not permitted on or around the bus or at bus stops.
- G. Students should remain silent when approaching and crossing railroads.
- H. Students should talk only in a normal voice and not use profane or obscene language.
- I. Students should remain properly seated, not change seats, and keep head and hands inside the bus.
- J. Students are not allowed to eat, chew gum, drink, vape, smoke, or strike matches on the school bus. Exception: Students may have water in a clear plastic bottle with a twist top only during the months when temperatures are hot.
- K. Weapons of any kind are not permitted on the bus.
- L. Students are not allowed to tamper with any of the equipment on the bus, especially the emergency door.
- M. Students are not allowed to litter the bus, or throw objects within or outside the bus.



- N. Students are not allowed to leave the bus except at the regular bus stop without written permission from the administration.
- O. No objects should be transported on a school bus that may compromise the safety of the students or the driver. This includes, but is not limited to; animals, fireworks, sharp objects, glass, balloons, and any other objects that could obstruct a driver's vision, distract a driver's attention, or otherwise endanger the lives of anyone who rides a school bus.
- P. Books, packages, coats, band instruments, and other items should not be in the aisles or in the driver compartment and should not be left on the bus. These items must be held in the child's lap and must not occupy the seat of another child.
- Q. Students are not allowed to transport Prescription or Non-Prescription medications on the bus except emergency medications and approved medications prescribed for self-administration.
- R. Due to the possible distraction to the bus driver by the use of cell phones, beepers, or other personal electronic communication devices, the use of these items will not be allowed on the school bus. Under emergency situations (i.e., mechanical break-down of the school bus, accidents, or other possible safety issues) the use of these items may be allowed.

#### **Student Arrival at School**

Students not transported by bus should not arrive prior to the arrival of the first bus since supervision is not available.

#### **Enrollment of New Students and Transfer Students**

Students who apply for enrollment in a Shelby County School must attend school in the attendance zone where they reside with a custodial parent or legal guardian. Failure to comply with this requirement will result in the immediate withdrawal of students from said school.

All transfer students must be in good disciplinary standing from their previous school(s) with no outstanding suspension or expulsion offenses pending. SCBOE honors suspensions and expulsions from other official Boards of Education.

### **ATTENDANCE CODE FOR SHELBY COUNTY SCHOOLS**

Daily attendance is very important. Students learn and increase their knowledge by being in class each day. Students deserve every opportunity for academic success. Students, parents, teachers, administrators, and courts are partners in developing good attendance.

#### **Responsibilities of the Student:**

- A. Arriving at school prior to the opening time.
- B. Being seated and ready for instruction in each class before the tardy bell rings.
- C. Bringing to each class those books and materials necessary to make attendance meaningful.
- D. Remaining in class for the entire class period.

#### **Responsibilities of the Parent:**

- A. Encouraging their child to be present daily and on time.
- B. Discouraging their child from absences related to family trips and/or vacations during the school year, and appointments that could be better scheduled so as to not interfere with the school day.
- C. Refraining from asking the school to violate the check-out procedure approved by the SCBOE.
- D. Scheduling necessary appointments for their child outside the school day when possible.
- E. Cooperating with the school in providing valid excuses for their child's absence.
- F. Attending conferences arranged by the administration.

#### **Responsibilities of the Teacher:**

- A. Developing class incentives related to improved attendance.
- B. Establishing contact with parents concerning their child's attendance patterns.
- C. Working with the guidance counselor in scheduling students in programs that meet their individual needs.
- D. Recognizing the importance of each class period and scheduling teacher requests for students accordingly.
- E. Demonstrating to the student that planned learning experiences will take place each day.

#### **Responsibilities of the Administration:**

- A. Designing local school plans for improving attendance.
- B. Enforcing a check-out system consistent with administrative policy.
- C. Providing a Perfect Attendance Award to students who have been present every complete day of the school year with no tardies, checkouts, or early dismissals.

- D. Providing an Exemplary Attendance Certificate for those students who attend school each day of the school year. Excessive tardies, checkouts, and/or early dismissals resulting in a detention may prevent a student from earning this award.
- E. Considering many alternatives in an effort to reduce the number of suspensions and, thereby, absent days.
- F. Attempting to keep parents aware of each absence daily.

Responsibilities of the Courts:

- A. Communicating with parents concerning attendance problems.
- B. Scheduling informal conferences with parents and/or students concerning attendance violations.
- C. Accepting CHINS, Delinquent, and Dependent complaints and/or petitions for program violators.
- D. Exerting every effort to protect the best interest of the juvenile by supporting the Attendance Program.

### **State Definition of Truancy & Laws Governing of School Attendance**

In December, 2004, the State Department of Education adopted a uniform definition of truancy to be applied throughout the state. Under this definition, it is the responsibility of a parent, guardian, or other person having charge of any child enrolled in an Alabama public school (K-12) to explain in writing the cause of any and every absence no later than three (3) school days following the student'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 absences determined by the principal to be unexcused based upon the State Department of Education's current School Attendance Manual. As unexcused absences develop, the local school will communicate with the parent/guardian to bring awareness to the attendance concern.

Upon the seventh unexcused absence during the school year, a truancy referral will be made to the Early Warning Program, with mandatory parent participation. Seven unexcused absences within a school year constitute a student being truant for the purpose of filing a petition with the Court.

Listed below are excerpts of pertinent statutes relating both directly and individually to school attendance:

- The law requires that every child between the ages of six and 17 years shall be required to attend school. (§16-28-3.1, Code of Alabama, 1975)
- \*Effective July 1, 2000, §16-28-16 of the Code of Alabama, 1975, is amended to read as follows:
  - “(b)...Each child who is enrolled in a public school shall be subject to the attendance and truancy provisions of this article except that any parent or parents, guardian or guardians who voluntarily enrolls their child in public school, who feels that it is in the best interest of that child shall have the right to withdraw the child at any time prior to the current compulsory attendance age.”
- The law also gives the responsibility for attendance and control of the child to the parent. (§16-28-12, Code of Alabama, 1975) If the child is truant, there are several actions that can be filed against the parent and/or the child.

Actions Against Adults:

- A. A criminal action can be brought against any “parent, guardian, or other person having control or charge of any child . . . who fails to have such child enrolled in school or who fails to compel such child to properly conduct himself as a pupil” and they “shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$100 and may also be sentenced to hard labor for the county for not more than 90 days . . .” (§16-28-12, Code of Alabama, 1975)
- B. “It shall be unlawful for any parent, guardian, or other person to willfully aid, encourage, or cause any child to become delinquent, dependent, or in need of supervision or by words, acts, threats, commands, or persuasions, to induce or endeavor to induce, aid, or encourage a child to do or perform any act or to follow any course of conduct which would cause or manifestly tend to cause such child to become or remain delinquent, dependent, or in need of supervision or by the neglect of any lawful duty or in other manner contribute to the delinquency, dependency, or need of a child. Failure on the part of any parent, guardian, or other person having custody of the child to cause such child to attend school as required by the compulsory attendance law shall be held to be encouraging, causing, and contributing to the delinquency, dependency, or need of supervision of such child.” (§12-15-111, Code of Alabama 1975, Revised)
  - “Whoever violates this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500 or sentenced to hard labor for the county for a period not to exceed 12 months or both.” (§12-15-111, Code of Alabama 1975, Revised)
- C. Educational neglect: “Dependent child: A child whose parent(s), guardian, or custodian fails, refuses, or neglects to send such child to school in accordance with the terms of the compulsory school attendance laws of this state . . .” (§12-15-102 (8)(a)(4), Code of Alabama 1975, Revised)

#### Actions Against the Alleged Truant Child:

“In case any child becomes a habitual truant, or because of irregular attendance or misconduct has become a menace to the best interest of the school ... and the parent ... files a written statement in court ... the attendance officer must file a complaint before the judge of the juvenile court ... whereupon such child must be proceeded against ... for the purpose of ascertaining whether such a child is a dependent, neglected, or delinquent child.” (§16-28-14, Code of Alabama, 1975)

#### Notice:

“In all cases investigated where no valid reason for non-enrollment or non-attendance is found, the Attendance Officer shall give written notice to the parent ... and shall be required to bring criminal prosecution against the parent ... ” (§16-28-16, Code of Alabama, 1975)

Literal, not substantial, compliance is required of the notice provisions of this section. See, *Ex parte Hill*, 381 So.2d 94 (Ala. 1980) (Attached)

#### Custody:

When a child is found away from home and not in the custody of the person having charge or control, “it shall be the duty of the attendance officer, probation officer, or other officer authorized to execute writs of arrest to take into custody without warrant any child required to attend school ... ” (§16-28-17, Code of Alabama, 1975)

#### Regulations Governing Attendance

##### A. Enrollment and Attendance

1. Compulsory enrollment and attendance is mandated by Alabama Law for any child between the ages of six and 17 years. Compulsory enrollment and attendance are required each year for these ages unless the pupil is legally excused from enrollment by the Superintendent, Board of Education, or the courts. Only these officials have authority to excuse a child from enrollment and attendance.
2. All school personnel shall report known cases of non-enrollment and irregular attendance to the principal. The principal shall report cases of non-enrollment or irregular attendance to the System's attendance officer.

##### B. Absenteeism

1. Parents or guardians shall send a note of explanation, i.e., court notes, doctor's notes, or parent excuses to the school the day the child returns to school. Providing falsified (forged) doctor notes to explain a student's absence from school is a criminal offense, and is subject to prosecution in the courts. Failure of the parent or guardian to send a note will ordinarily result in the absence being marked unexcused.
2. Check-outs and check-ins shall be considered as an absence for the classes missed. Notes of explanation for the absence will be required as in section B (1) above.
3. Only an excused absence permits work to be made up. It is the responsibility of the student to contact the teacher within three days of returning to arrange for make-up work.
4. Students will not be allowed to participate or attend a school function if they are not in school for at least one half of the instructional day of the event, except for emergency situations approved by the principal.
5. Credit for class work is not permitted for students suspended from school. At the discretion of the principal, nine-week tests, midterms, and final exams may be made up and credit given for those students who have been suspended during exam periods.
6. Chronic Absenteeism – Monitoring and reporting students in each school who are “chronically absent” is a new directive from the Alabama State Department of Education, and is one of a public school's indicators upon which it is evaluated in the Alabama State Department of Education's school accountability report. A student is determined to be a chronic absentee when the student has accumulated 18 or more absences during the school year – inclusive of all types of absences, both excused and unexcused. Building principals are expected to monitor and address incidents of student chronic absenteeism at their schools.

##### C. Number of Absences Allowed

The SCBOE recommends a minimum attendance standard of 168 days per school year. Therefore, a student who accumulates more than 10 absences during a school year is subject to loss of credit and/or retention. For parents/students who submit a physician's letter to explain chronic issues that impact school attendance, a signed release of medical information form must be on file to verify specific attendance expectations with the medical provider.

1. Any student enrolled in grades K-5, who accumulates more than 10 absences during the year, is subject to being retained in the same grade the succeeding year. **Absences beyond 10 (excluding DE and LG absences) must be documented with a doctor's or court excuse or permission of the principal.** Parent-written notes will not excuse time missed from school after any combination of absences coded PE, AA, or UA has exceeded 10 or more. Once a student has accumulated 10 or more absences (coded PE, AA, and UA), a doctor's excuse will be

required to explain any future absences through the end of the school year.

2. School sponsored or sanctioned activities are exempt and do not count toward the total absences allowed; however, arrangements must be made for making up work as required.
3. A student who is suspended from school for disciplinary reasons for any number of days will have that number of days charged against the total number of absences allowed.
4. According to the Alabama State Department of Education, excused absences are as follows:
  - a) Illness
  - b) Death in the immediate family
  - c) Inclement weather which would be dangerous to the life and health of the child as determined by the principal
  - d) Legal quarantine
  - e) Emergency conditions as determined by the principal
  - f) Prior permission of the principal and consent of the custodial parent or legal guardian (a parent's prior notification to the school does not automatically excuse the absence).
5. The following information is provided to you concerning the codes for absences which will be on your child's attendance record: **PE** - Parent note for student illness, **DE** - Doctor's excuse which indicates that the student visited the doctor and was treated for the illness, **LG** - Court excuse, **AA** - Principal's permission/death in the immediate family, **OSS** - Suspension, **UA** - Parent note - unexcused, or no note or explanation. **PE**, **DE**, **LG**, **OSS** and **AA** are excused absences. **UA** is an unexcused absence.

#### D. Make-Up Work

1. Excused Absences - If a student is absent for any excused reason as defined above, the student shall be allowed to make up assignments and other work missed during said absence or absences at a time agreeable to the teacher(s). Students shall be given a reasonable opportunity to learn the lessons missed due to excused absences. Given the number of days missed due to excused absences, students shall be given an appropriate time period in which to complete the assignment(s). For assignments that were due on the day in which the student was absent, provided that the due date was previously communicated prior to the student's absence, the student should be prepared to turn-in the assignment upon returning to school.
  - The parent or guardian shall be responsible for arranging necessary make-up work.
  - Time limit: Excuses for absences must be turned in within three (3) days of the student returning to school from an absence. Arrangements for make-up work must be made within three (3) days after returning to school from an excused absence.
2. Unexcused Absences at the elementary and intermediate school levels - Parents of elementary students who are absent for unexcused reasons should consult with the principal regarding make-up work.

#### E. Check-Out/Check-In Procedure

- Parent/Legal Guardian will be required to show a picture ID when checking students in or out of school. Students checking out of school must be signed out by the parent, legal guardian, legal custodian, or designated responsible adult. Notes, faxes, email, and telephone calls will not be accepted. The principal has the responsibility of making a decision in the best interest of the student when emergency situations and unusual circumstances arise.

#### F. Notification of Parent or Guardian

1. Attendance letters will be placed in the student binders or mailed to parents in grades K-5 after the 2nd, 5th, and 10th absence that is not documented by court, doctor, excused parent note, or principal's permission during the school year.
2. Tardies will be closely monitored and students with consistent tardiness to school and/or excessive unexcused check-ins and check-outs may be summoned to the Early Warning Program. Tardies to school and excessive unexcused check-ins / check-outs should not exceed more than 2 per month.
3. In keeping with the procedures of the Early Warning Program, maximum flexibility allows the principals and teachers to determine if absences are truancy cases before mailing the first notification to the parent or guardian. All excuses must be documented in writing by the parent or guardian. The attendance officer or principal reserves the right, despite submission of such a written excuse, to evaluate each case on its individual merits to determine if referral to the Early Warning Program is appropriate. Reasons for non-referral after the requisite number of absences shall be documented by the principal or his designee. Only those names listed on the Request for Early Warning Referral will be sent a letter from Juvenile Court Services to report to the Early Warning session.

4. The following protocol shall be followed by schools when absences occur:
  - A. Attempted phone contact upon the occurrence of any school absence.
  - B. Written notification upon the second unexcused absence.
  - C. Conduct a Pre-Early Warning Program referral conference upon the third or fourth unexcused absence.
  - D. Submit an Early Warning Program student referral upon the seventh unexcused absence.

#### G. Early Warning Program

- Purpose: The Early Warning Program is a school/community-based program that assists public school personnel, parents, and law enforcement personnel in providing early intervention for children and youth who are truant or in danger of becoming truant. A child is truant if no explanation is provided for absences or the child is absent for reasons other than those recognized as excusable.
- Description: The Early Warning Program is a cooperative effort involving the SCBOE; Honorable Erin B. Welborn, Juvenile Court Judge of Shelby County; The District Attorney for Shelby County; Juvenile Court Services; and The Department of Human Resources.
- Procedure: Parents will be notified when trancies have occurred. Per State Department guidelines, participation in the Early Warning Program is required. Should trancies occur, the parent(s) and child may be summoned to a juvenile court session
- Further trancies could result in the filing of a petition.

#### H. Loss of Credit for Excessive Absences

When a student in grades K-5 has accumulated more than 10 absences per year, the principal shall evaluate the attendance record and may recommend retention. A student who has 8 unexcused absences out of a total of 10 absences may be retained due to excessive absences. If such is the case, the parent/guardian and the System Attendance Officer shall be notified in writing in the event of retention.

#### I. Due Process Procedures

1. The parent, guardian, or student may request a hearing with the principal in writing, signed and dated, within five days from the date of the notification of the loss of credit or retention.
2. The failure of the parent, guardian, or student to request a hearing shall be sufficient evidence to sustain the loss of credit or retention.
3. The decision of the principal at the local school to deny credit or to retain a student may be appealed to the Superintendent in writing within five days after the hearing at the local school has taken place.

#### **NOTIFICATION OF RIGHTS UNDER PUBLIC LAW 93-380**

Parents or guardians have the right to inspect and review all official records, files, and data directly relating to their children including the permanent record folder. This right is conferred upon the student when the student becomes 18 years of age.

A request to review such records must be made to the school principal. Upon review of such records, the parent, guardian, or eligible-age student may request a hearing to challenge the content of such records if desired.

No personally identifiable information of students will be released without the written consent of parent, guardian, or eligible-age student except to:

- A. School personnel involved in the educational process
- B. Officials of other schools in which the student enrolls or intends to enroll
- C. Authorized representative of:
  1. Comptroller General of the United States
  2. The Secretary of the Office of Education
  3. An administrative head of an education agency
  4. Any state education agency

Transcripts of permanent records will be sent to other schools in which a student enrolls, or intends to enroll when requested by school officials or when requested by the parent, guardian, or eligible-age student.

#### **IMMUNIZATION REQUIREMENTS**

According to Alabama law (§16-30-4, Code of Alabama) Boards of Education shall require each pupil who is otherwise entitled to admittance to present an Alabama Certificate of Immunization. Therefore, no student will be admitted to SCBOE without this certificate of immunization. These certificates may be obtained from the Shelby County Health Department or your local physician.

#### **NOTICE OF GIFTED EDUCATION SERVICES**

Gifted students are those who perform or have the potential to perform at high levels in academic or creative fields when compared to others of their age, experience, or environment. These students require services not



ordinarily provided by the regular school program. Students possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor. In addition, some students with disabilities may be gifted. The SCBOE prohibits discrimination against any student on the above basis with respect to his/her participation in the gifted program.

A student may be referred by teachers, counselors, administrators, parents or guardians, peers, self, or any other individuals with knowledge of the student's abilities. Additionally, all second grade students will be observed as potential gifted referrals using a gifted behavior checklist.

For each student referred, information is gathered in the following three areas:

- A. Aptitude - Assessed through an individual or group test of intelligence or creativity.
- B. Characteristics - A behavior rating scale designed to assess gifted behaviors is completed by system/school personnel.
- C. Performance - At least three indicators of performance at a gifted level such as achievement test scores, grades, products, work samples, and/or portfolios.

The scores from the assessments/items used are entered on a matrix where points are assigned according to established criteria. The total number of points earned determines if the student qualifies for gifted services.

Contact the student's teacher or the school counselor to refer a student for consideration for gifted services. For more information, contact the Supervisor of Advanced Programs at the Shelby County Instructional Services Center, 205-682-5976.

### **BULLYING, INTIMIDATION, VIOLENCE, AND THREAT OF VIOLENCE**

The Jamari Terrell Williams Student Bullying Prevention Act, No. 2018-472, renames the Student Harassment Prevention Act. As a result, public school districts in Alabama are now required to establish school board policy to address and prevent bullying, intimidation, violence, and threats to do violence. Subsequently, the SCBOE recently adopted a revised anti-bullying policy, which strictly prohibits this behavior. Bullying is defined as a continuous pattern of intentional behavior where there is an imbalance of power. This includes intentional behavior on and off of school property, on a school bus, or at a school sponsored event, including but not limited to cyberbullying, written or electronic, verbal or physical acts or gestures by an individual or group that is reasonably perceived to be threatening by the student-victim.

In an effort to minimize this type of behavior, the SCBOE has created a process whereby a student, parent, guardian, or bystander may report instances of bullying to the school administrator for further review and investigation. The Bullying Reporting Form is available at the local school, through the school district's website or local school website and must be delivered to the principal or principal's designee. All reported incidents of bullying are investigated, and when necessary, school administrators will apply appropriate disciplinary consequences.

### **STUDENT CELL PHONE USE**

The SCBOE respects parent wishes for their child to bring a cell phone to school. However, cell phones brought to school must be stored appropriately. The school is not responsible for attempting to recover lost or stolen cell phones when students have not properly secured them. Cell phones cannot be audible on school property. When a student is found to be using his/her cell phone without permission or during designated times on school property, the phone will be taken from the student and given to a school administrator. Students whose cell phones contain any illegal or inappropriate material are subject to the appropriate school consequences, as well as possible legal consequences. There is an expectation of privacy in all restrooms, locker rooms, and performance areas; therefore, cell phones or other recording devices are banned from use in these areas. Please refer to your local school handbook regarding additional information about cell phone use.

When a student violates the school system guidelines for cell phones, the individual's cell phone will be confiscated and consequences applied as outlined in the Student Code of Conduct and Attendance Booklet.

With regard to incidents that occur during the administration of a state-mandated test, the Alabama State Department of Education has stipulated that: (1) the possession of a digital device is strictly prohibited during the administration of a secure test; (2) when a digital device is discovered during the administration of a secure test, the device will be confiscated and subject to a search; and (3) if it is determined that the device was used during the administration of a secure test, the student's test will automatically be invalidated. Visual or audible possession of a digital device will result in the device being confiscated. Once confiscated, school administrators are required to investigate the incident and determine if the device has been used by the student to cheat, or for some other unpermitted purpose. If the device is a "smart phone," the device should be turned off immediately after the search to help prevent a potential remote-access data-wipe. When the investigation of the incident is completed, the local school must notify the school district's supervisor for the testing and complete a testing irregularity report in accordance with the Alabama Department of Education. The return of the student's digital device, as well as the

assignment of any school disciplinary consequences, will be in accordance with school system procedural protocol.

### **ACCEPTABLE USE PRACTICE (AUP) RULES AND REGULATIONS**

#### **Technology**

SCBOE provides students with access to technology in order to enhance student learning. The term "technology" refers to all forms of hardware, digital devices, software, and accounts. Although cell phones and smartphones can be used for many of the same activities as other forms of technology, additional rules may apply to the possession and use of these communication devices. This AUP applies to all technology, regardless of ownership, used on school property during school hours or during other school-related activities. It also applies to the use of District-owned or managed technology regardless of location or time of day.

#### **Online Accounts & COPPA**

Throughout the year, teachers may wish for their students to use free or paid, educationally appropriate websites or apps, some of which will require that each student have an individual user account. In order to create such accounts, the District may upload certain 'directory information' (see FERPA) to the provider, generally the student's name, school, and grade level. Students will access most of these accounts through the Clever portal. However, some sites may require an account and login outside of Clever. SCBOE will review the privacy policies of such websites in advance of their use. For a list of reviewed sites, visit: <https://sites.google.com/shelbyed.org/approved-sites/home>

In compliance with the Children's Online Privacy Protection Act (COPPA) of 1998, any person under the age of 13 must receive explicit parental permission in order to sign up for any online service where their personal information may be shared, unless that person is part of a subscribing school that provides COPPA consent on behalf of parents. SCBOE will provide such consent on behalf of parents unless the parent properly notifies the school that they deny such permission. Parents who may wish to opt out of this permission should first speak to their child's school so that they understand the impact this may have on the digital tools available to their child. If the parent still wishes to opt out, instructions on how to do so are found in the Parent Notifications and Parent's Right to Restrict portion of this Code of Conduct.

#### **Parental Right to Restrict**

Parents have the option of restricting certain activities related to technology use. For complete information and directions on how to notify the school about any of the following restrictions, see the "Parental Notifications" section later in this Code of Conduct.

- Restrict a student under the age of 17 from independently using the Internet while at school
- Restrict a student account from being established on free, pre-approved websites when the websites require parental permission
- Restrict a student (grades K-12) from being issued a Google Apps for Education account

Students whose parents have notified the school that they want certain restrictions to be applied should abide by their parent's wishes in addition to all other rules in this Acceptable Use Policy.

#### **Personally-Owned Technology**

As part of the District's Bring Your Own Device (BYOD) program, some schools allow students to bring their own devices to school for educational use. The use of any personally-owned technology at school is a privilege, not a right. The Board reserves the right to place conditions on, restrict, or prohibit the use of personally-owned technology on its property, including the use of personal online accounts. Devices and rules may vary from school to school.

Students must first determine if their school has a BYOD program and, if so, which devices are allowed. Before bringing a device to school, the student should get their parent's permission to do so. The following devices may not be brought to school:

- Any technology, such as wireless access points or hotspots, used to set up a network for Internet access
- Any technology which interferes with or adversely affects the functions or operations of the Board's resources or infrastructure.

Students may only use personal technology during school hours when given specific permission to do so by their teacher or a school administrator. Students at the elementary level are not permitted to have wearable technologies visible or audible during the school day.

Students must also follow all rules established by the transportation department regarding the use and storage of personal devices while on the bus. Students are responsible for keeping their device safe while in transit and at school. School staff and/or bus drivers will not be responsible for attempting to recover lost or stolen personal technology when the student has not properly secured it.

In addition to any other applicable consequences, students who are found to have used their personal device at school in a manner that violates any section of the Shelby County Schools Code of Conduct, including this Acceptable Use Policy, may lose the privilege to bring their personal device to school either temporarily or permanently. This includes:

- Use of a personal device to access inappropriate content, not limited to content that would be blocked by the District's Internet filter. This includes content that may be stored on the device itself.
- Use of the device to capture video, images, or audio in areas of the school where others have an expectation of privacy. These include, but are not limited to locker rooms, restrooms, etc.

### **Rules and Limitations**

Students should strive to be good 'digital citizens.' In addition to following this AUP, school rules, and Board Policies; students must also comply with all applicable local, state, and federal laws when using technology. Any student identified as a security risk, or as having a history of such, may have their access to technology restricted or denied and may be prohibited from bringing personally-owned technology on campus.

### **Expectations of Privacy**

Students should not expect that their files, communications, or Internet use while using District-owned or managed technology are private. Authorized staff may access, search, examine, inspect, collect, or retrieve information of any kind from the District's technology, at any time and without prior notice in order to determine if a user is in violation of any of the Board's rules, or for any reason not prohibited by law. In addition, authorized staff may delete or remove a user's files from District-owned or managed technology without warning when those files violate the AUP or when necessary to maintain safe and correct operations of the District's technology.

School officials may read, examine, or inspect the contents of any personally-owned technology upon reasonable suspicion that the contents or recent utilization of the technology contains evidence of a violation of these or other rules and policies, as well as any local, state, or federal laws.

### **Permission to Use Technology**

In general, students should only use technology with permission of a teacher or administrator. The school's BYOD policy will determine when and how students may use personally-owned devices. During school hours students should only use technology, whether the District's or their own, for school-related purposes. While in school, students must have specific permission from their teacher in order to:

- Use personally-owned technology in class
- Publish information to websites, blogs, wikis, messaging apps, or other online workspaces, including Twitter
- Create an account in any online software program or app

Additionally, students must have the permission of a school administrator and complete any necessary paperwork prior to removing any District-owned technology from the school.

### **Unauthorized Video/Audio Recording**

1. The Board of Education values civility, respect for the individual and the privacy of students, visitors and staff. These values include safeguarding against inappropriate invasions of personal privacy rights. In addition to the privacy protections provided by applicable laws and regulations, other policies of the Board of Education, and reasonable regulations promulgated by building and central administrators, the following guidelines shall apply to photographs, video recordings and audio recordings on School District premises.
2. Except as specifically set forth in these guidelines, no person present on School District premises shall make, publish or distribute any photograph, video recording or audio recording (collectively, "Recordings") capturing the image or voice of any other person on School District premises (a "Recording Subject") without the express prior permission of the Recording Subject. Violation of these guidelines shall be subject to the following potential consequences:
  - (a) In the case of violations by staff, disciplinary action as permitted by law and subject to the terms of any applicable collective bargaining agreement;
  - (b) In the case of violations by students, (i) confiscation of recording equipment until any unauthorized Recording has been erased, and (ii) disciplinary action pursuant to the School District's Code of Conduct;
  - (c) In the case of visitors, ejection from School District premises and other appropriate action.
3. The following Recordings may be made without the prior consent of a Recording Subject, subject to any further privacy protections provided by applicable laws and regulations, and provided, further, that no otherwise-permitted Recording shall be distributed or disseminated for the purpose of annoying, intimidating or harassing any Recording Subject



- (a) Recordings made by or on behalf of the School District for inclusion in School District publications and newsletters or for dissemination to the news media for the purpose of publicizing School District programs or events.
- (b) Recordings made by representatives of news media, parents and other persons lawfully on School District premises to attend School District events open to visitors, including dramatic productions, athletic events, meetings of the Board of Education and other meetings open to the public on School District premises; provided, however, that Recordings may be limited in the case of performances of copyrighted material.
- (c) Recordings made in connection with certification and other credentialing processes applicable to teachers and teaching assistants.
- (d) Recordings made with the approval of the Superintendent of Schools for the purpose of assessing or improving the quality of instruction.
- (e) Recordings made by faculty members for educational purposes tied to the goals and objectives of a course or courses, or for dissemination only in the faculty member's password protected site.
- (f) Recordings made for use in connection with class photographs, student publications and yearbooks.
- (g) Recordings made and maintained by the School District for security purposes.
- (h) Recordings of interior or exterior scenes where the presence of Recording Subjects who have not given consent is merely part of an incidental background.
- (i) Such other Recordings as are approved in advance by the Superintendent of Schools, the Assistant Superintendent of Schools or a Building Principal, whose approval may include appropriate restrictions.

#### **G-Suite for Education Services (Formerly called Google Apps for Education)**

As part of its technology services, SCBOE will provide students in grades K-12 with a G-Suite for Education account. G-Suite accounts give students access to certain core Google services in an environment managed by the school district. SCBOE will issue all G-Suite accounts and manage which features will be made available to students. The core G-Suite for Education services that will be made available to students include Google Docs and Google Drive, used for creating and storing documents. Additional tools built into these products will assist students in conducting and documenting research, collaborating with others, and submitting work to teachers. As part of the G-Suite for Education core services, students will also receive a District-controlled email account and calendar for school use. The District may restrict email to within the school, within the district, or not restricted. Parents will have the ability to view their child's account.

Students should use their G-Suite account for school work, not for their personal use and correspondence. In addition, students are advised to be careful and purposeful when sharing access to their documents with others, something that G-Suite services makes easy to do in order to help students and teachers collaborate on projects.

Parents must grant their permission in order for a student to be issued a G-Suite account. The parent's signature on the school's Code of Conduct acknowledgement form will be considered as granting this permission. Parents who do not wish their child to be issued a G-Suite account must submit a Restriction Letter to the school within 5 days of their student's first day of school. It is strongly recommended that parents who are considering this restriction contact their child's school first so that they fully understand how such denial will impact what digital tools their child may access. Directions for submitting the Restriction Letter are found in the "Parental Notifications" section of this Code of Conduct.

The Children's Online Privacy Protection Act (COPPA) applies to commercial companies and limits their ability to collect personal information from children under 13. Google's privacy policies assure school districts that regardless of the student's age it does not use G-Suite for Education core services to collect or use student data for advertising purposes or to create advertising profiles. Ads are not displayed to students when they use the District's G-Suite for Education core services, nor is any student content scanned for advertising purposes. Google has signed the K-12 School Service Provider Pledge to Safeguard Student Privacy ([http://studentprivacypledge.org/?page\\_id=45](http://studentprivacypledge.org/?page_id=45)). More information about G-Suite for Education and privacy can be found at <http://www.google.com/edu/privacy.html>.

Under the Family Educational Rights and Privacy Act (FERPA) and corresponding Alabama law, a student's educational records, excluding 'directory information', are protected from disclosure to third parties. The following 'directory information' will be uploaded to the SCBOE G-Suite domain in order to create individual student accounts: student name, grade, school, and a password. Once a student begins using their account they may create educational records using G-Suite services, for instance using Google's web-based tools to write papers or submit assignments for which grades may be given. Because Google will host these documents within the District's G-Suite domain, Google will be considered a "School Official" (as that term is used in FERPA and its implementing

regulations). This means that Google will also comply with FERPA rules.

The general right of privacy will be extended to the extent possible in the electronic environment. However, the SCBOE cannot and does not guarantee the security of electronic files located on Google systems. Google does apply a powerful content filter for email. However, no protection measures can be 100% effective. Therefore, the District cannot assure that the student will not be exposed to unsolicited information or that their account will never be hacked.

*Parents who do not agree to these terms must properly notify their child's school by following the directions in the "Notifications to Parents" section of this Code of Conduct within 5 days of their student's first day of school.*

#### **Examples of Unacceptable Use**

The following list does not cover every possible inappropriate action or use of technology. Students may be held responsible for other inappropriate actions whether or not they are specifically included in this AUP.

#### ***Students shall not tamper, disable, damage, disrupt, or install . . .***

1. Tamper with or modify technology, utilities, and configurations, or modify access control permissions, either with or without malicious intent.
2. Dispose of, move, or remove technology from its assigned location without the express direction or permission of the supervising teacher.
3. Disable, circumvent or avoid security measures, including the use of proxies to bypass Internet filters, logon procedures, or any other security feature.
4. Send or intentionally receive files dangerous to the integrity of the network.
5. Intentionally damage, destroy, disable, or remove parts from technology devices. In such cases, students or their families may be held financially responsible for the repair, replacement, or reconfiguration of affected equipment.
6. Intentionally damage, delete, destroy, or interrupt access to software or data files. In such cases, students or their families may be held financially responsible for the reinstallation, replacement, or reconfiguration of affected software and files.
7. Develop or install malicious software (on or off campus) designed to infiltrate computers, damage hardware or software, spy on others, or compromise security measures.
8. Disrupt the use of others by creating excessive network congestion through the use of online gaming, video, audio, or other media for non-school purposes.
9. Use technology in any way with the intention of annoying, bullying, harassing, interfering with, or causing harm to individuals, institutions, organizations, or companies.
10. Install or download any software, including toolbars, without authorization.
11. Broadcast messages or participate in sending/perpetuating chain letters on Board-owned or managed networks.
12. Install or modify wireless connectivity devices such as wireless access points and routers.
13. Connect personal devices to Board-owned or maintained equipment, or "tether", in order to use WiFi or cellular services, through which unfiltered Internet access may be gained.

#### ***Students shall not invade, trespass, spy, falsify, cheat, waste, or use technology resources for personal purposes ...***

14. Attempt to obtain, steal, hack, or otherwise alter another user's login ID and/or password.
15. Access or use another user's account, resources, programs, files, or data.
16. Allow others to use your network account and/or password to access the network, email, or the Internet.
17. Use another person's identity or a fictitious identity.
18. Save information on any network drive or device other than your personal home directory or a teacher-specified and approved location.
19. Cause files to appear as if they were created by another person.
20. Forge or otherwise falsely reproduce or alter report cards, letters from the school, or other school system correspondence.
21. Forge or attempt to forge or "spoof" email messages.
22. Send or attempt to send anonymous email messages.
23. Use technology to cheat or plagiarize, or assisting others to cheat or plagiarize.
24. Send or request information including but not limited to hoaxes, chain letters, jokes, phishing scams, etc.
25. Intentionally waste supplies and materials.
26. Download games or play online games for personal entertainment rather than learning.
27. Use any Board technology or resource for personal gain, commercial, political, or financial gain.
28. Participate in personal, non-instructional, digital or online communications without the explicit permission and supervision of authorized school personnel (i.e. chat, email, forums, text or instant messaging, blogging, etc.)

29. Create, access, view, or post to personal online accounts while at school.

***Students shall not use Technology for improper, antisocial, unethical, or illegal activity ...***

30. Use inappropriate language, gestures, or symbols in any digital communications or files, including audio/video files.

31. Create, store, access, use, request, display, or post impolite, abusive, offensive, obscene, profane, racist, inflammatory, libelous, inaccurate, derogatory, malicious, insulting, embarrassing, bullying, or threatening language, images, audio files, messages or other files.

32. Edit or modify digital pictures with the intent to embarrass, harass, or bully.

33. Link to external sites considered inappropriate by Board standards.

34. Intentionally view or encourage/enable others to view any material that may not have been filtered, but would be classified as inappropriate for the school environment whether on the Internet; sent via email, text or any other message sharing technology; or stored on any device. This applies even when the service or device being used is personally-owned.

35. Commit the Board, any school, or any employee of the Board, to any unauthorized financial obligation. Any resulting financial burden will remain with the user originating such obligations.

36. Conduct communications about unlawful activities including references to illegal or controlled drugs, gun crimes, or violence.

37. Violate federal, state, or local laws, including use of network resources to commit forgery, or to create a forged instrument (i.e. counterfeit money, fake identification, etc.)

38. Violate copyright laws, including illegally copying software, music, videos, and documents. (Students should become familiar with Copyright, the Digital Millennium Copyright Act, and Fair Use laws to ensure they fully understand the limitations of Fair Use rights.)

39. Copy or use logos, icons, graphics, trademarks, or other legally protected data or images.

40. Use or access any anonymizing or disappearing messaging apps or programs for any purpose.

***Students shall not use Technology to compromise the personal privacy, reputation, identity, or safety of themselves or others ...***

41. Attempt to read, delete, copy, forward, or modify email or electronic files of others.

42. Post any false or damaging information about other people, the school system, or other organizations.

43. Falsely post as an employee of the Board of Education on any website, online forum, social networking site, or other online venue.

44. Post the image or intellectual property of others without their permission.

45. Post or expose the personal information of yourself or others. Personal information includes, but is not limited to a person's full name, home or work address, phone number, and social security number.

46. Post your own full name or the full name of other students to a school website, blog, wiki, or other publicly accessible Internet site. When posting information about yourself or a fellow student, you may only use the first name and first letter of the last name of the individual. In addition, no information may be posted about a student if their parent or guardian has notified the school in writing that their child's information cannot be posted on the web.

47. Make appointments to meet unknown individuals contacted via electronic communications.

**Disciplinary Actions**

Students are responsible for their behavior as it relates to technology. Therefore, students who are issued individual accounts shall take responsibility for keeping their login IDs and passwords secure.

School and/or district-level administrators will make the determination as to whether specific behavior has violated acceptable practices. Disciplinary actions for violating the AUP will be commensurate with those outlined in the Shelby County Board of Education Student Code of Conduct and Attendance. In certain cases, financial penalties may apply.

Technology networks can provide individuals with access to locations in the United States and around the world. Persons should be aware that they may be liable for hurtful speech, invasion of privacy, copyright, and other violations in all 50 states and worldwide. The SCBOE will cooperate with any properly executed request from any local, State, or Federal law enforcement agency or civil court.

**Limitation on Liability**

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

The Board will take reasonable steps to maintain the security of its technology; however, no assurance can be given that security breaches will not occur. Students should report any suspected or actual breach of security.

Although the Board claims ownership of its various technology, all user-generated data, including email content and digital images, is implicitly understood to be representative of the author's individual point of view and not that of the school or school system. Students and their parents must also be aware that the Board cannot assume any liability arising out of the illegal or inappropriate use of technology resources.

#### **Acknowledgement Form**

By signing the Student Code of Conduct Acknowledgement form provided by the school, students and parents affirm that they have received and understand these rules and regulations. However, failure to sign or return a signed form does not release students from their obligation to abide by these rules and regulations and all other applicable Board policies.

#### **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) NOTICE FOR DIRECTORY INFORMATION**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the SCBOE, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the SCBOE may disclose appropriately designated 'directory information' without written consent, unless you have advised the district to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the SCBOE to include this type of information from your child's education records in certain school publications. Publications may be in print or digital format.

Examples include, but are not limited to, the following:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks, take school pictures, or process data.

In addition, two federal laws require local educational agencies (LEAS) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, and institutions of higher learning, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want SCBOE to disclose 'directory information' from your child's education records without your prior written consent, you must notify the school principal in writing within five (5) school days of the student's first day of attendance.

The District may disclose the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- A student number assigned by the District (in some cases\*)

\*In order to make certain software applications available to students and parents, the District may need to upload specific 'directory information' to the software provider in order to create distinct accounts for students

and/or parents. Examples of these include, but are not limited to MyLunchMoney.com, Blackboard Connect, and various education software applications. In these cases, the District will provide only the minimum amount of 'directory information' necessary for the student or parent to successfully use the software service.

#### **NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS**

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

- The right to inspect and review the student's education records within 45 days of the day the School receives 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 School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate.
- Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate.
  - If the School principal decides not to amend the record as requested by the parent or eligible student, the School principal 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.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorized disclosure without consent.
  - One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interest. A school official is a person employed by the School 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 School 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 School discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll.

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

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

#### **NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

PPRA affords parents and students who are 18 or emancipated minors ("eligible students") certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education –
  1. Political affiliations or beliefs of the student or student's parent;
  2. Mental or psychological problems of the student or student's family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;



7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of –
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law;
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use –
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and;
  3. Instructional material used as part of the educational curriculum.

The SCBOE will develop these policies, in consultation with parents, regarding these rights, as well as arrangements to protect student's privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The SCBOE will notify parents and eligible students of these policies annually through the publication of the Shelby County Code of Conduct & Attendance and upon enrollment of students thereafter. Parents/eligible students who believe their rights have been violated may file a complaint with:

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

**MEDIA AND WEB RELEASE**

**Media Release**

From time to time the school and/or school district may wish to publish the image and/or intellectual property of students in order to enhance individual, group, school, or system-wide accomplishments. Intellectual property includes, but is not limited to, photographs, audio/video productions, and other written and graphic works. These reproductions can be used to publicize/promote the child's school or the school district through the commercial print or television media and through its own media productions. This also includes school yearbooks, school newspapers, and programs for school events such as athletics, choral, and band.

Unless parents notify the school in writing that they do not grant the SCBOE the right and permission to publish their child's image and/or intellectual property, these images and/or intellectual property may be used for publication, broadcast, or reproduction without limitations, or reservation, or any fee.

**Web Release**

From time to time a teacher, the school, and/or the school district may wish to publish the image and/or intellectual property of students to various official websites operated by the district, including official online school newspapers. Intellectual property includes, but is not limited to, photographs, audio/video productions, and other written and graphic works. The intent of such postings is to report school or district news and to enhance individual, group, school, or system-wide accomplishments.

In addition, many teachers now use blogs or other online learning management programs as a means of having students submit comments and intellectual property as a modern-day method of engaging students in learning. In some cases, the work that students submit to these blogs is readable by the general public. Students are instructed never to use their full name in such postings.

Unless parents notify the school in writing that they do not grant the school and/or SCBOE the right and permission to publish their child's image and/or intellectual property on its various official websites, online school newspapers, and official teacher blogs, then these images and/or intellectual property may be used in web publications without limitations, or reservation, or any fee.

**Online School Newspapers**

As a general practice, teachers are instructed never to publish a minor child's individual, identifiable photograph along with their full first and last name to any website. However, in the case of official online school newspapers, the school may naturally wish to publish the student's full name and picture. Parents who do not wish their child's full name and identifiable picture to be used in an official school newspaper must also notify the school

in writing within 5 days of enrollment.

### **Restricting Media and Web Publishing**

Parents should refer to the Parental Permission section of this Code of Conduct for information on how to notify the school of any restrictions they wish to place on either Media or Web publishing.

### **AGREE TO ACCEPT AUTOMATED PHONE CALLS**

I consent to receive emergency and outreach automated phone calls from my child's school and from the SCBOE. I understand that these calls will help me stay informed about events, deadlines, and safety information among other things. I also understand that I can enable SMS (text) messages to my phone if I wish to receive school messages in this format, but that I will be responsible for any charges from my service provider for text messaging.

I understand that I may opt out of receiving outreach calls by notifying my child's school in writing, however, I cannot opt out of receiving emergency phone calls. Outreach calls include advance notification of school closures. Emergency calls include those calls made to notify the parent that their child is absent.

By signing the Code of Conduct and School Rules Acknowledgement form, I hereby give my consent. [FCC Telephone Consumer Protection Act]

### **IMPORTANT PARENT NOTIFICATIONS AND PARENT'S RIGHT TO RESTRICT**

#### **Parent's Right to Restrict**

In an effort to reduce paperwork for both parents and staff, SCBOE now requires that parents notify their child's school in writing if they wish any of the following restrictions to be applied. If the school does not receive a written notice within the specified time, then, by signing the Code of Conduct acknowledgement form provided by the school, the parent will be considered to have consented to the use of these services.

**It is strongly recommended that before restricting your child's access to any of the following opportunities, you speak with your child's school to learn of the benefits of these services and understand the impact on your child's learning opportunities if they do not have access to these digital tools.**

#### **TECHNOLOGY**

#### **Parent Restrictions on Independent Internet Access**

According to the Children's Internet Protection Act (CIPA) parents of students under the age of 17 may prohibit their child from accessing the Internet independently while at school. This restriction applies to the student independently operating any Board-owned technology to access the Internet. It does not prohibit the student from viewing Internet sites presented as part of a lesson, or from using Internet-hosted software used by the school.

Parents, who want to prohibit their child from using the Internet independently while at school, must notify the school principal in writing within five (5) school days of the student's first day of attendance each school year. If the child attends more than one school, such as a high school and the Career Technical Educational Center, both schools should be notified in writing.

In these cases, school personnel will take appropriate steps to restrict the student from using Board-owned technology to access the Internet beyond the scope of the lesson or assessment. It is not reasonable that school staff can directly supervise every student every minute of the day. Therefore, parents should explain this restriction to their child in order to help the school enforce their wishes.

#### **Parent Restrictions on Online Accounts for Students Under 13**

Parents who do not want their child, who is under the age of 13, to have a user account on an educationally-appropriate website whose privacy policies have been reviewed by the District, must notify the school in writing within five (5) school days of the student's first day of attendance each school year. If the child attends more than one school, then all schools must be notified in writing.

Once notified, the teacher may choose to notify the parent of the parent of each online program that requires parental permission and the parent will need to send a written permission form to the school for that individual program before an account will be created for that child.

It is the parent's responsibility to explain to their child that they do not wish them to use a particular program. If a parent denies permission for their child to set up an account in a specific program but the child subsequently sets up an account from home or elsewhere on their own, it will not be the school's responsibility.

#### **Parent Restrictions on G-Suite for Education Account**

Parents who do not wish for their child to have a G-Suite for Education account must notify the school in writing within five (5) days of the student's first day of attendance each school year. If the child attends more than one school, such as a high school and the Career Technical Educational Center, both schools should be notified in writing. For more information about G-Suite for Education, review the material on our Technology website and the G-Suite for Education section of the Technology Acceptable Use Policy in this Code of Conduct.

#### *AUTOMATED PHONE NOTIFICATIONS*

SCBOE uses an automated calling system for both emergency and outreach calls. Per the FCC's Telephone Consumer Protection Act, schools may not use an automated calling system to place non-emergency (outreach) calls to cellular phones without the express consent of the parent.

Parents should understand that Outreach calls include advance notifications that school will be closed or will be having a late start the next day. Calls about early dismissal, however, are categorized as emergency calls.

#### **Consent**

By signing the Code of Conduct Acknowledgement form provided by my child's school, I hereby give my consent to receive emergency and outreach automated phone calls from my child's school and from SCBOE. I also understand that I can enable SMS (text) messages to my phone if I wish to receive school messages in this format, but that I will be responsible for any charges from my service provider for text messaging.

#### **Opting Out of Outreach Calls**

If you wish to Opt Out of receiving Outreach calls you can do so by notifying my child's school in writing, or by making the appropriate selection at the end of any such call when prompted. If you wish to disable SMS (text) messaging that you earlier enabled, you may do so via your BlackBoard Connect account or by contacting the school and requesting this change.

#### **PARENT RESTRICTIONS ON MEDIA AND WEB PUBLISHING**

Parents who do not grant the school permission to publish their child's image and/or intellectual property as explained earlier in this Code of Conduct must write to the school principal within five (5) school days of the student's first day of attendance each school year. If the child attends more than one school, such as a high school and the Career Technical Educational Center, both schools should be notified in writing. Once submitted, parents can change or remove these restrictions by submitting such changes in writing to the school's principal. However, the district and/or school cannot retract or change any items that were sent to publishers prior to the parent submitting the change.

#### **Online School Newspaper Publishing**

Parents who do not wish their child's full name and identifiable picture to be used in an official online school newspaper must notify the school in writing within five (5) days of enrollment.

#### **Yearbook Publishing**

Parents should pay close attention to the fact that yearbook pictures are also covered by any general publishing restrictions they put in place.

#### **Booster Websites**

At some schools booster organizations have established websites of their own to support school teams, bands, clubs, etc. These are not official Shelby County School's websites and are not published on our servers. Booster organizations are advised that they should obtain the parent's permission in order to post pictures and information on minor-aged students on their website. If parents have a child who participates in activities that are publicized by a booster website and they wish to restrict the use of their child's image or information, then they should contact that booster organization.

#### **Form for Restrictions**

Parents are advised to refer to the form provided on the System's Parent website before sending a letter prohibiting the school or district from publishing. This form provides parents with the option of denying all such publishing or requesting partial restrictions that would prevent public publishing, but allow their child's image to be included in yearbooks, school newspapers, online school newspapers, etc.

#### *MILITARY RECRUITER*

If you choose for your child's name and address not to be given out to official recruiting representatives of branches of the armed forces and military forces, you must notify the school of this request in writing.

#### **PARENT AND STUDENT ACKNOWLEDGMENT CODE OF CONDUCT AND ATTENDANCE**

Alabama law mandates that every child between the ages of six and 17 years shall be required to attend school and that every parent, guardian, or other person having control or charge of any child required to attend school shall explain the cause of any absence of child under his control or charge. This law has been amended to also state that each child who is enrolled in a public school shall be subject to the attendance and truancy laws of the State of Alabama. When the parent/student signs the acknowledgment form that will be given out by the local school, the parent/student acknowledges all of the information in the Code of Conduct has been reviewed and the parent/student is accepting responsibility to abide by the guidelines that are set forth in the Code of Conduct and Attendance Manual.



### MEDICATION PROCEDURES SUMMARY

Dear Parents/Guardians,

The following summary is to inform you of the requirements of the medication procedures, should your child require **Prescription or Over-the-counter (OTC)** medications while attending school.

- ❖ **All medications**, whether Prescription or Over-the-Counter, **must** be turned into the school office by the student's parent/guardian or other responsible adult.
- ❖ **Medications can NOT be transported on the bus by the student** (except for emergency medications and approved medications prescribed for self-administration and carry on person, both require physician signature on authorization form).
- ❖ No student will be permitted to carry or possess **any type of medications**, whether Prescription (controlled or not controlled) or OTC, on his/her person at any time (except emergency medications and physician approved medications prescribed for self-administration and carry on person). Controlled substances require extra considerations and documentation to be self-carried.
- ❖ **The parent/guardian must sign a School Medication Authorization Form** before any medication can be administered at school.
- ❖ **Over-the-Counter medications will require the parent/guardian signature only on the medication authorization form and is valid for the entire school year.**
- ❖ **Prescription medication will require the physician/prescriber signature on the authorization form as well as the parent/guardian signature.**
- ❖ If the **Prescription medication** order is **changed** during the school year, a **new** authorization form is required. Both physician/prescriber and parent/guardian must sign the form.
- ❖ For **Prescription** medications, a **current dated pharmacy labeled** container is required which includes the student's name, physician name, name of medication, strength, dosage, time interval, route and date of drug's discontinuation when appropriate. The amount signed into the health room can NOT exceed the amount dispensed at the pharmacy.
- ❖ For **Over-the-Counter** medications, **an unexpired, unopened, age appropriate, original manufacturer's container** is required and all manufacturer's labeling must be clearly legible. The student's name must be written on the container.
- ❖ The school will not supply any Prescription or OTC medication to staff or students.
- ❖ School stocked emergency medications are for school use only and cannot be removed from the school campus. Parents should provide any known emergency medication for their student if one has been prescribed.
- ❖ All unused medications not picked up by parents/guardians by **the last day of each school year will be discarded. No medication, including emergency, can be kept over the summer months.**
- ❖ **Non-FDA approved supplements/substances used to treat medical conditions, including essential oils and CBD type oils, cannot be administered at school. Students, parents and staff are not allowed to *possess* CBD oil substances on school property. This includes students enrolled in physician-guided studies per federal law.**

These medication procedures were developed with your child's safety in mind. If you have any questions concerning these medication procedures, please contact your local school nurse. Medication Authorization forms are available upon request or can be found on the Shelby County Website in the Student Health Services section.

**Alabama State Department of Education Digital Device Policy for the Alabama Comprehensive Assessment  
Program (ACAP) Testing**

Each local education agency (LEA) shall have in place a *School Test Security Plan* for each school that includes a digital device collection plan for both school personnel and students who will participate in the ACAP. This collection shall take place **prior to entering the testing room** for both school personnel and students.

For the purposes of this policy, digital devices are defined to include anything that can capture, store, relay, or receive electronic information. This includes, but is not limited to, the following: laptops, smart phones, smart watches, fitness trackers, MP3 players, and tablets. Additionally, classroom computers **must be powered off during testing**. Exceptions to this policy include any digital device that is medically necessary for the health and/or well-being of school personnel or students. All exceptions must be pre-approved in writing by the Building Test Coordinator or the school Principal by completing the *Digital Device Exception Request* form.

LEAs shall make all school personnel and students participating in the ACAP, parents, and/or guardians aware of this prohibition through inclusion of this policy in the employee handbook, the Student Code of Conduct Handbook, and may also publicize this policy through other normally accepted methods.

**STUDENT POLICY:**

Students shall not **possess** any digital device within the testing room when participating in ACAP testing. **The possession of a digital device by students participating in ACAP testing is strictly prohibited during the administration of a test.** The **ONLY** exception to this policy is for students who have been pre-approved by the Building Test Coordinator or the Principal to have a digital device that is necessary for the health and/or well-being of the student.

If students are in **possession** of a digital device that is within their reach during the administration of an ACAP test, the device will be confiscated and, if the appropriate administrator determines that there is reasonable suspicion that the device was used to capture, record, or share test information or to facilitate cheating on the test, it may be subject to search pursuant to LEA policy for any information directly related to the ACAP test being administered. Additionally, the student will be dismissed from testing immediately and the test may be invalidated in accordance with ACAP policy. **Violation(s) may result in disciplinary action by the LEA in accordance with the LEA's disciplinary policy.**

**PARENT REQUEST FORM FOR EXCUSED ABSENCE****\*\* Completing this form and presenting it to Administration does not guarantee automatic approval. \*\***

Date(s) of planned absence: \_\_\_\_\_ Homeroom/First Period Teacher: \_\_\_\_\_

Number of school days to be missed: \_\_\_\_\_

Name of student(s): \_\_\_\_\_

Student Name	School	Grade	Absences to Date

Are siblings at other Shelby County Schools also included in this request? \_\_\_\_\_  
 (If so, please list.)

Student Name	School	Grade	Absences to Date

Number of days requested for excused absences this year: \_\_\_\_\_

Briefly explain the purpose / reason for this request: \_\_\_\_\_

**Note: Pending administrator approval of this request, the student(s) will be responsible for securing and completing all academic assignments that are missed as a result of this absence.**

\_\_\_\_\_  
Parent Signature\_\_\_\_\_  
Date***For School Office Use Only:***

Decision regarding this parent request: ☐ Approved ☐ Denied  
 Follow-up with other local school Administrators

\_\_\_\_\_  
Administrator Signature\_\_\_\_\_  
Date

***Reminder for Administrators – Prior to Approval, check with neighboring schools that may be serving siblings.***

## **Bullying, Intimidation, Violence, Threat of Violence Incident Reporting Form**

Bullying is defined as a continuous pattern of intentional behavior where there is an imbalance of power. This includes but is not limited to cyberbullying, written or electronic, verbal or physical acts or gestures by an individual or group that is reasonably perceived to be threatening by the student-victim.

In an effort to minimize this type of behavior the SCBOE has created a process whereby a student, parent, guardian, or bystander may report instances of bullying to the school administrator for further review and investigation. The Bullying Reporting Form is available at the local school, or through the school district's website and must be delivered to the principal or principal's designee. All reported incidents of bullying are investigated, and when necessary, school administrators will apply appropriate disciplinary consequences.

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### **Reporter Information:**

Have you submitted a bullying report form previously? ☐ Yes ☐ No

Have you contacted an adult regarding this issue? ☐ Yes ☐ No

Reporter's name (optional): \_\_\_\_\_

School name: \_\_\_\_\_

You are: ☐ Student ☐ Parent/Guardian ☐ Relative ☐ School staff ☐ Other: \_\_\_\_\_

You are: ☐ Victim ☐ Witness/Bystander ☐ Other: \_\_\_\_\_

If you would like someone to contact you, please provide your phone number: \_\_\_\_\_

### **Incident Information:**

Date and time of incident: \_\_\_\_\_

Name of the victim: \_\_\_\_\_

Name of the alleged aggressor: \_\_\_\_\_

Are there any additional witnesses to the alleged event? ☐ Yes ☐ No ☐ Unsure

If yes, please provide names and grade level information. If you are not sure of the names, please describe him/her/them:

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**Is there any additional information that you would like to provide?**

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**Location of Incident: *be specific, and include the campus name.***

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**Why do you feel you were targeted in these alleged incidents of bullying?**

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## Bullying, Intimidation, Violence, Threat of Violence Incident Reporting Form

**Type of Bullying (please check all that apply):**

- ☐ Moderate physical contact (shoving, pushing, snatching personal property, etc.)
- ☐ Severe physical contact (hitting, punching, kicking, spitting, etc.)
- ☐ Stalking either in person or online
- ☐ Teasing/Name calling/Demeaning jokes
- ☐ Verbal intimidation
- ☐ Inappropriate gesturing
- ☐ Theft
- ☐ Exclusion/Rejection
- ☐ Destruction of property
- ☐ Sexual contact
- ☐ Verbal harassment
- ☐ Spreading rumors
- ☐ Threats
- ☐ Electronic communications (texts, sexts, email, etc.)
- ☐ Public humiliation/Ridicule
- ☐ Cyberbullying/Cyber-harassment/Trolling

**This behavior is:**

- ☐ Related to student's perceived sexual orientation or gender identity
- ☐ Related to student's religious beliefs
- ☐ Related to student's racial or cultural background
- ☐ Related to student's disability
- ☐ Other: \_\_\_\_\_
- ☐ None of the above descriptions apply to this situation

**Please describe this incident and include as many details as possible (attach additional pages, screenshots, photos, letters, texts, etc.):**

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Did a physical injury occur from this incident? ☐ No

☐ Yes, but it did not require medical attention

☐ Yes, and it required medical attention (specify): \_\_\_\_\_

☐ Yes, but not reported to school

Did the victim miss school due to the incident? ☐ No

☐ Yes, how many days was the student absent as a result of the incident? \_\_\_\_\_

Was the incident reported to the school? ☐ No ☐ Yes, date reported: \_\_\_\_\_

Was law enforcement notified? ☐ Yes ☐ No

Is there any additional information that you would like to provide?

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I certify that there is no falsification of the above information and events are accurately depicted to the best of my knowledge.

\_\_\_\_\_  
Signature of Reporter

\_\_\_\_\_  
Date

Form is also available online at <https://www.shelbyed.k12.al.us/>



# 2023-2024 District Calendar



Instructional Planning/  
Professional Development

Semester  
Begins

School  
Holiday

Last Day  
Grading Period

<div><div>JULY 2023</div><table><tr><th>SU</th><th>MO</th><th>TU</th><th>WE</th><th>TH</th><th>FR</th><th>SA</th></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr><tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr><tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr><tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr><tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr><tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr></table></div> <div>4 - Independence Day (Schools and Offices Closed)</div>	SU	MO	TU	WE	TH	FR	SA							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31						<div><div>JANUARY 2024</div><table><tr><th>SU</th><th>MO</th><th>TU</th><th>WE</th><th>TH</th><th>FR</th><th>SA</th></tr><tr><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td></tr><tr><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td></tr><tr><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td></tr><tr><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td></tr><tr><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td></tr></table></div> <div>1 - New Year's Holiday (No Students) 2 - Instructional Planning/ Professional Development (No Students) 3 - Second Semester Begins 15 - Martin Luther King, Jr. Holiday 12 - Grades Sent Home</div>	SU	MO	TU	WE	TH	FR	SA		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31										
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\* CALENDAR IS SUBJECT TO CHANGE \*

Please check the Shelby County Schools website at <https://www.shelbyed.k12.al.us/>