

# 2011-2012 STUDENT HANDBOOK AND CODE OF STUDENT CONDUCT

## I. GENERAL INFORMATION AND NOTICES

### **EQUAL EDUCATION OPPORTUNITY STATEMENT**

It shall be the policy of the Calhoun County Board of Education that all students, without regard to status (e.g., homeless, limited English proficient, migrant, etc.), will be provided a free and appropriate public education, including equal and appropriate educational opportunities and support services, to enable them to achieve state and local content and achievement standards. Pursuant to such policy, no student shall be improperly excluded from participation in, denied the benefits of, or subjected to discrimination in any program or activity on the basis of gender, race, religion, belief, national origin, ethnic group, disability, or other protected status.

### **JURISDICTION OF THE BOARD OF EDUCATION**

Students enrolled in Calhoun County Schools are subject to the policies of the Calhoun County Board of Education and to the rules and regulations of the schools. In addition, the authority of the school officials to control student conduct off school grounds and outside school hours is well settled in the law.

When students are engaged in school-sponsored activities held off-campus and/or after school hours, the authority of school officials is the same as if such activities took place during school. This authority applies to all school-sponsored activities on school property or at other establishments used by the school or school organization, including but not necessarily limited to the following: transportation on school bus or by private automobile; field trips; athletic functions; club and organization meetings; school-sponsored social events; school groups representing the school system in educational events; and all activities where appropriate school personnel have jurisdiction over students. Similarly, all school regulations and prohibitions shall apply to automobiles driven or parked on school property or at establishments used for school activities. Jurisdictional control over the student shall also be extended to the immediate vicinity of the school when the conduct of the student is detrimental to school property or to the health, safety, and welfare of school personnel and students.

In addition, upon approval by the Superintendent, the school may exercise jurisdiction to discipline students for off-campus conduct unrelated to school activities under appropriate circumstances. Disciplinary actions, up to and including suspension, alternative placement, or expulsion may be imposed for serious misconduct away from campus, whether or not school is in session when such conduct occurs, if after investigation by school officials such off-campus activity may be reasonably interpreted to directly threaten the ability of the district to maintain a safe, orderly and disciplined educational environment. This policy is not limited to school-related events.

### **PARENTS' RIGHT TO KNOW (NCLB)**

**This notice is provided pursuant to the No Child Left Behind Act of 2001**, which requires schools to inform parents of their right to request information relating to the professional qualifications of their child's teachers and/or paraprofessionals. Information that parents are entitled to request includes the following:

- whether teacher has met state credential or license criteria for grade level and subject matter
- whether teacher is teaching under emergency or provisional status
- the baccalaureate degree major and any other graduate degree or certification held
- whether child is provided services by a paraprofessional and, if so, their qualifications

If you want more information, please contact your local school and ask for the "Parents' Right to Know" form.

### **PPRA NOTICE**

The **Protection of Pupil Rights Amendment (PPRA)** affords parents and students who are 18 or emancipated minors (eligible students) certain rights regarding surveys, collection and used of information for marketing purposes, and certain physical exams. These include the right to:

- **Consent** before students are required to participate in a survey funded by the U. S. Department of Education, if the survey concerns one or more of the following areas of "protected information":
  1. Political affiliations or beliefs of student or parent
  2. Mental or psychological problems of student or parent
  3. Sex behavior or attitudes
  4. Illegal, anti-social, self-incriminating, or demeaning behavior
  5. Critical appraisals of others with close family relationships
  6. Legally recognized "privileged" relationships (lawyer, doctor, minister, etc.)

7. Religious practices, affiliations, or beliefs of student or parent
8. Income, other than as required by law for program eligibility
- **Receive notice and opportunity to opt 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 hearing, vision, or scoliosis screening or other exam permitted or required by 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:
  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 purpose
  3. Instructional material used as part of the educational curriculum

Our district will develop policies regarding these rights and procedures to protect student privacy in the administration of protected surveys and in the collection, disclosure or use of personal information for marketing, sales or other distribution purpose. We will notify parents of these policies at least annually at the start of each school year and after any substantive change. We will also directly notify parents and eligible students at least annually of the specific or approximate dates of the following activities and provide an opportunity to "opt out" of participation: collection, disclosure or use of personal information for marketing, sales, or distribution; administration of any protected information survey not funded by the US Dept. of Ed.

#### **FERPA NOTICE**

The ***Family Educational Rights and Privacy Act (FERPA)*** affords parents and eligible students (over 18 years of age) certain rights with respect to the student's education records, as follows:

- (1) The right to inspect and review the student's education records within 45 days of the day the school district receives a request for access. Parents or eligible students should submit a written request that identifies records they wish to inspect. The parent or eligible student will then be notified of the time and place where records may be inspected.
- (2) The right to request amendment of education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights. The parent or eligible student should write to the school principal, clearly identifying the part of the record they want changed and specifying why it is inaccurate or misleading. If the school district decides not to amend the record, the parent or eligible student will be notified and advised of the right to a hearing and the procedures for such hearing.
- (3) The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent FERPA authorizes disclosure without consent. One exception permitting disclosure without consent is disclosure to school officials within the school district with legitimate educational interests. A "school official" is a person employed by the Board as an administrator, supervisor, teacher, or support staff member (including health staff and security / law enforcement personnel); a member of the School Board; a person or company with whom the school board has contracted to perform a special task (such as an attorney, auditor, therapist, or medical consultant); or a parent or student serving on an official committee (such as disciplinary or grievance committee) or otherwise assisting in the performance of official school tasks. A school official has a "legitimate educational interest" if the official needs to review an educational record to fulfill his or her professional responsibility. Further, the school district discloses education records upon request to officials of other school district(s) or institution(s) in which the student seeks or intends to enroll.

The school district may also disclose **Directory Information** without consent, unless you have advised the district to the contrary in accordance with district procedures. Calhoun County Schools designates the following items as Directory Information: student name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended, and student photograph. In addition, federal law requires local educational agencies receiving certain federal funds to provide military recruiters, upon request,

with the names, addresses and telephone listings of students, unless parents have advised the school district that they do not want their student's information disclosed without their prior written consent.

**Calhoun County Schools may disclose directory information from your child's education records as noted above, unless notified in writing by you by September 1 of each year that you do not want directory information disclosed without your prior written consent.**

- (4) 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. (Family Policy Compliance Office; U.S. Dept. of Education; 400 Maryland Avenue, SW; Washington, DC 20202-4605)

### **WEATHER INFORMATION**

Calhoun County Schools will continue to ensure that our students are as safe as possible during severe weather events. Procedures have been put in place to effectively accomplish this endeavor.

#### TORNADO WARNINGS:

The National Weather Service has developed a method of identifying specific areas that are in danger of tornado. In the past, the entire county was placed under a tornado warning if a tornado was identified anywhere in the county. Today, a polygon is determined by the National Weather Service which narrowly identifies the area of danger. Currently, Calhoun County E.M.A. will sound the weather sirens for the entire county if any portion of the polygon enters Calhoun County. In the event of tornado warnings within the county, the following procedures have been established:

A series of "LEVELS" have been developed to give the principal at each school as much information as possible as quickly as possible. Each Level describes the potential weather hazard and safety measures the principal may take.

**LEVEL ONE:** A polygon has entered Calhoun County but your school is not within the boundaries of the polygon nor should it be within the boundaries if the polygon is extended on its current path.

**LEVEL TWO:** A polygon has entered Calhoun County but your school is not within the boundaries of the polygon. The extended polygon boundaries should encompass your school in the very near future.

**LEVEL THREE:** A polygon has entered Calhoun County and your school is within the boundaries of the polygon.

**LEVEL FOUR:** A polygon has entered Calhoun County and your school is within the boundaries of the polygon and the identified tornado is in the close proximity of the school.

Parents should be aware that during LEVEL THREE or FOUR the principal may choose to lock the doors to the school and cease checks out due to the potential danger to the students and staff. It is highly unlikely once school begins that there will be an early dismissal due to the possibility of tornadoes. Our students are housed in buildings that are stronger than most homes. Many of our parents work and might not learn of an early dismissal. This would cause some of our younger students to be at home without supervision and a storm on the way. The administration feels that it is safer to have the children remain at school in the safe area rather than sending some home alone. Parents may check out their children unless the principal has decided to stop the check-out process in LEVEL THREE or FOUR.

Generally, all transportation movements will cease if any portion of Calhoun County is under a tornado warning. It is possible that under certain circumstances transportation movements may continue, but only with the approval of the Superintendent.

SNOW: The timing of a snow event is critical. If the snow event occurs overnight, every effort will be made to have a decision regarding whether schools will operate by 5:15 AM. Area media will be notified and information will be made available on the school system's weather line 256-741-SNOW (7669).

WEATHER LINE: In most circumstances involving threatening weather that may impact the school day, information will be made available on the weather line 256-741-SNOW (7669).

## LOCKER NOTICE

**General searches and inspection of school property, including lockers, may be conducted by school officials at any time. Student lockers, as well as all desks and similar storage areas provided to students, are the property of the CCBOE. They remain subject to inspection and search by school officials without prior notice.**

## SPECIAL EDUCATION CHILD FIND

The Calhoun County School System attempts to ensure that all children residing within the jurisdiction of the Calhoun County School System, birth to twenty-one, regardless of the severity of their disability and who need special education and related services, are identified, located and evaluated. Child Find applies to children who attend private schools, including religious schools within the Calhoun County School System jurisdiction, highly mobile children with disabilities (i.e. migrant and homeless children), and children who are suspected of having a disability and are in need of special education even though they are advancing grade to grade. Child Find also includes a practical method of determining that eligible children with disabilities are receiving needed special education and related services. Child Find activities will be conducted on a continuous basis. Anyone who wishes to inquire about the availability of services, or wishes to make an official referral, may do so by contacting: Ms. Janice Cain – (256) 741-7435, P.O. Box 2084, Anniston, AL 26202.

## GIFTED EDUCATION

The Calhoun County School System's gifted program includes exploration of topics not ordinarily emphasized in the regular curriculum. Gifted students receive training in cognitive and affective process skills and participate in opportunities for student investigation of real problems. The program provides the least restrictive outlets for meeting the individual needs of students who are exhibiting characteristics such as:

1. Above average ability
2. Task commitment
3. Creative behavior

**DEFINITION:** Intellectually gifted children and youth are those who perform at high levels in academic or creative fields when compared with others of their age, experience, or environment. These children and youth require services not ordinarily provided by the regular school program. Children and youth possessing these abilities can be found in all populations, across economic strata, and in all areas of human endeavor.

**REFERRAL:** A student may be referred for consideration for gifted services by teachers, counselors, administrators, parents or guardians, peers, self, and other individuals with knowledge of the student's abilities. Standard referrals may occur at any time for students in grades K-12. Referrals are begun by contacting the Gifted Referral Screening Team (GRST) at each school. These teams are chaired by the school counselor(s). Parents must be informed when students are referred. All second grade students will be observed as potential gifted referrals using a gifted checklist provided by the State Department of Education.

**BASIC ELIGIBILITY:** An Eligibility Determination Team (EDT) determines eligibility of students for gifted services. This team consists of all teachers of the gifted, the program coordinator, and a psychometrist when appropriate. A student may be considered automatically eligible for gifted services when the obtained full scale/composite IQ score on an individually administered test of intelligence (NOT a screener) is two standard deviations above the mean or higher. When students do not meet the automatic criteria for eligibility, a matrix of multiple criteria is utilized to determine eligibility. Considered through the matrix are aptitude and performance to include at least three examples from the following: achievement test scores, portfolio, product, grades, work samples, leadership/motivation subscale scores from a behavior rating scale, or other documentation as deemed appropriate by the Gifted Referrals Screening Team.

For information contact: Ms. Janice Cain – (256) 741-7435, P.O. Box 2084, Anniston, AL 36202

## IMPORTANT INFORMATION ON MENINGOCOCCAL DISEASE AND VACCINE

### What is meningococcal disease?

Meningococcal disease is a serious illness, caused by bacteria. It is the leading cause of bacterial meningitis in children 2-18 years old in the United States.

### How do you catch the disease?

The bacteria that cause meningococcal disease are very common. The disease is most common in children and people with certain medical conditions that affect their immune system. The disease is

spread through exchange of respiratory droplets or saliva with an infected person including kissing, coughing, sneezing, and sharing drinking glasses and eating utensils. In a few people, the bacteria overcome the body's immune system and pass through the lining of the nose and throat into the blood stream where they cause meningitis. Meningitis is a term that describes inflammation of the tissues surrounding the brain and spinal chord.

What are the symptoms of the disease?

Fever, headache, stiff neck, red rash, drowsiness, nausea and vomiting

Meningococcal vaccine: Who should get the vaccine and when?

MCV4, or the meningococcal vaccine, is recommended for all children 11-12 years of age and for unvaccinated adolescents at high school entry (15 years of age). High school seniors should also consider obtaining the vaccine prior to entering college, especially if they are planning on living in a dormitory. Please consult your physician or local health department for more information. (For more information on this and other vaccine recommendations go to: [www.adph.org/immunization](http://www.adph.org/immunization))

**Alabama Asbestos Management Program:  
NOTIFICATION OF PARENTS, TEACHERS, AND EMPLOYEES**

On October 22, 1986, President Reagan signed into law the Asbestos Hazard Emergency Response Act (AHERA). This law requires all local education agencies to identify asbestos containing materials (ACM) in their school buildings and take appropriate actions to control the release of asbestos fibers into the environment. In order to comply with this law, all of our schools have been inspected and management plans have been developed by an accredited engineering firm. The management plan is a routine document required by law, which describes in detail the inspection findings and various approved methods of dealing with ACM. The management plan and the result of each inspection are on file at the Central Office and at each principal's office. You may review these reports during office hours. If you have questions concerning our management plan, you may contact Mike Fincher, Safety and Security Director, at (256) 741-7444.

**USE OF DIGITAL DEVICE DURING ADMINISTRATION OF SECURE TESTS PROHIBITED**

Alabama State Department of Education policy states that the possession of a digital device (including but not limited to cell phones, MP3 players, cameras, or other telecommunication devices capable of capturing or relaying information) is strictly prohibited during the administration of a secure test. Under state guidelines, if a student is observed in possession of a digital device during the administration of a secure test, the device will be confiscated. If a student is observed using a digital device during the administration of a secure test, testing for the student will cease, the device will be confiscated and is subject to search, the student will be dismissed from testing, and the student's test will be invalidated.

**II. GENERAL BOARD POLICIES AND PROCEDURES**

**ATTENDANCE POLICY**

All students should attend school regularly and be on time for all classes in order to receive the greatest benefit from the instructional program and to develop habits of punctuality, self-discipline and individual responsibility. There is a direct relationship between poor attendance and class failure. Students who have good attendance generally achieve higher grades and enjoy school more. In accordance with state guidelines, a student who is in attendance less than half of the school day is deemed absent for reporting and truancy purposes.

I. Classification of Excused or Unexcused Absence

- A. A written excuse will be required of every student after absence, to be presented the day the child returns to school. The principal of the local school, or designee, will determine and code the excused or unexcused status of an absence. If an acceptable reason for excusing an absence is not presented within three (3) days of the child's return to school, the absence will be coded as unexcused. (See paragraph C below for absences beyond the 5th in a semester).
- B. Basis for Granting Excused Absence Status: (See paragraph C below for absences beyond the 5th in a semester).
  - 1. Personal illness of the student

2. Inclement weather that would be dangerous to the life or health of a child if school is attended. Normally, inclement weather is defined as when buses do not run due to adverse weather conditions.
  3. Legal quarantine
  4. Death in immediate family
  5. An emergency or any other extenuating circumstances as determined by the principal or principal's designee. (Non-emergency absences must have prior approval before the absence in order to have excused status.)
- C. After the fifth absence in a semester, additional documentation / verification of the nature of the absence will be required in determining if the absence is excused or unexcused. **A doctor's excuse must be presented or, in the absence of a doctor's excuse, the parent must arrange for a conference with the principal or designee within three (3) days of the child's return to school for consideration of excused status.**

## II. Make-up Work

- A. For the first five absences each semester, students will be eligible for make-up work as long as the absence is excused according to sections I. A. and B. of this policy, and the student presents the coded excuse to the teacher in a timely manner and makes appropriate arrangements.
- B. After a fifth (5th) absence from school or class in any one semester, no make-up work will be given without a doctor's statement or principal's permission as set forth in section I. C. of this policy. Principal's permission is to be used primarily for events beyond a student's control (i.e., extended illness, family death, etc.). In the absence of a doctor's excuse, the parent must arrange for a conference with the principal within three (3) days of the child's return to school for consideration of excused status and eligibility for make-up work.
- C. It is the student's responsibility to present the coded excuse to each teacher. If the student is eligible to make up missed work, arrangements for make-up work or tests must be made by the student, in cooperation with the teacher, within three (3) days of returning to school. Such work or tests should be completed within a reasonable time as determined by the teacher and/or school administrator. (Note: This procedure shall also be followed for make-up work missed due to time away from school for approved school-related activities.)
- D. A grade of zero (0) will be received for work or tests missed on the day of any unexcused absence and for any absence past the fifth (5th) per semester without a doctor's excuse or principal's permission.

The CCBOE will pursue prosecution, in accordance with state law of students and/or parents/guardians for violations of Alabama's truancy and compulsory attendance laws.

### **§ 16-28-12. Failure to attend; penalty -- Written policy -- Failure to report violations.**

(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 of education or his or her designee shall report suspected violations to the district attorney within 10 days. Any principal or superintendent of education 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.

## **TARDY POLICY**

### **I. Tardies to School (Unexcused Check-Ins)**

All students who arrive late to school must be checked in through the school office in accordance with the Check-Out / Check-In Policy. **Late arrivals to school will be unexcused unless the student or parent/guardian presents a doctor's excuse or other documentation consistent with that required for excused status under the Attendance Policy. Each unexcused check-in constitutes a tardy to school for purposes of this policy; however, a student who is in attendance less than half of the school day is deemed absent for state reporting and truancy purposes.** Note: A student who has unexcused class absences resulting from unexcused check-ins will not be eligible to make up work missed in such classes.)

When arriving at school during an on-going class period, tardy students in grades 7-12 (or in lower grades if classes are not self-contained and ISD is available) will be required to report to In-School Detention (ISD) until time for the next class to begin. The ISD supervisor may determine an appropriate work assignment for the period. Tardies to school may result in additional disciplinary action as set forth at paragraph III below.

### **II. Tardies to Class**

Students who are tardy to class without an excuse in grades 7-12 (or in lower grades if classes are not self-contained and ISD is available) will be sent immediately to ISD for the duration of that class period. The ISD supervisor will provide an appropriate work assignment for the period. Students who spend a class period in ISD due to tardiness to class shall be responsible to discuss make-up work with the teacher by the next school day and to complete the make-up work for that class within the time specified by the teacher and/or school administrator. Teachers will have discretion with regard to the specific make-up work assigned.

In addition, teachers have discretion to require students to complete scheduled tests and similar evaluative assignments while in ISD, rather than scheduling a make-up test. Procedures for such test administration during ISD should be established by the local administrator, so that students are prevented from manipulating the tardy policy to avoid or postpone tests. The student may be required to complete the test during the scheduled class time, as well as completing other work assigned by the ISD supervisor before being released, even if this requires more than one class period in ISD.

### **III. Disciplinary Action**

The ISD supervisor or other school official shall maintain a record of all students referred to ISD for tardiness. When a student has accumulated more than four (4) incidents of tardiness in a semester (including tardies to school and to class), the student shall be subject to additional disciplinary action. **On the student's fifth (5th) tardy and each subsequent tardy in a semester, the student shall be charged with an Intermediate Violation under the Code of Student Conduct.**

Excessive tardies to school may also result in referral by the principal to the Attendance Supervisor for Calhoun County Schools. The Attendance Supervisor will refer students to juvenile court in appropriate situations.

## **CHECK-OUT / CHECK-IN POLICY**

### **Check-out Procedures**

1. In order to leave school during the school day, students must be signed out in the school office by a custodial parent,\* guardian, or other adult who has been properly designated in writing by the parent/guardian. The parent/guardian or designated adult must come in person to the school office. Students will not be permitted to sign out on the basis of a note or phone call from parent(s) or others.

2. The School Registration / Information Form should be used by the parent/guardian to designate adult(s) who may sign the student out of school. Any adult who is identified by the parent/guardian as an emergency contact person on the School Registration / Information Form is deemed authorized to sign the student out of school. **By designating such person(s), the parent/guardian is authorizing the school to release the student at any time a designated person comes to the school office to sign the student out.** Nevertheless, administrators may exercise discretion to contact the parent/guardian as deemed appropriate or necessary.
3. Except for periodic updates which may be requested by the school, a parent/guardian desiring to update or change the listing of persons designated to sign the student out of school should visit the school office. Such updates or changes shall be the responsibility of the parent/guardian.
4. If a high school student is to be allowed to leave the campus for an appointment without a parent/guardian or designated adult present, the parent/guardian must come by the school office in advance of the check-out time (i.e., before school or on the day before the desired check-out time) to sign the check-out sheet or other pre-release form in the presence of school personnel.
5. The Attendance Policy shall be applied to determine whether absences from individual classes are excused or unexcused and whether the student is eligible to make up work. (Thus, any absence from class beyond the fifth (5th) in a semester will require a doctor's excuse or parent conference with the principal for consideration of excused status and eligibility to make up work.)
6. Students who leave campus without following the check-out procedure will be charged with an Unauthorized Absence (Intermediate Violation) under the Code of Student Conduct.
7. Excessive check-outs are strongly discouraged by the Board, as are check-outs during the final hour of school unless absolutely necessary. After four (4) early check-outs within a semester, the principal's permission may be required for additional check-outs.

\* A custodial parent in a divorce situation is one designated by prevailing court order as having sole or joint custody of the child. A non-custodial parent must be authorized by the custodial parent in order to sign a child out of school.

#### Check-in Procedures

1. All students who arrive at school after the school day begins must report to the appropriate school office to complete the check-in process before reporting to any classes.
2. Late arrivals to school will be unexcused unless the student and/or parent/guardian present a doctor's excuse or other documentation consistent with that required for excused status under the Attendance Policy. Each unexcused check-in will be treated as a "tardy to school" under the Tardy Policy.
3. The Attendance Policy shall be applied to determine whether absences from individual classes are excused or unexcused and whether the student is eligible to make up work. (Thus, any absence from class beyond the fifth (5th) in a semester will require a doctor's excuse or parent conference with the principal for consideration of excused status and eligibility to make up work.)
4. In order to prevent class interruptions and interference with the teaching process, all students in grades 7-12 (or lower grades if classes are not self-contained) who check in during an on-going class period will be required to report to a designated transition area for the duration of the class period. To the extent possible, students and parents are encouraged to time necessary late arrivals to coincide with class change time, so that the check-in process may be completed and the student may report directly to the next class.
5. The Board of Education strongly encourages parents and students to schedule routine appointments and examinations for after-school hours or times when school is not in session.
6. Failure to follow required check-in procedures when arriving late to school may result in an Intermediate Violation under the Code of Student Conduct.

In accordance with state guidelines, a student who is in attendance less than half of the school day is

deemed **absent** for reporting and truancy purposes.

### **EXTRACURRICULAR ACTIVITY PARTICIPATION—ACADEMICS FIRST**

In accordance with regulations prescribed by the Alabama State Department of Education, the CCBOE prescribes the following rules for eligibility of students in this school system to participate in extracurricular activities:

#### A. Definitions

1. Extracurricular activities associated with athletics are defined as those recognized and sanctioned by the Alabama High School Athletic Association, and other extracurricular activities are defined as those that are sanctioned by the public school, which are not related to a student's academic requirements or success in a course.
2. Regular curricular activities are defined as those that are required for satisfactory course completion.

#### B. Eligibility Requirements

1. Students entering Grades 10-12 must, for the last two semesters of attendance and summer school, if applicable, have a passing grade and earn the appropriate number of credits in each of six (6) subjects that total six (6) Carnegie units of credit, including four (4) credits from the four (4) core subjects composed of English, science, social studies, and mathematics with a composite numerical average of seventy (70).

Students entering Grades 8 and 9 must, for the last two semesters of attendance and summer school, if applicable, have a passing grade in five (5) subjects with a composite numerical average of 70 with all other rules applying the same as to students in Grades 9-12.

Students promoted to the seventh grade for the first time are eligible.

2. Physical education may count as only one (1) unit per year.
3. No more than two (2) Carnegie units may be made up during summer school. If a unit(s) or subject(s) is repeated in summer school, the higher numerical grade for the unit(s) or subject(s) may be used to compute the composite grade average.
4. A student who is eligible at the start of the academic year remains eligible for the entire academic year. Students deemed ineligible at the beginning of the school year by virtue of having failed to meet the requirements outlined in B.1. above may regain their eligibility at the end of the first semester by meeting the requirements for eligibility in the two most recently completed semesters, including summer school. Eligibility restoration must be determined no later than five (5) school days after the beginning of the succeeding semester.
5. An ineligible student may not become eligible after the fifth school day of each semester. Bona fide transfers may be dealt with according to rules of the Alabama High School Athletic Association for sports and rules to be developed by this Board of Education as they pertain to other extracurricular activities.
6. Each eligible student must have a minimum composite numerical average of 70 and a minimum of six (6) Carnegie units from the preceding year, including summer school. Summer school work passed may substitute for regular school work repeated in computing the 70 average.
7. Each eligible student involved in athletics must meet the definition of a regular student as defined by the Alabama High School Athletic Association.
8. Any student who earns more than four (4) credits in the core curriculum in any given year or who accumulates a total in excess of the required four (4) per year may be exempt from earning the four (4) core courses in the succeeding year as long as that student remains on schedule for graduation with his/her class by earning eight (8) core credits over any two-year span, including summer school.
9. Students who participate in extracurricular tryouts, summer instructional camps, and similar activities prior to eligibility determination, do so at their own risk. For example, a student who has been selected during cheerleader tryouts in the spring and has participated in summer camp shall still be

deemed ineligible on the first day of school if all academic requirements have not been met. Students who expend money on uniforms, summer camps, and the like, but are subsequently deemed academically ineligible, are not entitled to a refund or reimbursement.

C. Participation Requirements

1. School sponsors are required to submit a request for each curricular activity that occurs outside the regular school day and/or school to the principal, superintendent, and the local Board of Education for approval.
2. Each request for full participation by all students, regardless of academic standing, in a curricular activity shall be granted if the principal, superintendent, and the local Board of Education approve participation in the activity as an extension of a course(s) requirement(s) and it is an event sanctioned by a state/national subject matter association.
3. Notwithstanding anything to the contrary in this policy, student participation in extracurricular activities offered by the school through math, science, band, choral, music, and other courses at events such as athletic events (pregame, game, halftime, or other breaks), club conventions, parades, amusement park trips and competitions, trips by tour companies, performances at various meetings, etc., are extracurricular, and students academically ineligible under this policy shall not be allowed to participate.
4. Decisions on a student's participation in extracurricular activities shall be developed and reached consistent with the requirements of the IDEA and its implementing regulations, as well as Section 504 of the Rehabilitation Act of 1973, if the student is identified as eligible under these statutes, rules, and regulation, and such participation is determined to be appropriate.

**MEDICATION POLICY**

**NOTE: Student self-administration of medication for chronic conditions will be permitted in accordance with Section 16-1-39, code of Alabama (as amended by Act No. 2007-463).**

**Administration of Prescribed Medication**

**A. Supervised or assisted administration.** Except in those circumstances where self-administration of medication by the student is indicated and authorized under the self-administration policy stated at part B below, administration of medication to students should be supervised or assisted by the school administrator or the administrator's designee(s) in accordance with the following requirements:

1. The school must be provided with a signed statement from the prescribing physician that includes student's name; the name of the medication; the reason for the medication; the appropriate dosage and method of administration; the time of administration; the duration or discontinuation date, if applicable; and any known drug allergies or reactions. (Physician's statement forms will be available in the school office.)
2. The medication must be delivered to the administrator or designee in a pharmacy-labeled container, which includes the student's name, prescriber's name, date, name of medication, dosage and instructions for administering, and date of discontinuation (where appropriate). Two containers may be requested from the pharmacy, with one labeled for school use. Where deemed appropriate by the parent/guardian (as with small children), any prescribed medication may be delivered to appropriate school personnel directly by the parent/guardian. **NOTE: THE PARENT/GUARDIAN OR PARENT-DESIGNATED RESPONSIBLE ADULT MUST DELIVER ALL MEDICATIONS DESIGNATED CONTROLLED SUBSTANCES (SUCH AS RITALIN) TO THE SCHOOL ADMINISTRATOR OR DESIGNEE. ALL SHARP ITEMS SUCH AS SYRINGES AND LANCETS MUST BE TREATED AS CONTROLLED SUBSTANCES FOR PURPOSES OF THIS PROVISION. STUDENTS MUST NOT DELIVER CONTROLLED SUBSTANCES, INCLUDING SHARP ITEMS, TO THE SCHOOL.** Whether a prescribed medication is a controlled substance should be indicated by the physician in the appropriate location on the physician's statement form.
3. The school should be provided with information concerning potential side effects of the medication. The side effects sheet provided by the pharmacist may be attached to the physician's statement form.
4. The parent or guardian must sign a consent form (available in the school office) at the beginning of the school year and/or before any medication is given at school authorizing the school administrator or designee to administer or assist in the administration of the medication.

**B. Self-administration of medication.** The self-administration by the student of prescription medication permitted only under the following conditions.

1. Written parent/guardian and physician authorization for self-administration must be provided to the

school on the appropriate forms available in the school office and self-administration must be approved in writing by the school nurse upon consideration of all relevant circumstances. The school nurse is authorized to develop and implement criteria for determining whether and under what conditions self-administration of a particular medication by a particular student is permissible, including but not limited to any necessary assessment of the student's health status, the student's understanding and ability to self-medicate, and other relevant safety considerations.

2. The school health nurse is further authorized to develop and implement a plan for monitoring the self-administration of prescription medication by the student, to evaluate the effectiveness of the plan, and to modify as needed. The school health nurse will inform appropriate teachers and administrators that the student is self-administering medication and will collaborate with appropriate school personnel, the student, and/or parent/guardian to determine a safe place for storage while providing for student accessibility.
3. Self-administered medications must be stored in the original or pharmacy-labeled container in a secured area under the supervision of appropriate school personnel, **unless the physician/prescriber and parent(s) authorize a different arrangement for specific students, and such arrangement is approved by the school nurse.**
4. **AS A GENERAL RULE, STUDENTS WILL NOT BE PERMITTED TO SELF-ADMINISTER MEDICATIONS DESIGNATED CONTROLLED SUBSTANCES (SUCH AS RITALIN).** Any exception must be with the express approval of the school nurse, based upon a determination that such exception is essential to the physical well-being of the child.
5. **ANY STUDENT WHO ABUSES THE PRIVILEGE OF SELF-MEDICATION IN A MANNER THAT VIOLATES THE CODE OF STUDENT CONDUCT WILL BE SUBJECT TO APPROPRIATE DISCIPLINARY MEASURES.**

**Administration of Non-Prescription Medication:** Non-prescription medication, including Tylenol, aspirin, etc. may be administered on a limited basis provided the parent/guardian has completed a consent form authorizing the school administrator or designee to administer or supervise the administration of the medication. The medication must be in the original container with the manufacturer's label and contain an additional label stating the child's name, dosage, and time for administration.

**Storage of Medication:** All medication will be stored in the original or pharmacy-labeled container in a centrally located, secured area under the supervision of the school administrator or the administrator's designee, unless **the physician/prescriber authorizes a different arrangement for specific students.**

**Records:** A medication administration file containing the appropriate authorization and consent forms and other health related information will be maintained for each student to whom medication is administered during school. As part of the file, a complete record of medication administration will be developed and maintained by appropriate school personnel (except for certain students who self-administer medication as authorized by the school nurse). Forms for recording the date and time of administration, the date of discontinuation, and other appropriate comments will be developed and provided by the school nurse.

#### **HEAD LICE POLICY**

The school board follows the Alabama Department of Public Health Recommended Guidelines for Control of Head Lice in Schools. This is a "no-nit" policy, which may result in the removal from school of students found to be infested with nits or live bugs. After removal and recommended treatment, affected students must be re-examined and declared "nit free" prior to returning to their classrooms. A parent/guardian will be required to accompany the student to school for re-examination following recommended treatment.

#### **POLICY FOR PREVENTION OF STUDENT HARASSMENT**

This policy is adopted pursuant to Alabama's Student Harassment Prevention Act (Act No. 2009-571) and is patterned after the model anti-harassment policy developed by the State Department of Education pursuant to that legislation. It is not intended to supersede or replace existing Board policies prohibiting sexual harassment, racial harassment or other prohibited conduct and such policies and procedures remain in full force and effect

#### **Harassment, Violence, and Threats of Violence Prohibited**

No student in the Calhoun County School System shall engage in or be subjected to harassment, violence, threats of violence, or intimidation by any other student that is based on any of the specific characteristics identified by the Board in this policy. Students who violate this policy will be subject to

disciplinary sanctions as specified in the Code of Student Conduct.

### Definitions

- a. The term “harassment” as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at school sponsored functions, including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth in Section 3.b. below. A pattern of behavior may constitute harassment if it does any of the following:
  - Places a student in reasonable fear of harm to student’s person or damage to student’s property
  - Has the effect of substantially interfering with the educational performance, opportunities, or benefits of a student
  - Has the effect of substantially disrupting or interfering with orderly operation of the school
  - Has the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function
  - Has the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- b. The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- c. The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
- d. The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which student is or would be eligible.
- e. The term “student” as used in this policy means a student who is enrolled in the Calhoun County School System.

### Description of Behavior Expected of Students

- a. Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are required to: (1) comply with the requirements of law, policy, regulations, and rules prohibiting harassment, violence, or intimidation; (2) refrain from inflicting or threatening to inflict violence, injury or damage to the person or property of another student; and (3) refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.
- b. Violence, threats of violence, harassment, and intimidation are prohibited and will be subjected to disciplinary consequences and sanctions under this policy if the perpetrator is found to have based such prohibited action on one or more of the following personal characteristics of the victim of such conduct:
  - The student’s race;
  - The student’s sex / gender;
  - The student’s religion;
  - The student’s national origin; or
  - The student’s disability.

### Consequences for Violations

The series of graduated consequences for violation of this policy will be those outlined in the Code of Student Conduct.

### Reporting, Investigation, and Complaint Resolution Procedures

- a. Complaints alleging violations of this policy must be made on Board approved complaint forms available at the principal’s and/or school counselor’s office. The complaint must be signed by the student alleging the violation or by the student’s parent or legal guardian and delivered to the principal or principal’s designee by mail or personal delivery. At the request of the complaining student or the student’s parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.

- b. Upon receipt of the complaint, the principal or designee will, in their sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or designee determines that the complaint alleges a serious violation, he or she will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed or implemented by the principal or the school system.
- c. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any appropriate sanction, penalty, or consequence available to school officials under the Code of Student Conduct. Likewise, a student who deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.
- d. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported through this process, the principal or principal's designee will inform the student's parent or guardian of the report.

Promulgation of Policy and Related Procedures, Rules, and Forms

This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and guardians, and school officials by such means and methods as are customarily used for such purposes, including publication on the school system's website.

**SEXUAL DISCRIMINATION AND HARASSMENT POLICY**

Prohibition against Sexual Discrimination

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in federally assisted education programs. Similarly, Title VII of the Civil Rights Act of 1964 protects employees against various types of prohibited employment discrimination, including discrimination on the basis of sex. Pursuant to these and other applicable laws, the CCBOE prohibits all forms of impermissible gender-based discrimination.

Prohibition against Sexual Harassment

As a form of unlawful sex discrimination under Title IX and Title VII, sexual harassment, as defined by law and Board policy, will not be tolerated in the Calhoun County Schools. This policy prohibits all forms of sexual harassment within the school system, including employee-to-employee, employee-to-student, and student-to-student harassment. Students, employees, and others who believe they have experienced or have witnessed sexual harassment are encouraged to report such conduct and to pursue resolution through the formal and informal complaint procedures approved by the Board. No adverse action will be taken against any employee or student for making a good faith report of sexual harassment. Following investigation, any employee or student found to have engaged in prohibited sexual harassment will be subject to disciplinary sanctions (up to and including suspension, expulsion, and termination) and the Board will implement any additional corrective or remedial measures deemed appropriate under the circumstances.

Definition of Sexual Harassment

A. Sexual harassment consists of unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

- 1. Submission to such conduct is made a term or condition (either explicitly or implicitly) of employment or of a student's participation in school programs or activities;
- 2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment, educational opportunity, or other benefit; or
- 3. Such unwelcome sexual conduct is so severe, persistent, or pervasive that it unreasonably limits or interferes with an individual's work performance or educational opportunity, or creates a hostile or abusive work or educational environment. *Please note that by definition a sexually hostile environment does not generally result from isolated incidents unless extremely severe in nature. For example, a sexual joke, even if offensive to the individual to whom it was told, will not by itself create a sexually hostile environment; however a sexual assault or other severe incident of a similar nature*

*can create a hostile environment.*

B. Sexual conduct can take a variety of forms ranging from subtle innuendoes to physical sexual assault. The following are examples of sexual conduct that may constitute sexual harassment if one of the conditions of paragraph A is met.

1. Verbal harassment or abuse of a sexual nature, including sexually graphic comments, sexual jokes, gender-based slurs, the display of sexually explicit objects or pictures;
2. Unwelcome sexual advances or solicitation of sexual activity;
3. Sexual gestures or physical movements related to sex;
4. Inappropriate touching of a sexual nature;
5. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to an individual's employment or educational status.

#### Procedures for Reporting Sexual Harassment

The following procedures are intended to provide an effective means of enforcing the strict prohibition against sexual harassment and to facilitate reporting, processing, and resolution of sexual harassment complaints. Accordingly, they may be flexibly applied as appropriate to serve their intended purposes, and are not intended to limit the right or authority of the Board to address or respond to complaints of sexual harassment or related misconduct.

#### Student Complaints

Any student who believes that he or she has been or is being subjected to any form of sexual harassment or has knowledge of sexual harassment involving other students should promptly report the matter to a teacher, counselor, or school administrator, who, in turn should apprise the Compliance Officer of the reported incident.

A student may choose to make his or her report to a person of the same sex as the student. Complaints may be brought on a student's behalf by a parent, guardian, counselor, or other school official. Under no circumstances shall a student be required to present the matter for investigation or resolution to the person who is alleged to have committed the harassment.

Some cases are most appropriately resolved by investigation and disposition at the local school in accordance with applicable disciplinary guidelines. In such cases, the principal may investigate and attempt to resolve the matter without more formal procedures. If the complaint is not resolved to the satisfaction of the student or other complaining party, the student or his representative may initiate a formal complaint under the Complaint / Grievance Procedure approved by the Board of Education.

#### Employee Complaints

Any employee who believes that he or she has been or is being subjected to any form of sexual harassment should promptly report the matter to his or her supervisor, who, in turn should apprise the Compliance Officer of the reported incident. An employee may choose to make his or her report to a supervisor of the same sex as the employee. An employee may also choose to report any incident directly to the Compliance Officer or to other Central Office official. Under no circumstances shall an employee be required to present the matter for investigation or resolution to the person who is alleged to have committed the harassment.

Some cases are most appropriately resolved by investigation and disposition at the local school or department level. In such cases, the principal / supervisor may investigate and attempt to resolve the matter without the need for more formal procedures; however the supervisor should inform the Compliance Officer when an informal complaint is submitted. If the complaint is not resolved to the satisfaction of the complaining employee, the employee may initiate a formal complaint under the Complaint / Grievance Procedure approved by the Board of Education.

#### Confidentiality

The right of confidentiality, for both the complaining party and the accused, will be respected to the extent practical, consistent with the school system's legal obligations and with the necessity to investigate allegations and to take corrective action when such conduct has occurred. Complete confidentiality cannot be guaranteed.

#### Penalties for Violation

A. Students. Any student who sexually harasses another student or person in violation of Board policy will be subject to punishment in accordance with the Code of Student Conduct. Any such discipline will be implemented consistent with due process requirements.

B. Employees. Any employee who sexually harasses a student, employee, or other person in violation of Board policy will be subject to appropriate disciplinary action up to and including termination. Any such

disciplinary action will be implemented consistent with applicable law and due process requirements.

Retaliation Prohibited: Any form of retaliation or adverse action taken in response to a good faith report of sexual harassment is expressly prohibited.

Providing False Information: Any student or employee who falsely and in bad faith accuses another of sexual harassment or who otherwise knowingly provides false information regarding sexual harassment may be subject to appropriate disciplinary action.

Notification: Notice of this policy will be disseminated to all schools and departments of the Calhoun County School System and will be incorporated into teacher and student handbooks. Orientation on this policy shall be conducted for teachers and students in all schools on an annual basis.

Compliance Officer: The Compliance Officer may be reached at the following address / telephone number: Ms. Cynthia Hunt, P.O. Box 2084, Anniston, AL 36202, (256) 741-7492.

### **RACIAL HARASSMENT POLICY**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in any program or activity that receives Federal financial assistance from the Department of Education. Under Title VI, school officials have an obligation to address discriminatory conduct, including racial harassment.

#### Prohibition Against Racial Harassment

The Calhoun County School District is committed to maintaining a learning environment free from racial discrimination and harassment. All forms of racial discrimination and harassment are prohibited within the Calhoun County Schools.

#### Definition of Racial Harassment

For purposes of this policy, racial harassment of a student consists of verbal, written, or physical conduct relating to an individual's color or race when:

1. the harassing conduct is sufficiently severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity or creates an intimidating, hostile, threatening or abusive educational environment;
2. the harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. the harassing conduct otherwise adversely affects an individual's learning opportunities.

In determining whether alleged conduct constitutes a violation of this policy, consideration should be given to the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation requires a determination based on all of the facts and circumstances.

*NOTE: Examples of behaviors that may result in a hostile environment when racially motivated (and **when one or more of the above conditions is met**) include: intimidation or threats of physical violence; physical acts of aggression or assault; demeaning comments, racial jokes or slurs, or other derogatory remarks of a racial nature; or written or visual displays (drawings, graffiti, etc.) expressing racially derogatory sentiments.*

#### Procedures for Reporting Racial Harassment Against a Student

The following procedures are intended to provide an effective means of enforcing the strict prohibition against racial harassment and to facilitate reporting, processing, and resolution of racial harassment complaints. Accordingly, they may be flexibly applied as appropriate to serve their intended purposes, and are not intended to limit the right or authority of the Board to address or respond to complaints of racial harassment or related misconduct.

Any student who believes that he or she has been or is being subjected to any form of racial harassment or has knowledge of racial harassment involving other students should promptly report the matter to a teacher, counselor, or school administrator, who, in turn should apprise the Compliance Officer of the reported incident. Complaints may be brought on a student's behalf by a parent, guardian, counselor, or other school official. Under no circumstances shall a student be required to present the matter for investigation or resolution to the person who is alleged to have committed the harassment.

Some cases are most appropriately resolved by investigation and disposition at the local school in accordance with applicable disciplinary guidelines. In such cases, the principal may investigate and attempt to resolve the matter without more formal procedures. If the complaint is not resolved to the satisfaction of the student or other complaining party, the student or his representative may initiate a formal complaint under the Complaint/Grievance Procedure approved by the Board of Education.

#### Confidentiality

The right of confidentiality, for both the complaining party and the accused, will be respected to the extent practical, consistent with the school system's legal obligations and with the necessity to investigate allegations and to take corrective action when such conduct has occurred. Complete confidentiality cannot be guaranteed.

#### Penalties for Violation

A. Students. Any student who racially harasses another student or person in violation of Board policy will be subject to punishment in accordance with the Code of Student Conduct. Any such discipline will be implemented consistent with due process requirements.

B. Employees. Any employee who racially harasses a student, employee, or other person in violation of Board policy will be subject to appropriate disciplinary action up to and including termination. Any such disciplinary action will be implemented consistent with applicable law and due process requirements.

Retaliation Prohibited: Any form of retaliation or adverse action taken in response to a good faith report of racial harassment is expressly prohibited.

Providing False Information: Any student who falsely and in bad faith accuses another of racial harassment or who otherwise knowingly provides false information regarding racial harassment may be subject to appropriate disciplinary action.

Notification: Notice of this policy will be disseminated to all schools and departments of the Calhoun County School System and will be incorporated into teacher and student handbooks. Orientation on this policy shall be conducted for teachers and students in all schools on an annual basis.

Compliance Officer: The Compliance Officer may be reached at the following address / phone #: Ms. Cynthia Hunt, P.O. Box 2084, Anniston, AL 36202, (256) 741-7492.

## **COMPLAINT/GRIEVANCE PROCEDURE**

#### Purpose / Definition

The CCBOE has established this procedure for the purpose of encouraging prompt and fair resolution of student/parent and employee complaints. This procedure requires a reasonable effort to resolve the complaint before invoking the formal grievance process and is intended to assure fairness to all parties, while providing for timely resolution of complaints.

1. Grievable Matters. Grievable matters under this policy are limited to employee or student / parent complaints that are based on alleged violations of Board policy or alleged violations of laws directly affecting the rights of the complaining party. These may include complaints alleging illegal discrimination or harassment because of race, sex, religion, national origin, age, disability or other deprivation of an individual's legal rights. The challenged action or decision must affect the grievant personally and directly.
2. Actions and decisions that are not grievable under this procedure include:

  - Matters involving the Board's right to establish educational policy or to prescribe rules and regulations for the conduct and management of the schools.
  - Personnel actions or decisions that are reviewable under specific statutory procedures established for such purposes, including the teacher tenure and fair dismissal laws.
  - Student disciplinary decisions that are subject to review under the Board's policy governing Disciplinary Due Process.
  - Matters related to educational or other services for disabled students that are subject to review under established procedures for implementing IDEA and/or Section 504 of the Rehabilitation Act.
  - Any other matters for which more specific procedures are available that are more precisely tailored to the grievant's complaint.

The following compliance officers may be contacted for further assistance:

Claims regarding disability: Janice Cain, (256) 741-7435

Claims based on gender, race, ethnic origin, age, or other: Cynthia Hunt, (256) 741-7492

## PROCEDURE

### Level One (Informal Procedures)

To initiate the complaint / grievance process, an employee or student (or the student's parent or guardian) should first discuss his or her complaint with an immediate supervisor, school principal, or other local administrator, with the objective of securing, at the lowest possible level, an equitable and workable solution to the problem. The supervisor / principal shall confer with the employee or student concerning the complaint and shall take appropriate steps with a view toward arriving at a satisfactory resolution.

In the event the grievance cannot be satisfactorily resolved at this informal level, the complaining party must initiate the formal grievance process (Level Two) within five (5) calendar days of the informal conference, and not more than twenty (20) calendar days from the occurrence or conduct that originally gave rise to the complaint.

### ***Special Guidelines for Level One Sexual Harassment Complaints:***

***Students. A student making a sexual harassment complaint under this procedure may report the matter to a teacher, counselor, or school administrator, who, in turn should apprise the Compliance Officer of the reported incident. The student may choose to make the report to a person of the same sex as the student. Complaints may be brought on a student's behalf by a parent, guardian, counselor, or other school official. Under no circumstances shall a student be required to present the matter for investigation or resolution to the person who is alleged to have committed the harassment.***

***Employees. An employee making a sexual harassment complaint may report the matter to his or her supervisor, who, in turn should apprise the Compliance Officer of the reported incident. An employee may choose to make the report to a supervisor of the same sex as the employee or directly to the Compliance Officer or other Central Office official. Under no circumstances shall an employee be required to present the matter for investigation or resolution to the person who is alleged to have committed the harassment. (See also SEXUAL DISCRIMINATION AND HARASSMENT POLICY.)***

### Level Two (Formal Procedures)

If the complaint is not successfully resolved as a result of the conference between the complaining party and the supervisor / principal, then the complainant shall submit his or her grievance / complaint in writing to the supervisor / principal within five (5) calendar days of the conference (and within twenty (20) calendar days of the original occurrence). The signed, written complaint should contain the following information:

1. A complete description / explanation of the grievance or complaint, including the date(s) of the incident or act on which complaint is based, the names of students, employees, supervisors, or administrators responsible for or involved in the incident, the identity of any witnesses, and all other facts supporting the complaint;
2. The specific remedy or corrective action sought by the complaining party;
3. A statement describing efforts to resolve the complaint informally or explaining the reasons such efforts were not pursued;
4. Copies of any relevant documents or evidentiary materials in the possession of the complaining party.

Upon review of the written submission and factual information, including such investigation as he or she deems appropriate, the supervisor / principal shall transmit a written decision to the aggrieved within ten (10) calendar days of receipt of the written grievance. If a grievance is pursued beyond this level, written records should be forwarded to the next level of procedure by the aggrieved.

### Level Three

If the aggrieved is not satisfied with the disposition of the grievance at Level Two, he or she may appeal the decision to the Superintendent or his/her appropriate designee (i.e., Compliance Officer) within five (5) calendar days of the receipt of the Level Two decision.

The Superintendent or Superintendent's designee will review the written submission and documentation of prior proceedings and will initiate an investigation, which may include witness interviews, review of written statements, administrative conference or hearing, or other action deemed appropriate and necessary to reach

a just disposition of the grievance. Upon completion of the investigation, the Superintendent or designee shall prepare a written decision that shall be mailed or transmitted to the complaining party within twenty (20) calendar days of the date on which the complaint was submitted to the Superintendent (except in case of extenuating circumstances).

#### Level Four

A grievant who is dissatisfied with the decision of the Superintendent (or the Superintendent's designee) may appeal the decision to the Board of Education by filing a written notice of appeal with the Superintendent within five (5) calendar days of the date of notification of the Superintendent's decision. Upon receiving the notice of appeal, the Superintendent shall forward to the Board the complete record of prior proceedings, including the written grievance, the Superintendent's decision letter, the notice of appeal, and all written documentation and evidence filed, submitted, or considered at any stage of the grievance process. At the next scheduled Board Meeting, or as soon as practicable, following the Superintendent's receipt of the notice of appeal, the grievance appeal shall be placed on the Board Meeting agenda for consideration.

Upon consideration of the grievance appeal and record, the Board may, by majority vote:

1. Affirm the decision of the Superintendent;
2. Modify the decision of the Superintendent;
3. Defer final action until an evidentiary hearing is held on the grievance.

The decision of the Superintendent shall be final unless an action reversing or modifying the decision is approved by majority vote of the Board. If a hearing by the Board is approved, the hearing shall be set as soon as is practicable and written notice of the hearing date shall be provided to the grievant. The parties may be represented by legal counsel or other representative of their choosing and shall have the opportunity to present evidence in support of his or her position. The Board shall render a decision and shall provide written notification of the decision within ten (10) calendar days of the close of the hearing. The Board shall seek to preserve the confidentiality of such proceedings consistent with the requirements of FERPA, the Alabama Open Meetings Act, and other applicable law.

## **SEARCH AND SEIZURE POLICY**

### School Property

The Board of Education fully recognizes the implications of constitutional law in the area of student privacy. The Board is equally aware that such tangible personal property items as student desks, lockers, and related property are and remain the property of the Board of Education.

The Board of Education is charged with the maintenance of such property items and thus, authorizes inspection for any maintenance-related reasons and other reasons related to the routine operations of the school and classroom. With respect to opening said student lockers or desks for other reasons, the following shall be considered applicable throughout the School District.

Desks, lockers and other equipment at any school belong to the School Board and, although assigned to particular students for use may be entered and searched by school officials whenever said school officials have reasonable belief that some substance or other material is contained therein which is illegal, harmful to the safety of the student himself or the student body as a whole, or significantly disruptive of or dangerous to the overall discipline of the school.

Any items which are specifically prohibited by law, by Board of Education policy or by fair and reasonable local school regulation may be impounded by school officials. In such cases, students shall be given a receipt for said impounded items. Such prohibited items shall include, but shall not be limited to the following: (1) weapons, (2) drugs of any sort, (3) alcoholic beverages, (4) pornographic or otherwise obscene materials, (5) tobacco products, (6) pagers and other electronic communication devices, and (7) any other object, controlled substance, or materials which would be a violation or evidence of a violation of federal or state law, of Board Policy, or of the local school's fair and reasonable regulation.

### Police Interrogations of Students

A student enrolled in the school district shall not be interrogated by any law enforcement authority on school property during regular school hours without the knowledge of the school's principal or his designee. All interrogations and interviews shall be conducted in a private setting, and an official school representative shall normally be present. In appropriate situations, school officials may permit private interviews with students by police officers. Reasonable effort shall be made to contact a parent or guardian and/or to have a parent or

guardian present. In those instances when a parent/guardian cannot be contacted or is not present within a reasonable period of time, school officials must allow interviews by law enforcement officials to proceed in the absence of the parent/guardian. If the student is to be removed from the school by police officers, a reasonable effort shall be made to contact the parent/guardian. **Questioning or interviewing of students conducted by school officials DOES NOT require parental contact or consent, even if such questioning occurs in the presence or vicinity of law enforcement officials or the information obtained by school officials is later shared with law enforcement.**

#### Search of Student's Person / Personal Effects

The Board of Education authorizes teachers and administrative personnel who have reasonable belief that a student or students are in possession of weapons, illegal drugs, or other items harmful to the student or students or to the welfare of the student body to search the person or personal effects and property (i.e. book bags, purses, outer clothing, vehicles, etc.) of said student(s) under the following conditions:

1. Any such action shall not be undertaken by school personnel unless there is a reasonable belief, which can be substantiated if necessary, that there is a violation of law or policy and that the student(s) are in possession of items harmful to the student(s) or to the welfare of the student body;
2. Any such action shall not deliberately be intended to embarrass, harass, or intimidate the student(s);
3. Any such action shall be with the knowledge and under the supervision of the school principal or assistant principal (or designated assistant).

Any search of a student's person (pat down) shall be done privately by a teacher or administrator of the same sex as the student to be searched. Unless extenuating circumstances prevent, at least one witness who is an administrator or teacher, also of the same sex as said student, shall be present throughout the search. A written record of the search shall be maintained in the office of the school principal.

Reasonable belief of the violation may be based separately or severally upon information from such sources as faculty members, other school personnel, reliable students, law enforcement officers, visual evidence or other reasonable source.

#### **VEHICLES ON SCHOOL CAMPUS**

Students in the Calhoun County School System may be permitted to drive private vehicles to school under the following conditions:

1. Driving privileges on school campuses are restricted to those students who have a valid driver's license and a current vehicle license, and who have been authorized by the principal and have purchased a decal which is properly displayed.
2. Students are expected to park their vehicles in designated areas and to leave the vehicles immediately. Sitting in vehicles parked on school campus at any time is strictly prohibited.
3. Students are required to carry liability insurance on vehicles driven to school, in accordance with state law. Proof of liability insurance is required.
4. In order to operate a vehicle on school campus, the student must sign an agreement/acknowledgement regarding the student's full understanding of the rules and willingness to abide by same. The student must agree as follows:

The student driver agrees to abide by all Alabama traffic laws, safety regulations, and school system rules regarding vehicles. The student driver understands that the local school administration retains the right to revoke driving or parking privileges if it is deemed that the student is operating a vehicle in an unsafe manner, or that the continued operation of the vehicle would be a safety hazard to others, or for any other violation of this policy. The student driver will operate his/her vehicle in accordance with state and local laws and will obey all common rules of safety, courtesy, and consideration of others. The student also understands and agrees that the vehicle is subject to inspection and search by school officials in accordance with law and the Search and Seizure policy of the Board of Education.

#### **STUDENT ACCEPTABLE USE POLICY - For the Use of Technology**

##### **Introduction**

Calhoun County Board of Education ("the Board") recognizes that access to technology in school gives students greater opportunities to learn, engage, communicate, and develop skills that will prepare them for

work, life, and citizenship. We are committed to helping students develop 21<sup>st</sup> century technology and communication skills. To that end, we provide access to technologies for student and staff use. This Acceptable Use Policy outlines the guidelines and behaviors that users are expected to follow when using school technologies or when using personally-owned devices on the school campus or in connection with school activities.

- The school board's network is intended for educational purposes.
- All activity over the network or when using district technologies may be monitored and retained.
- Access to online content via the network may be restricted in accordance with our policies and federal regulations, such as the Children's Internet Protection Act (CIPA).
- Students are expected to follow the same rules for good behavior and respectful conduct online as offline.
- The Board's policies, regulations, and rules of conduct apply not only to use of school-owned resources, but also to personally-owned technology resources brought on school property or used in connection with school activities.
- The Board's disciplinary jurisdiction may include off-campus activity that threatens the school's ability to maintain a safe and orderly environment (*Board Disciplinary Jurisdiction*, 5.16 in Policy Manual and page 1 in Student Handbook).
- Misuse of school resources or personal devices can result in disciplinary action.
- Users may be financially liable for damage / loss from misuse or negligence.
- The Board makes a reasonable effort to ensure students' safety and security online, but will not be held accountable for any harm or damages that result from use of school technologies.
- Users of the district network or other technologies are expected to alert the Technology Department or local administrative staff immediately of any concerns for safety or security.

### **Technologies Covered**

The Board may provide Internet access, desktop computers, mobile computers or devices, videoconferencing capabilities, online collaboration capabilities, message boards, email, and more. As new technologies emerge, The Board will attempt to provide access to them. The policies outlined in this document are intended to cover *all* available technologies, not just those specifically listed. This includes personally-owned devices, such as cell phones or other mobile devices, when used on the school campus or in connection with school activities.

### **Usage Policies**

All technologies provided by the district are intended for education purposes. All users are expected to use good judgment and to follow the specifics of this document as well as the spirit of it: be safe, appropriate, careful and kind; do not try to get around technological protection measures; use good common sense; and ask if you don't know.

### **Web Access**

The Board provides its users with access to the Internet, including web sites, resources, content, and online tools. That access will be restricted in compliance with CIPA regulations and school policies. Web browsing may be monitored and web activity records may be retained indefinitely. Users are expected to respect that the web filter is a safety precaution, and should not try to circumvent it when browsing the Web. If a site is blocked and a user believes it shouldn't be, the user should follow district protocol to alert a technology staff member or submit the site for review.

### **Email**

The Board may provide users with email accounts for the purpose of school-related communication. Availability and use may be restricted based on school policies.

If users are provided with email accounts, they should be used with care. Users should not send personal information; should not attempt to open files or follow links from unknown or questionable origin; should use appropriate language; and should only communicate with other people as allowed by the district policy or the teacher. Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Email usage may be monitored and archived.

### **Social / Web 2.0 / Collaborative Content**

Recognizing the benefits collaboration brings to education, The Board may provide users with access to web sites or tools that allow communication, collaboration, sharing, and messaging among users. Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Posts, chats, sharing, and messaging may be monitored. Users should be careful not to share personally-identifying information online.

## **Mobile Devices**

The Board may provide users with mobile computers or other devices to promote learning outside of the classroom. Users should abide by the same acceptable use policies when using school devices off the school network as on the school network.

Users are expected to treat these devices with extreme care and caution; these are expensive devices that the school is entrusting to your care. Users should report any loss, damage, or malfunction to the Technology Department or local administrative staff immediately. Users may be financially accountable for any damage or loss resulting from negligence or misuse. Use of school-issued mobile devices off the school network may be monitored.

## **Personally-Owned Devices**

Students should keep personally-owned devices (including laptops, tablets, smart phones, and cell phones) turned off and put away during school hours except as authorized or directed by school personnel. In all matters involving the use or possession of personally-owned devices, students are expected to abide by the Code of Student Conduct, the Cell Phone Policy, and all other applicable school policies and rules. Because of security concerns, when personally-owned mobile devices are used on campus, they should not be used over the school network without express permission from Technology staff.

## **Security**

Users are expected to take reasonable safeguards against the transmission of security threats over the school network. This includes not opening or distributing infected files or programs and not opening files or programs of unknown or questionable origin.

If you believe a computer or mobile device you are using might be infected with a virus, please alert the Technology Department. Do not attempt to remove the virus yourself or download any programs to help remove the virus.

## **Downloads**

Users should not download or attempt to download or run programs over the school network or onto school resources without express permission from school personnel. For the security of our network, users should download only authorized files from reputable sites, and only for educational purposes.

## **Netiquette**

Users should always use the Internet, network resources, and online sites in a courteous and respectful manner. Users should also recognize that among the valuable content online there is unverified, incorrect, or inappropriate content. Users should use trusted sources when conducting research via the Internet. Users should also remember not to post anything online that they would not want parents, teachers, or future colleges or employers to see. Once something is online, it's out there—and can sometimes be shared and spread in ways you never intended.

## **Plagiarism**

Users should not plagiarize (or use as their own, without citing the original creator) content, including words or images, from the Internet. Users should not take credit for things they didn't create themselves, or misrepresent themselves as an author or creator of something found online. Research conducted via the Internet should be appropriately cited, giving credit to the original author.

## **Personal Safety**

Users should never share personal information, including phone number, address, social security number, birth date, or financial information, over the Internet without adult permission. Users should recognize that communicating over the Internet or other electronic means brings certain risks, and should carefully safeguard personal information. Users should never agree to meet with someone that they met online "in real life" without parental permission. If you see a message, comment, image, or anything else online that makes you concerned for your personal safety, bring it to the attention of an adult. Students should immediately bring any threatening or unwelcome communications to the attention of school personnel.

## **Cyberbullying**

Cyberbullying will not be tolerated. Harassing, threatening, insulting, impersonating, excluding, and cyberstalking are all examples of cyberbullying. Do not send or post electronic communications with the intent of scaring, hurting, or intimidating someone else. Engaging in these behaviors or any online activities intended

to physically or emotionally harm another person will result in serious disciplinary action and loss of privileges. In some cases, cyberbullying can be a crime. **Remember that your activities are monitored and retained.**

### **Access and Privacy**

All users will be provided with network storage space and should use only those accounts, files, software, and technology resources that are assigned to him/her. Network storage areas will be treated like school lockers. Network administrators will review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users of school technology resources have no personal right of privacy or confidentiality with respect to the use of such resources and should not expect files, information, or communication stored on school resources to be private.

### **Unauthorized Access**

Individuals shall not attempt to log in to the network by using another user's account and/or password, or allow someone to use his/her password to access the network, email, or the Internet. Individuals must not attempt to modify technology resources, utilities, and configurations, or change the restrictions associated with his/her accounts, or attempt to breach any technology resources security system, either with or without malicious intent. Individuals must not attempt to disrupt any computer services or data by spreading viruses, spamming, hacking, or any other means.

### **Inappropriate Materials or Language**

No profane, obscene, lewd, inflammatory, abusive, harassing, threatening, discriminatory, or impolite language should be used, nor should materials be accessed which are not in line with the rules of school behavior. Materials placed on or linked to system or school-sponsored Web pages must be preapproved by an administrator or authorized designee.

### **Examples of Acceptable Use:**

Students will:

- Use school technologies for school-related activities.
- Follow same guidelines for respectful, responsible behavior online that students are expected to follow offline.
- Treat school resources carefully and alert staff if there is any problem with operation.
- Encourage positive, constructive discussion if allowed to use communicative or collaborative technologies.
- Alert a teacher or other staff member of threatening, inappropriate, or harmful content (images, messages, posts) online.
- Use technologies at appropriate times, in approved places, for educational pursuits.
- Cite sources when using online sites and resources for research.
- Recognize that use of school technologies is a privilege and treat it as such.
- Be cautious to protect the safety of self and others.
- Help to protect the security of school resources.

This is not intended to be an exhaustive list.

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

Students will not:

- Use technologies to hurt, harass, attack or harm other people or their work.
- Attempt to find or access inappropriate web sites, images, or content.
- Use language online that would be unacceptable in the classroom.
- Engage in cyberbullying, harassment, or disrespectful conduct toward others
- Damage computers, computer systems, or computer networks in any way (this includes changing workstation configurations such as screen savers, backgrounds, printers, BIOS information, preset passwords, etc.).
- Install software or download unauthorized files, games, programs, or other electronic media.
- Attempt to hack or access sites, servers, or content not intended for my use.
- Attempt to circumvent school safety measures and filtering tools.
- Send spam, electronic chain letters, or other useless information.
- Waste limited resources such as disk space and printing capacity.
- Post personally-identifying information about myself or others.
- Agree to meet in real life with someone that the student met online.

- Use technologies for illegal activities, to pursue information about such activities, or to access illegal materials (i.e. threats, instructions on how to perform an illegal act, child pornography, drug dealing, fake identifications, purchase of alcohol, gang activities, etc.)
- Plagiarize content found online or violate copyright laws.
- View, send, display, or use racist, discriminatory, profane, lewd, vulgar, rude, disrespectful, threatening, or inflammatory language, messages or pictures.
- Share password with others or attempt to find out the password of others.
- Post false or damaging information about other people, the school system, or school organizations.
- Trespass in another user's work, folders, or files.
- Use system network resources for personal gain or commercial purposes.

This is not intended to be an exhaustive list.

### **Limitation of Liability / Disclaimers**

The Calhoun County School System makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through the Board's technology resources will be error-free or without defect.

Although the Board employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness.

The Board will not be responsible, financially or otherwise, for unauthorized transactions conducted or financial obligations incurred on the system network.

The Board will not be responsible for damage or harm to persons, files, data, or hardware. Neither the school nor the Calhoun County Board of Education will be responsible for any damages or losses incurred, including but not limited to: loss of data resulting from delays or interruption of service; loss of data stored on system resources; damage to personal property used to access system resources; the accuracy, nature, or quality of information stored on system resources; or unauthorized financial obligations incurred through system-provided access.

### **Adoption of Rules and Procedures**

The Superintendent or designee is authorized to develop additional or more specific rules, procedures, or guidelines regarding acceptable use of technology to facilitate implementation of this policy.

### **Search and Inspection of Technology Resources and Devices**

All technology resources, including but not limited to network and Internet resources, accounts, email systems, computers, and other devices owned, leased, or maintained by the Board are the sole property of the Board. Authorized Board personnel may, at any time and without prior notice, access, search, examine, inspect, collect, or retrieve information of any kind from the Board's technology resources to determine if a user is in violation of Board policies or rules regarding access to and use of technology resources, for or in connection with any other matter or reason related to the safe and efficient operation and administration of the school system, or for any other reason not prohibited by law. In addition, any device (regardless of ownership) brought onto school grounds by a student is subject to immediate inspection when there is a reasonable suspicion that the contents or recent utilization of the device is in violation of any of the Board's policies, rules or regulations regarding access to and use of technology resources.

### **Violations of Acceptable Use Policy**

Student use of the computer network, the Internet, and other technology resources is a privilege not a right. Violations of this policy may have disciplinary repercussions, including, but not limited to, the following:

- Suspension or termination of network, technology, or computer privileges
- Completion of online course regarding acceptable use or similar corrective or rehabilitative measures
- Loss of privilege of bringing personally-owned technology devices to school
- Notification of and/or conference with parents
- In-school detention, out-of-school suspension, suspension from school bus, or other disciplinary actions as authorized by the Code of Student Conduct
- Financial accountability for damage or loss
- Legal action and/or prosecution

## CELL PHONE POLICY

### Introduction

Pursuant to Alabama Code Section 16-1-27, the Board has developed this policy to regulate and limit the possession by students of cellular telephones, pocket pagers, and other electronic communication devices (ECDs) during the school day, at school activities, and on school transportation.

As a preliminary matter, the Board recognizes that cell phones may provide for convenient after-school communication between parents and students. The Board also recognizes, however, that cell phones contribute to numerous disciplinary and safety issues when possessed and used by students during the school day. For this reason, the Board strongly discourages the possession of cell phones and similar devices by students at school, and urges parents to help us limit the presence of these devices at school to the greatest extent possible. Parents are encouraged to help school officials ensure that students do not carry such devices to school except when deemed to be necessary for after-school communication. Thus, for example, a student who is being transported directly to and from school, with no after-school activities, should have no need to possess a cell phone while at school, and such possession is strongly discouraged.

Students who do carry cell phones or other ECDs are **required** to keep them put away and out of sight at school. Students who have a vehicle at school are encouraged to leave the devices in their locked vehicles. Students who don't have a vehicle, but have a locker are encouraged to keep phones in their locked lockers. Students who do not have access to a vehicle or locker at school must keep phones in a book bag, purse, or similar non-visible location. **All phones must be stored out of sight at all times during the school day.**

### Rules Governing Possession of Cell Phones and other ECDs at School

1. The power on all such devices must be turned off during school hours, on the school bus, and at any time that the student is a participant in an after-school activity under the direct supervision of school personnel.
2. Students are not permitted to use cell phones and other ECDs during school hours (including transportation on the school bus) except with the express permission of a school administrator.
3. Students must ensure that phones are put away and are stored out of sight during the school day. **A student who has a phone out so that it is visible during the school day will be presumed to be using the phone and will be disciplined accordingly.**
4. Students participating in supervised after-school activities are not permitted to use such devices except in accordance with the directives of the school personnel supervising the activity.
5. School personnel will confiscate the cell phones and ECDs of students who violate this policy, and will require parents to retrieve the devices. Cell phones confiscated under this policy are subject to be searched by school officials to determine the scope of the student's violation and to identify other students who may have participated in violating the cell phone policy.
6. Unauthorized use of a cell phone or ECD during school hours, on the school bus, or while participating in a supervised school activity will constitute an Intermediate Violation of the Code of Student Conduct, and students committing such violations will be subject to appropriate discipline. Repeat violations of this policy may be disciplined as Major Violations and repeat offenders may be banned from having a cell phone at school.
7. A student who uses a cell phone in a manner that constitutes a violation of any other provision of the Code of Student Conduct may be disciplined accordingly. Thus, by way of example, a student who downloads indecent materials, uses a cell phone to "text" profane messages, uses a device to "text" answers to a test, uses a device to make a bomb threat, uses a cell phone to record a fight or group violence, or commits any other act that violates Board policy, will be subject to the applicable discipline for the particular offense.
8. The Board is not responsible for lost or stolen cell phones or other ECDs. School personnel will not investigate the reported loss or theft of such devices.

The Superintendent is authorized and directed to establish procedures for implementation of this policy, including appropriate notification to parents and appropriate inclusion in the Code of Student Conduct.

### **III. CODE OF STUDENT CONDUCT** **DISCIPLINARY METHODS AND PROCEDURES**

The following disciplinary methods and procedures shall be implemented in accordance with Board policy and an applicable degree of due process shall be followed in each instance. Due process afforded shall be commensurate with both the gravity of the offense and the severity of the contemplated penalty. This listing of disciplinary methods is not all-inclusive, and is not meant to suggest that other reasonable disciplinary actions are disapproved by the Board. Professional discretion will be exercised by school administrators in assigning or recommending appropriate discipline.

#### **Before or After School Detention**

The principal, or his/her designee, has the authority to assign students to a designated area at the beginning or end of the regular school day for a reasonable and specified period of time. A parent or guardian is responsible for providing transportation in these cases. A reasonable attempt will be made to notify a parent or guardian prior to the assignment of a student to detention. If the parent or guardian is notified on the day of the misbehavior, the student will be assigned on that day; if not, the student will be assigned following notification of parent or guardian.

#### **Disciplinary Probation**

Disciplinary probation is a period of time specified by the Superintendent, principal, or his/her designee, during which a student must correct his/her behavior while abiding by all other school regulations. The staff members involved in the action will assist in monitoring the student's adjustment to the school environment.

#### **Disciplinary Work / Clean-up Assignment**

The principal, or his/her designee, has the authority to assign supervised activities related to the upkeep and maintenance of school facilities for a reasonable and specified period of time. Work assignments shall not interfere with any student's regular class schedule. A parent or guardian will be notified prior to the student's placement in a work or clean-up assignment and will be responsible for transportation.

#### **In-School Detention**

In-school detention is a structured disciplinary action in which a student is isolated or removed from regular classroom activities but not dismissed from the school setting. The principal, or his/her designee, has the authority to assign students to the in-school detention program for up to five (5) consecutive days consistent with Board policy. Extended ISD assignments require approval of the Superintendent. Students assigned to the in-school detention program will be counted present to school and will be allowed to continue or make up their academic work in accordance with board policy. Students assigned to ISD may be required to perform written work assignments as directed by the ISD supervisor.

#### **School Bus Suspension**

The principal, or his/her designee, has the authority to deny a student the privilege of riding a bus. This denial, based on the misconduct of the student, will be for a reasonable and specified period of time. A parent or guardian will be notified prior to suspension from the bus and will be responsible for providing transportation in such cases.

#### **Physical Restraint**

Employees of the Board of Education are authorized to use reasonable physical force to restrain a student from injuring or attempting to injure himself or others. Such action may be taken as necessary to maintain discipline and order or to enforce school rules, and shall be done in a reasonable fashion to protect all parties involved. Law enforcement officials may be called to assist with such action.

#### **Corporal Punishment**

In accordance with Alabama law, the Board of Education permits the use of corporal punishment. Should corporal punishment be needed, it must be administered in accordance with the following:

1. The student has been notified of the offense for which he/she is to receive corporal punishment and the student has been given an opportunity to explain his actions.
2. The punishment shall be administered by the school principal or his/her designee(s) (certificated personnel only) and witnessed by a certified school employee.

3. The punishment shall be administered out of the view or presence of any other students.
4. The punishment shall consist of no more than three swats on the buttocks with a smooth surface paddle free of holes and/or cracks. Paddles of an appropriate size and construction shall be provided to schools by the Board maintenance department; no other paddles shall be used.
5. A written record of the punishment shall be made in which the violation or offense resulting in the punishment is listed along with the number of swats administered (maximum of three). The name of the teacher or official requesting the punishment, the name of the person administering the punishment, and the name(s) of all witnesses shall be included in the record. The principal of each school shall maintain a copy of the record and a copy shall be sent to the parent or guardian of the student.

### **Suspension**

Suspension is the temporary removal of a student from a school for violation of school rules and regulations. The principal, or his/her designee, has the authority to suspend a student from school. All suspensions will be in accordance with prescribed Board policy. A student recommended for suspension will be made aware of the charges and given an opportunity to respond. Any time an action warrants suspension, a reasonable effort will be made to contact a parent or guardian by telephone and/or by written notice delivered by the student or U.S. Mail. The student is responsible for notifying his/her parent/guardian of all written communications from the school. Failure to do so may result in further disciplinary action. Suspension days constitute unexcused absences. Further, students may not participate in extracurricular or other school activities while suspended.

### **Saturday School**

The purpose of Saturday School is to provide an alternative to out-of-school suspension. Saturday School attendance will not be offered for severe violations, or in any instance involving a recommendation for expulsion, except as permitted by the superintendent. Saturday school is an administrative option that may be offered instead of out-of-school suspension or other discipline as deemed appropriate by the principal pursuant to Board Policy.

### **Alternative School**

Students may be assigned to the Alternative School by the Superintendent or his designee for disciplinary reasons in accordance with Board policy. The school principal may recommend consideration of Alternative School placement to the Superintendent in accordance with the Board policy governing Disciplinary Due Process. Students shall be suspended by the principal pending a hearing before the Superintendent or his designee. **Note: Expulsion may be considered and recommended by the Superintendent in appropriate cases even when the principal has requested consideration of Alternative School in lieu of expulsion.**

Students are assigned to the Alternative School for a specified length of time, which is subject to increase dependent upon the student's successful compliance with the Alternative School program, including regular attendance and acceptable behavior and work performance. Failure and/or unwillingness to comply with requirements of the Alternative School program may result in a recommendation for expulsion from Calhoun County Schools. If a student withdraws from Calhoun County Schools during a pending Alternative School recommendation or assignment, the pending matter must be addressed and appropriate Alternative School time must be served upon the student's return to the school system. During assignment to Alternative School, students are not permitted to be present on the regular school campus or at school-sponsored activities.

While assigned to the Alternative School students shall remain subject to the Code of Student Conduct and such other additional requirements and rules of student conduct as the Superintendent may approve to ensure safety and order in keeping with the disciplinary function of the Alternative School program. Such additional rules may include, but are not limited to the following:

- Modifications to the grooming and dress code as deemed appropriate to ensure safety and to prevent hair and dress styles that are disruptive or tend draw undue attention to individual students.
- Restrictions on the possession of book bags and purses.
- Regular student searches, including the use of metal detectors.
- The prohibition of cell phones.
- Such other rules as may be conducive to a highly controlled and structured disciplinary environment.

Students assigned to the Alternative School receive counseling which stresses nonviolent conflict resolution,

responsibility, problem solving, and other issues which affect the students' ability to function in the regular school environment.

**Students served under IDEA and/or Section 504 of the Rehabilitation Act may be assigned to the Alternative School in accordance with the DISCIPLINARY PROCEDURES FOR STUDENTS WITH DISABILITIES mandated by the Board.**

### **Expulsion**

Expulsion is the permanent or long-term removal of a student from school in the Calhoun County School System for violation of school rules or regulations. In the case of offenses warranting such action, the principal has the responsibility to recommend student expulsion to the Superintendent in accordance with Board policy.

If a student is suspended and recommended for expulsion, the local school principal shall notify, in writing, with a copy to the Superintendent, the student and parent or legal guardian of the action taken and the additional action recommended and the cause(s) for such action and recommendation. Upon receipt of such recommendation, the Superintendent shall promptly notify in writing the student and parent or guardian of the time and place for the hearing and the process to be followed in considering the recommendation for expulsion. The hearing relative to expulsion, as well as all preliminary steps concerning the hearing and recommendation, shall fully comply with applicable due process criteria.

### **Notification of Legal Authorities**

In situations where notification or involvement of legal authorities is warranted and/ or is required by law, school officials are authorized and encouraged to contact law enforcement officials for assistance. Incidents involving violations of Board policy concerning trespassing, drugs, alcohol, firearms and other deadly weapons, physical violence, property damage, and the like may require intervention by law enforcement officials, up to and including arrest and/or immediate removal of the student from the school environment.

## **CLASSIFICATION OF VIOLATIONS**

**It is fundamental that an orderly school shall have clearly defined behaviors and standards to which students must conform. Non-conformity to these prescribed behaviors result in violations of the Code of Student Conduct. Violations are grouped into four classes that range from the least to the most serious, as follows: Minor, Intermediate, Major, and Severe. Appropriate school personnel shall investigate, verify, and take the necessary action to resolve student misconduct. The principal, or his/her designee, shall hear the student's explanation and consult further with witnesses, if necessary, before determining the classification of the violation. Each classification is followed by disciplinary procedures to be implemented by the principal or designee in accordance with his/her professional discretion. Neither the list of violations nor the listing of recommended consequences is considered to be all-inclusive.**

Teachers are expected to play a significant role in dealing with student behavior and discipline. Each teacher will deal with general student disruption and misbehavior by taking disciplinary action, which may include: a personal call to a parent or guardian, a scheduled parent or guardian conference, a classroom work assignment, or other appropriate measures. Only when the student behavior is sufficiently severe or the action taken by the teacher is repeatedly ineffective in dealing with documented student misbehavior, should the student be referred to the principal or his/her designee.

This disciplinary code is applicable to grades K-12. Administrators will consider the age and grade level of a student when selecting and administering discipline from among the disciplinary actions provided for each classification of violation.

### **Minor Violations**

The following are classified as minor violations and are prohibited by the CCBOE.

1. Non-compliance with a reasonable request by school personnel and other similar violations such as:
  - a. refusal to bring paper, pencil, or book to class
  - b. refusal to follow established classroom rules
  - c. whispering, talking, and note-writing during class
  - d. refusal to follow directions or to attempt assigned class work
2. Any other behavior that the principal may reasonably determine to be a minor violation.

### Disciplinary Action for Minor Violations

#### First violation:

Student conference and parental contact when warranted. Specific circumstances may warrant other disciplinary action as defined in this publication.

#### Second and Third Violations:

There will be an administrative option of one of the following:

1. Before or after school detention
2. Disciplinary work assignment
3. Corporal Punishment (1-3 swats)
4. Short-term placement (less than one day) in ISD

#### Fourth Violation:

Constitutes an intermediate violation.

### Intermediate Violations

The following are classified as intermediate violations and are prohibited by the CCBOE and may necessitate the involvement of legal agencies:

1. Failure / refusal to complete discipline assigned for Minor Violation.
2. Deliberate defiance of school personnel.
3. Stealing or possession of stolen property- the deliberate taking of property valued at \$10.00 or less belonging to another, or the knowing possession of such stolen property.
4. Unauthorized possession of any object or device that may reasonably be considered as a dangerous implement or weapon, but which is not deemed to be a "deadly weapon" or "firearm" as defined in other sections of this Code. (Note: Threatened or actual use of the object as a weapon will constitute a more serious violation.)
5. Violation of cell phone policy (see pp 19-20) / unauthorized use of cell phone or other electronic communication device. (Note: Repeated violations may result in the student being charged with a Major Violation and disciplined accordingly.)
6. Unauthorized possession / use of a radio, CD player, MP3 player, or similar device.
7. Unauthorized absence from school or class--once student has arrived on campus or ridden school bus, leaving school grounds without permission/out of class without permission.
8. Excessive distraction of other students - any behavior which is excessively disruptive to the orderly educational process.
9. Bullying / intimidation of students—intentional behavior which tends to intimidate or humiliate others, including the making of threats or of repeated statements that ridicule or cause emotional injury.
10. Scuffling--pushing or shoving by a student or between students that does not rise to the level of a fight or an assault.
11. Profanity / vulgarity – possession or use of profane or vulgar language (written or spoken), vulgar drawings or pictures, or obscene gestures. This includes intentional accessing or downloading of such materials on the computer.
12. Intentionally providing false information to school personnel or parents, such as forgery of parents' names, changing grades on papers, or similar dishonesty.
13. Unauthorized possession of matches or lighters.
14. Rude, disrespectful, or belligerent behavior.
15. Inappropriate display of affection and/or physical contact.
16. Gambling
17. Trespassing - willfully entering or remaining in/on any structure, conveyance or property without being authorized to do so.
18. Violation of Medication Policy. (Certain violations of the Medication Policy may be treated as violations of the drug policy under Severe Violations. Circumstances, including the nature of the medication, the potential for abuse, transfers or sales, etc. will be considered)
19. Violation of Check-Out/Check-In Policy.
20. Fifth (5<sup>th</sup>) or subsequent violation of Tardy Policy within semester.
21. Fourth (4<sup>th</sup>) minor violation.
22. Dress Code - Second (2<sup>nd</sup>) or subsequent dress code violation. (see Grooming and Dress Code pp 28-29)
23. Miscellaneous violations of the Student Acceptable Use and Internet Safety Policy not otherwise covered by the Code of Student Conduct.
24. Any other behavior that the principal may reasonably determine to be an intermediate violation.

## Disciplinary Action for Intermediate Violations

### First through Fifth Violation:

Parental contact and an administrative option of paddling, one to five days In-School Detention, one to three days out-of-school suspension, or Saturday School. Disciplinary action under this provision will generally be progressive in nature. Intermediate violations may sometimes necessitate the involvement of legal agencies.

### Subsequent Violations:

At any school with an In-School Detention classroom, cumulative intermediate violations beyond the fifth violation in a school year may result in an extended assignment to ISD for a period not to exceed 20 consecutive school days. Each extended ISD assignment (more than 5 consecutive school days) will require notification and approval of the Superintendent's office in accordance with procedures established by the Superintendent. Appropriate considerations related to such decisions include the following: the nature of the offenses, the length of time between the violations, prior disciplinary efforts, involvement of the guidance counselor, parental contact, and similar factors. Students assigned to ISD for an extended period based upon cumulative violations will be restricted from participating in extracurricular activities during the ISD assignment.

For students identified as disabled, recommendations for extended disciplinary assignments to ISD will require implementation of the Board's Disciplinary Procedures for Students with Disabilities.

### **Major Violations**

The following are classified as major violations by the CCBOE and are prohibited and may necessitate the involvement of legal agencies:

1. Stealing or possession of stolen property—the deliberate taking of property valued at more than \$10.00, or the possession of such property with the knowledge that it is stolen.
2. Breaking, entering, or remaining in a structure or conveyance during the hours the premises are closed to the public.
3. Vandalism—deliberate action resulting in damages of less than \$200 to public or personal property.
4. Fireworks - possession of and/or igniting fireworks.
5. Sexual acts—engaging in a consensual sexual act, including intimate touching.
6. Student disorders—inciting or participating in group disruptions.
7. Intimate touching of another person against his/her will. This includes the removal or attempt to remove clothing of another to reveal private body parts (“pantsing”, etc). (Note: Such behavior may also constitute a severe violation, depending upon all circumstances).
8. Fire alarms—the unjustified activation of the fire alarm system.
9. Using obscene or profane language or gestures when speaking to or in the presence of school personnel (i.e., where school personnel are dealing directly with a student)
10. Unauthorized organization—any attempt to use the school day for unauthorized activities that are not school-related or school-sponsored.
11. Threat to school personnel—a threat, whether spoken or written, to cause bodily injury to school personnel when made directly to such personnel, or when made outside the victim's presence if it should reasonably be expected that the threatening statement will be intercepted by or reported to school officials so as to cause alarm or disruption of school operations.
12. Possession of any object or device realistically resembling a firearm.
13. Harassment / discriminatory treatment—speech or written expression tending to insult or stigmatize others on the basis of their sex, race, color, disability, religion, sexual orientation, ethnic group, or national origin or to promote extremist or “hate” groups that stigmatize or infringe upon the rights of others. Written expressions may include symbols or drawings.
14. Sexual Harassment – harassment based on sex, including unwelcome written or verbal propositions to engage in sexual acts or other unwelcome advances. (See Sexual Harassment Policy for further definition)
15. Altering official school documents or computer information and/or programs.
16. Tobacco—possession or use of tobacco products.
17. Fighting—conduct falling within the Alabama laws defining assault, menacing and reckless endangerment, disorderly conduct, or criminal coercion. (Discipline and law enforcement involvement shall comply with the No Fight Policy and requirements under “It’s the Law”.)

18. Group violence—conflict involving more than two students that results in physical harm. (See “It’s the Law”.)
19. Assault and battery upon a student. (See “It’s the Law”.)
20. Possession of gang-related writings, drawings, or symbols, as identified / verified under supervision of the Director of Safety and Security.
21. Threat to cause serious physical harm—any substantial threat, whether spoken or written, to inflict serious bodily injury when made with the apparent ability to carry out the threat or under circumstances where the threat is likely to cause fear of serious physical injury; OR any intentional display of force that gives the victim reason to fear or expect serious physical harm.
22. Oral or written communication related to or involving an attempt to sell, purchase or otherwise transfer drugs or other illicit substances.
23. Pornography – possession or distribution of pornographic materials. This includes accessing or downloading such materials on the computer.
24. Any other behavior that the principal may reasonably determine to be a major violation.

#### Disciplinary Action for Major Violations

The disciplinary action for major violations includes parental contact and two (2) to five (5) days out-of-school suspension.

If the charged violation has resulted in serious physical injury OR represents a continuing threat to the safety of students or personnel OR is otherwise deemed by the principal to be of an extremely serious nature so as to justify more serious discipline, the principal may refer the student to the Superintendent on a recommendation of Alternative School or expulsion. In such instances the student may be suspended pending a hearing. Major violations may necessitate the involvement of law enforcement officials as appropriate and as required by law.

At any school with an In-School Detention classroom, repeated major violations may result in an extended assignment to ISD for a period not to exceed 20 consecutive school days. Each extended ISD assignment (more than 5 consecutive school days) will require notification and approval of the Superintendent’s office in accordance with procedures established by the Superintendent. Appropriate considerations related to such decisions include the following: the nature of the offenses, whether the student presents a threat to safety, the length of time between the violations, prior disciplinary efforts, and similar factors. Students assigned to ISD for an extended period based upon cumulative violations will be restricted from participating in extracurricular activities during the ISD assignment.

#### Severe Violations

The following are considered to be severe violations and are prohibited by the CCBOE and may necessitate the involvement of legal agencies:

1. Drugs - Involvement with any type drug, controlled substance, narcotic, paraphernalia, etc. on school property or at school-sponsored events. Involvement includes unauthorized possession, transfer, use, purchase, distribution or sale of drugs, drug paraphernalia, or other substance with a potential for abuse which might create a hazard to the user’s health or the safety of another, including attendance at school or school events while affected by or under the influence of such drugs. This includes having used any quantity of such drugs prior to school activities. This policy may apply to legal substances if misused in an effort to become intoxicated / high or when represented by the student to be a controlled substance.  
**NOTE: Students are advised that law enforcement agencies make periodic, unannounced visits to local schools for the purpose of detecting the presence of illegal drugs.**
2. Alcohol – Involvement with alcoholic beverages on school property or at school-sponsored events. Involvement includes possession, transfer, use, distribution, or sale, including attendance at school or school events while affected by or under the influence of alcohol. This includes having consumed any quantity of alcohol during or prior to attendance at school or school activities.
3. Arson - the willful and malicious burning of/or attempting to burn public and/or private properties.
4. Assault and battery or attempted battery upon school personnel
5. Robbery - the taking of money or other property from another by force, violence, assault, or intimidation.
6. Criminal mischief - willful and malicious damage to public or private property in excess of \$200.
7. Firearms - possession, discharge, transfer, or sale of any firearm including, but not limited to, starter guns and pellet guns.
8. Deadly weapons--possession of any object that is designed, made, or adapted for the purpose of inflicting death or serious physical injury.

9. Threat of use of a weapon - the intentional demonstration of the ability to carry out a malicious threat or act with a weapon creating well-founded fear in the person threatened or attacked.
10. Bomb threat or terroristic threat - any communication, plan, or documentation of such threat that has the effect of interrupting the educational environment.
11. Explosives - possession of explosive substances capable of causing serious bodily injury or property damage.
12. Non-consensual sexual conduct / sexual assault—forcing another to engage in a sexual act or coercing / enticing one who lacks legal capacity to consent.
13. Indecent exposure - exposing one's private body parts (genitalia, etc.) publicly or under circumstances in which the conduct is likely to cause offense or alarm.
14. Aggravated battery - intentionally causing great bodily harm, disability, or permanent disfigurement by use of a weapon.
15. Gang activity – active participation in recruiting, initiation, or other active conduct associated with gang activity as identified / verified under supervision of the Director of Safety and Security.
16. Any other behavior that the principal may reasonably determine to be a severe violation.

#### Disciplinary Action for Severe Violations

Notification of law enforcement officials as appropriate and as the law requires (see "It's the Law"). Parental contact and referral of student to Superintendent for expulsion proceedings. Students must be suspended out-of-school until the hearing is held.

#### **NO-FIGHT POLICY**

The CCBOE is obligated to provide a safe and orderly environment that is conducive to teaching and learning. Therefore, it is the policy of this school system that fighting in school buildings, on school grounds, at any school-sponsored event, or on a school-owned vehicle will not be tolerated. A fight is defined as any conduct falling within the Alabama statutes defining assault, menacing and reckless endangerment, disorderly conduct, or criminal coercion. (Refer to Title 13A of the Code of Alabama).

The Superintendent, working cooperatively with the local police and/or sheriff, the district attorney, and the juvenile court, shall enforce this "no-fight" policy for grades 7-12. It may be utilized as appropriate for lower grades, depending upon the severity of the incident involved.

These procedures will be followed in the case of all verified fights within the meaning of this policy:

1. Fighting in a school building, on school grounds, at any school-sponsored event, or on a school-owned vehicle shall be classified as a major violation of the Code of Student Conduct.
2. The principal or his designee shall investigate the incident and take the appropriate action as identified in the Code of Student Conduct (Classification of Violations). The principal or his designee shall determine whether a fight has occurred within the meaning of this policy.
3. The principal or his designee shall secure the cooperation of witnesses to the fight and secure written statements from all witnesses, and shall endeavor to secure reliable witnesses for court appearances.
4. The principal/designee shall call the police and file a complaint/petition with the juvenile court.
5. A reasonable attempt shall be made to notify the parent(s) or guardian(s) if the student is to be removed from the school by police officer.

#### **GROOMING AND DRESS CODE**

This policy shall apply to all students, Kindergarten through 12th grade. **Age and size appropriateness may be considered when applying this policy to elementary students, especially in grades K-2.**

Good grooming and personal appearance are essential elements in the teaching and learning process. Therefore, it is expected that students shall dress in such a manner that will ensure health and safety, and not detract from the learning environment. Furthermore, dress and personal appearance are not to be disruptive or interfere with the educational interest and welfare of the students or the purposes of public school education.

1. Students must be neatly dressed, clean and well-groomed while at school.
2. Shoes must be worn at all times by all students.
3. Shirts, blouses, and dresses should have modest and appropriate necklines and closures. Clothing that exposes the bust line, back, or midriff area is not permitted. **All shirts, tops and dresses must have sleeves.** Cap sleeves are acceptable. Halters, spaghetti straps, tank tops, tube tops, or other

- sleeveless tops should not be worn. Transparent garments are not permitted.
4. Clothing or paraphernalia related to or associated with gang affiliation or activity are prohibited. (See NOTE below regarding More Severe Disciplinary Action.)
  5. Belongings and garments must be void of inappropriate writings, drawings, symbols and/or decals. This includes, but is not limited to, those that promote alcoholic beverages, tobacco products, or illegal drugs; those that have lewd, profane, obscene or sexually suggestive statements and/or illustrations; those that contain violent or abusive statements or illustrations; those with racist implications or that portray or symbolize hate groups or extremist groups tending to stigmatize or infringe upon the rights of others; or those which otherwise create a hostile or offensive learning environment or otherwise tend to cause disruption. (See NOTE below regarding More Severe Disciplinary Action.)
  6. Dresses or skirts may be no shorter than 5 inches above the middle of the kneecap. Shorts shall be no shorter than 17" in length along the outside seam beginning at the waistband or no shorter than 5 inches from the middle of the kneecap.
  7. Shirts, t-shirts, blouses, sweaters and other tops must not extend below buttocks; otherwise, they must be worn tucked into pants or skirts.
  8. Coats must not extend below the knee. Coats or bulky outerwear should not be worn indoors, unless otherwise directed by the principal in the event of unusually cold weather conditions.
  9. Pants must cover the pelvic girdle (hip bones). Low-riding pants or "sagging" will not be permitted.
  10. Sweat pants, athletic shorts, form-fitting garments (such as leggings or tights), pajama bottoms, pants that are clingy or revealing, and all types of underwear are prohibited as outerwear.
  11. Sunglasses, hats, caps, bandannas, or any other head covering may not be worn inside the building. Consideration will be given to extenuating circumstances.
  12. Facial jewelry, including tongue jewelry, is prohibited. Pierced ears and earrings are permitted.
  13. Garments must be free of holes, rips, tears, frayed openings, or other threadbare appearance above the knee. "Cut-off" pants are not permitted.
  14. Career technical classes or shops, physical education classes, lab classes, band and choral, and similar classes with special requirements may develop additional dress codes to promote safety for all students or to allow for mobility for specific activities.
  15. With approval of the principal and superintendent, activity sponsors may establish more restrictive rules for dress and grooming as a prerequisite for membership or participation in specific co-curricular and extracurricular activities.
  16. The principal or his/her designee will make the final judgment as to whether or not a student's clothing is appropriate for school wear.

### **General Disciplinary Action**

#### **First Violation:**

The student will be removed from class and, if possible, the parents will be contacted. The student will be considered unexcused from class for whatever length of time it takes the student to conform to the dress code.

#### **Subsequent Violations:**

All subsequent violations will be considered as Intermediate Violations\* and disciplined accordingly.

### **More Severe Disciplinary Action**

Certain violations, particularly under numbers 4 and 5 above, may constitute Intermediate or Major Violations under the Code of Student Conduct and may be disciplined accordingly. The following examples are offered by way of illustration but not by way of limitation. Thus, for example, the wearing of clothing that violates the Major Violation prohibiting "possession of gang-related writings, drawings, or symbols, as identified/verified under the supervision of the Director of Safety and Security" shall be treated as a Major Violation. Similarly, clothing that contains profanities, obscenities, or obscene illustrations may constitute an Intermediate Violation, and clothing with expressions intended to insult or stigmatize others on the basis of gender, race, disability, etc. may constitute a Major Violation.

## **DISCIPLINARY DUE PROCESS**

All students are entitled to and shall receive due process in all discipline matters. The degree of due process afforded shall be dependent upon: (1) the gravity of the offense a student is alleged to have committed and (2) the severity of the contemplated punishment.

Disciplinary authority must be exercised with fairness. Before being punished for violation of Board policies or school regulations, a student shall have the right of the following minimum due process procedures:

1. The student shall be given oral or written notice of the charges against him/her.
2. The evidence against the student shall be explained to him/her.
3. The student shall be given the opportunity to present his/her own version of the facts concerning the charges.

The local school administration shall ensure that all disciplinary actions are administered in accordance with the minimum due process requirements noted above. The school administration shall maintain a written record of all disciplinary actions and of the procedures followed in determining such action, in accordance with Board policy. A record of all required written notices and disciplinary procedures shall be maintained by the school administration in such form as may be required by the Superintendent.

#### Appeal to Superintendent of Final Decisions by Principal

The parent or guardian of a student shall have the right to request review by the Superintendent of any final disciplinary action by the school principal and to request that the principal's decision and the basis for his decision be put in writing.

In the event the parent or guardian believes the school principal's final disciplinary decision violates Board policy, the parent or guardian may appeal the decision to the Superintendent for a determination of whether the disciplinary action is in accordance with Board policy. All such requests must be in writing, and must be received by the Superintendent within 3 days of the date of on which the principal's written decision is received by the parent. The Superintendent may make such determination on the basis of the written record, or may conduct interviews of the parties involved, or such other investigation as the Superintendent deems appropriate. The Superintendent will issue a written decision to the parent/guardian and the school principal within a reasonable time.

#### Long-Term Suspensions, Alternative School Assignments & Expulsions

Final decisions regarding long-term suspensions, Alternative School assignments and expulsions are not made at the local school level. In the event a principal recommends long-term suspension (in excess of 10 days) or Alternative School assignment or expulsion, the student shall be afforded the following procedural safeguards in addition to those noted above.

The student shall be referred by the school principal to the Superintendent for a hearing before the Superintendent or his/her designated hearing officer. The student shall be suspended from school pending the hearing. The principal shall notify, in writing, the student and parent or legal guardian of the referral to the Superintendent and the cause(s) for such action and recommendation. The Superintendent will cause a written notice to be sent to the student and the parent or guardian, stating the charges against the student and the time, place, and date of the hearing. Except in the case of extenuating circumstances, a hearing shall be held and a decision reached by the Superintendent within five (5) school days from the date of the disciplinary referral by the principal.

The student shall be afforded the following:

1. The right of counsel
2. The opportunity to present evidence and witnesses in his/her behalf
3. The opportunity to confront / question witnesses for the administration
4. A written record of the decision.

Upon conclusion of the hearing and consideration of the evidence, the Superintendent shall notify in writing the student and the parent/guardian of his/her decision and/or recommendation. If the Superintendent decides to assign the student to Alternative School or to make a recommendation to the Board for expulsion or long-term suspension, the student and the parent/guardian may contest the Superintendent's recommendation by submitting to the Superintendent a written request for a hearing before the Board of Education within five (5) working days of receiving the Superintendent's decision / recommendation. A hearing shall be set before the Board, written notice of the hearing shall be given, and due process requirements shall be observed, consistent with the requirements noted above for hearings before the Superintendent or hearing officer.

## DISCIPLINARY PROCEDURES FOR STUDENTS WITH DISABILITIES

The Board accepts that discipline is an integral part of the educational process. Based upon this understanding, disabled students will be expected to follow the discipline policy established by the Board of Education as outlined in this publication to the fullest extent appropriate under the law.

Misbehavior by disabled students in the regular classroom will be brought to the attention of the local school 504 contact or the student's case manager. Repeated misbehavior or violations of disciplinary rules should be addressed by the appropriate committee for consideration of an appropriate behavior plan.

Prior to extended suspensions, extended ISD assignments for cumulative violations, expulsions, or extended Alternative School assignments of disabled students for disciplinary violations, a determination must be made by the appropriate committee, including the Special Education or Section 504 Coordinator or his/her designee, regarding whether the misbehavior is a manifestation of the student's disability. Suspensions of five (5) days or more, or repeated short suspensions, should generally result in a review of the student's educational plan by the appropriate committee. Suspensions (or other removals from class) of ten (10) days or repeated suspensions having a cumulative total of ten (10) days could result in a "change of placement" and require a review of the student's educational plan within ten (10) school days by the appropriate committee. Alternative School assignments of disabled students may be made **following review by the appropriate committee and the Special Education Director / Section 504 Coordinator.**

Immediate suspension or removal from the school environment of a disabled student is justified, however, when the student's presence at school would threaten his/her own safety and well-being or that of others, endanger school property, or seriously disrupt the orderly educational process. Principals are given immediate authority to have law enforcement agencies remove uncooperative students under these criteria and as otherwise required by Board disciplinary policy and state and federal law. If immediate removal is necessary, the parent or guardian and the Special Education Director or Section 504 Coordinator will be promptly notified and an appropriate meeting conducted to address the student's misbehavior as indicated above.

### STUDENT TRANSPORTATION - BUS RULES

Transportation to and from school shall be provided by the Board of Education to eligible students of the school system. The transportation program shall be operated in accordance with provisions of the Code of Alabama and State Board of Education rules and regulations. The primary consideration of the transportation program shall be the safety and welfare of students.

The Board of Education shall be responsible for the child until he or she is delivered to the home bus stop. If the child requires supervision at home, it shall be the parents' responsibility to ensure that a responsible adult is present. The bus driver or other school official will not be responsible to ensure that an adult is present.

Policies pertaining to student safety and the transportation program are as follows:

#### Who May Ride the Bus

Only regularly enrolled students of a Calhoun County School or other authorized Board of Education employees shall be permitted to ride a bus on a regularly scheduled route. Preschool and post school individuals are prohibited from riding a bus on a regular route or on special trips except as a chaperon.

#### Loading and Unloading

- Students should be at the designated stop when the bus arrives.
- Students shall only board and unload from the bus at designated stops as determined by the driver and transportation supervisor.
- Students must have a note from home or school office, signed by the principal or designee, to ride any bus other than the assigned bus or to get off at any stop other than the usual stop.
- Students shall not open or unload from the emergency door except in an emergency.
- Unsupervised students may not sit on a bus while the bus is parked at school.

#### Seating

- Students should find a seat promptly after boarding the bus. Once seated, they should remain in that seat

until the bus comes to a full stop. No moving around will be allowed while the bus is in motion. The driver may assign seats.

- Should it become necessary, because of lack of seating space, for students to stand, the students should stand in the middle section of the bus. For safety reasons, students will not be allowed to stand against the emergency door or around the driver.

#### Talking

- Unless there is an emergency, students should not attempt to talk to the bus driver while the bus is in motion.
- In conversation with other riders, students should speak in low tones--never shouting or making loud noises that may distract the driver.
- Students shall be silent when the bus approaches a railroad crossing and remain so until the crossing is completed.

#### Bringing Articles Aboard the Bus

- Students shall not bring any article on the bus that cannot be held in the lap. Large school projects, large band instruments, large amounts of fund raising products should be transported in parent vehicles and not buses.
- Students shall not bring any type glass container, live animal, inflated balloon, ball or bat on the bus.
- Students shall not bring a radio or tape player on the bus unless given written permission by the school. When permission is given, the equipment will not be played on the bus.

**Note: Any exception to the above rules must be approved by the principal.**

#### Conduct

- Students are considered "in school" when they board the bus. All written Board of Education Policy contained in the Code of Student Conduct Handbook applies while on the bus.
- The driver has been safety-trained and is in charge. The bus driver will report misbehavior of a continuing or serious nature to the principal.
- The principal of the school being served by a bus has the authority to withhold bus service from a student for poor conduct on the bus.
- The following are common violations of bus behavior which are strictly prohibited:
  - Putting any part of the body out of the window.
  - Playing (rough-housing), scuffling, or fighting.
  - Eating or drinking while being transported.
  - Throwing articles of any kind out of windows.
  - Shooting rubber bands on the bus.
  - Any other activity which driver determines is an obstacle to the safe transportation of students.

### **IT'S THE LAW--Student and Parental Notification of Civil Liabilities and Criminal Penalties**

#### **Parental Responsibility for Child's Attendance and Conduct (Act 94-782), Ala. Code 16-28-12**

Each parent/guardian or other person having control or custody of a child required to attend school who fails require the child to enroll and regularly attend school or fails to compel the child to properly conduct himself/herself in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor.

#### **Causing Delinquency of a Child (Act 75-1205) Ala. Code 12-15-13**

Anyone who contributes to the delinquency of a child under this provision shall be guilty of a misdemeanor.

#### **Teacher Assault (Act 94-794) Ala. Code 13A-6-21**

A person commits the crime of assault in the second degree (Class C felony) if he, with intent to cause physical injury to a teacher or school employee during or as a result of the performance of his or her duty, causes physical injury to any person.

#### **Drug Dealing (Act 94-783), Ala. Code 6-5-72**

A person who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage suffered by a third person caused by or resulting from the use of the 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 (Act 94-784), Ala. Code 16-1-24.1 (see also 16-1-24)**

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 for readmission.

**Deadly Weapons in Schools (Act 94-817), Ala. Code 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.

**Firearms in School (Act 95-756), Ala. Code 16-1-24.3**

All local boards of education must implement a policy requiring expulsion for a period of one year of all students determined to have brought or have in their possession a firearm in a school building, on school grounds, on school buses, or at school sponsored functions. In case of a violation, the principal shall notify law enforcement officials and the parents of the student.

**Vandalism (Act 94-817), Ala. Code 6-5-380**

The parents, guardian, or other person 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.

**Pistol/ Loss of Driver's License (Act 94-820) Ala. Code 16-28-40**

Any person over the age of 14 convicted of the crime of possession of a pistol on the premises of a public school, or a public school bus, shall be denied issuance of a driver's permit or license to operate a motor vehicle for 180 days from the date the person is eligible and applies for a permit or license. If a person over age 14 possesses a driver's license on the date of conviction, the license will be suspended for 180 days.

**Drop-Out/Driver's License (Act 94-820) Ala. Code 16-28-40**

The Department of Public Safety shall deny a driver's license or learner's permit to any person under 19 who is not enrolled or has not received a diploma or certificate of graduation. Exceptions are students who: are enrolled in a secondary school, are participating in an approved job training program, are gainfully employed, are a parent of a minor or unborn child, or are the sole source of transportation for the parent.

**Hazing Prohibited (Act 81-824) Ala. Code 16-1-23**

Any person who commits the offense of hazing in connection with initiation or affiliation with an organization, including any person who encourages, aids or assists, shall be guilty of a misdemeanor.

**ADMINISTRATIVE CODE REGULATIONS (Alabama State Board of Education)**

**Drug inspections** --students are advised that law enforcement agencies make periodic, unannounced visits to local schools for the purpose of detecting the presence of illegal drugs.

**Tobacco prohibited** -- Use of tobacco products on school property is prohibited. This mandate is inclusive of students, school personnel, parents, and visitors. School property is inclusive of athletic fields and facilities. Non-compliance with this policy could result in the loss of Federal funding.

**IV. GRADING, PROMOTION, AND GRADUATION REQUIREMENTS**

Board policies governing grading, promotion, graduation requirements, diploma options, and other policies related to Curriculum and Instruction are located in Chapter Four of the CCBOE Policy Manual available for review at [www.ccboe.us](http://www.ccboe.us) under the General Info tab.