

Pelham City Schools



STUDENT CODE OF CONDUCT AND ATTENDANCE MANUAL 2016 - 2017

Dr. Scott Coefield, Superintendent
Pelham City Schools

3113 Cummings Street | Pelham, AL 35124
<http://www.pelhamcityschools.org>

Approved July 25, 2016

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

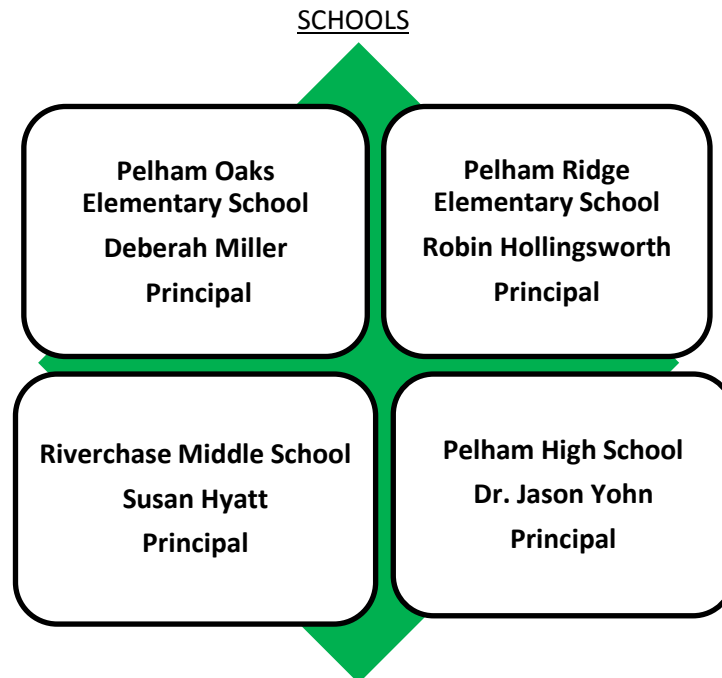
***** PLEASE REMEMBER *****

All students and their parents/guardians are required to sign an acknowledgment of the receipt of a copy of the Student Code of Conduct and Attendance at the beginning of each school year.

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

All policies of the Pelham Board of Education are provided on the System Web Site

www.pelhamcityschools.org



The Pelham Board of Education (PBOE) does not discriminate on the basis of race, religion, color, national origin, sex, age, or disability in employment or educational services, activities, and programs. This district complies with all federal and state laws and regulations regarding discrimination. Employment related inquiries and/or grievances should be directed to the Human Resources, Pelham City Schools, 3113 Cummings Street, Pelham, AL 35124, (205) 624-3700.

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STUDENT CODE OF CONDUCT AND ATTENDANCE

INTRODUCTION

The Pelham Board of Education believes that instruction should occur in an environment conducive to learning because effective quality instruction requires orderly procedures and discipline. The purpose of this handbook, as well as the enforcement of its rules, is to ensure the presence of a safe, friendly, and professional atmosphere in which students and school personnel work cooperatively toward mutually accepted goals. Acting in the best interest of all the residents in the City of Pelham and the Pelham City Board of education requires all stakeholder groups to comply with this adopted ***Student Code of Conduct and Attendance*** handbook.

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

The contents of this handbook:

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

EQUAL EDUCATION OPPORTUNITY STATEMENT

It is the policy of the Pelham Board of Education that no person shall be denied employment, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program of activity on the basis of disability, sex, race, religion, national origin, color, or age. Ref: Sec. 1983, Civil Rights Act of 1964; Rehabilitation Act of 1973, Sec. 504; Age Discrimination in Employment Act; Equal Pay Act of 1963; and the Title IX of the Education Amendment of 1972. For more information, contact the Title IX, 504, and/or ADA Coordinator, 3113 Cummings Street, Pelham, AL 35124.

DUE PROCESS

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

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

1. School rules must be clearly stated and related to the educational purposes of the school.
2. School rules must be fair and specific enough for students to know what they may or may not do.
3. Students, parents, and guardians must be informed of the rules affecting behavior and discipline.
4. When disciplinary action is involved, school personnel and students must comply with required procedures set forth in the ***Student Code of Conduct and Attendance***.

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

ROLE OF THE PARENTS, STUDENTS, SCHOOL, AND SCHOOL PERSONNEL

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

- Keep in regular communication with the school authorities concerning their child's progress and conduct.
- Ensure that their child is in daily attendance and promptly report and explain an absence or tardiness to school officials.
- Provide their child with the resources needed to complete class work.

- Assist their child in being healthy, neat, and clean.
- Bring to the attention of school authorities any problem or condition which affects their child.
- Discuss report cards and work assignments with their child.
- Maintain up-to-date home, work, and emergency telephone numbers and addresses at the school, including doctor, hospital preferences, and an emergency health care form.
- Attend scheduled parent-teacher conferences.

This relationship may be described as ***Students who:***

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

This relationship may be described as ***Schools who:***

- Encourage the use of good guidance procedures.
- Maintain an atmosphere conducive to good behavior.
- Exhibit an attitude of respect for students.
- Plan a flexible curriculum to meet the needs of all students.
- Promote effective discipline based upon fair and impartial treatment of all students.
- Welcome and encourage participation by parents and guardians in the school affairs.
- Encourage the school staff, parents and guardians, and students to use the services of community agencies.
- Encourage parents and guardians to keep in regular communication with the school and to seek ways to involve students, parents, and community members in the educational process.

This relationship may be described as ***School Personnel who:***

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

JURISDICTION OF SCHOOL BOARD

Students in Pelham City Schools are subject to the rules of the Pelham Board of Education during the school day, while in attendance at school-related activities, and while being transported to and from school or school-related activities.

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

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

GUIDANCE SERVICES

Philosophical Basis

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

Student Responsibilities are:

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

Student Rights are:

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

SPECIAL EDUCATION

Philosophical Basis

Schools will provide appropriate special education services for any eligible student residing within the City of Pelham, unless the student is residing and/or receiving services in a state facility institution, private school, or home school.

Student Responsibilities are:

- To use special education for educational and personal improvement.

Student Rights are:

- To receive all specially designed instruction in the student's least restrictive environment as determined by the IEP team.
- To receive a free appropriate public education as defined by the Individuals with Disabilities Act.
- To have access to small group instruction based on an individualized educational program when appropriate.

PROBLEM SOLVING TEAMS (PSTs)

Problem-Solving Teams (PSTs) will help to guide general education intervention services for all students who have academic or behavior difficulties. PST is a school initiated process. Parents will be notified and informed of these instructional strategies. The PST is central to the school's successful implementation of the Response to Instruction (RTI) framework. The PST is responsible for the day-to-day decisions which ensure that:

1. Students receive instruction and interventions matched to their identified needs.
2. Appropriate progress monitoring tools are utilized to provide evidence of students' response to instruction and intervention.
3. Progress monitoring data are used to make timely instructional decisions which maximize student outcome.

Team members should include, as appropriate:

- Classroom Teachers
- Intervention Teachers
- Instructional Coaches (Reading, Literacy, Math, Graduation, etc.)
- Special Education Teachers
- School Counselor/School Psychologist
- School Administrator

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

Simply put, RTI involves:

- Doing what is needed to teach students.
- Teaching students using scientifically validated methods.
- Frequent student monitoring to measure student growth.
- Adjusting instruction as needed to improve student outcomes.

CURRICULUM

Philosophical Basis

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

Student Responsibilities are:

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

Student Rights are:

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

FREE SPEECH/EXPRESSION

Philosophical Basis

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

Student Responsibilities are:

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

Student Rights are:

- To form and express viewpoints through speaking and writing in a manner which does not infringe upon the rights of others and does not interfere with the orderly educational process.
- To affirm identity with the American ideals as are exemplified in the Constitution of the United States.
- To refrain from any activities that violates the precepts of their own religion.

PLAGIARISM AND ACADEMIC DISHONESTY

Integrity means to integrate one's values and beliefs into every activity that is undertaken. The Pelham City School District believes that honesty is right and that stealing and cheating are wrong. Academic integrity means doing one's own work to the best of one's ability, without the unauthorized help or assistance from someone else. Therefore, in an effort to foster academic

integrity in all Pelham City Schools students, this honor code has been created to help students recognize, understand and practice ethical conduct with regard to their academic assignments.

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

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

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

GRADES

Philosophical Basis

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

Student Responsibilities are:

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

Student Rights are:

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

PRIVACY AND PROPERTY RIGHTS

Philosophical Basis

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

Student Responsibilities are:

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

Student Rights are:

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

STUDENT RECORDS

Philosophical Basis

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

Student and Parent/Guardian Responsibilities are:

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

Student and Parent/Guardian Rights are:

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

STUDENT PUBLICATIONS

Philosophical Basis

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

Student Responsibilities are:

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

Student Rights are:

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

SUMMARY OF CIVIL LIABILITIES AND CRIMINAL PENALTIES

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

Attendance and Conduct (§16-28-12, Code of Alabama 1975)

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

Child Abuse and Neglect Reporting (§26-14-1, Code of Alabama 1975)

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

Drop-Out/Driver's License (§16-25-40, Code of Alabama 1975)

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 GED program, 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.

Drug Dealing (§6-5-72, Code of Alabama 1975)

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

Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (§16-1-24.1, Code of Alabama 1975)

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 five (5) school days.

If a person is found to have violated a local board of education policy concerning drugs, alcohol, weapons, physical harm to a person or threatened physical harm to a person, the person may not be readmitted to the public schools until criminal charges, if any, have been disposed of by appropriate authorities and the person has satisfied all other requirements imposed by the local board of education as a condition of readmission.

Local boards of education to implement policies requiring expulsion of students who possess firearms in school areas. (§16-1-24.3, Code of Alabama 1975)

(a) All city and county boards of education shall develop and implement local policies and procedures requiring the expulsion of students, for a period of one year, who are determined to have brought to school or have in their possession a firearm in a school building, on school grounds, on school buses, or at other school-sponsored functions. Notwithstanding the foregoing, city and county boards of education and the local superintendent of education of each board may modify the expulsion requirement for a student on a case-by-case basis. Students who are expelled for violation of this section shall not be allowed to attend regular school classes in any public school in the state during the expulsion period. Students who are expelled from schools for firearm possession may be permitted to attend alternative schools designed to provide education services. Discipline of students with disabilities who violate the firearm possession policies of city and county boards of education shall be determined on a case-by-case basis in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

Pistol Possession/Driver's License (§16-28-40, Code of Alabama 1975)

Any person over the age of 14 who is 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 one hundred eighty (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 driver's license will be suspended for one hundred eighty (180) days.

Sexual Harassment (§26-14-3, Code of Alabama 1975)

A student who believes that he or she has been or is being subjected to any form of sexual harassment shall immediately report the matter to a teacher, the school counselor, principal, or the Superintendent. Any student who suspects that another student is being sexually harassed shall immediately report the information to a teacher, school counselor, principal, or the Superintendent. A student's request to make his or her report to someone of the same sex will be granted.

Teacher Assault (§13A-6-21, Code of Alabama 1975)

A person commits the crime of assault in the second degree (Class C felony) if the person assaults with intent to cause serious physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his or her duty.

Tobacco Possession (§28-11-14, Code of Alabama 1975)

No student may purchase, use, transport, or have in possession of tobacco or tobacco products on school campuses or at school sponsored events.

Vandalism (§6-5-380, Code of Alabama 1975)

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.

Weapons in Schools (§13A-11-72, Code of Alabama 1975)

No person shall knowingly with intent to do bodily harm carry or possess a deadly weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony. (Note: Deadly weapons include, but are not limited to, hand grenade, explosive or incendiary device; a pistol, rifle, or shotgun; or a switchblade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, black-jack bludgeon, or metal knuckles.)

**LOCAL BOARDS OF EDUCATION ARE
REQUIRED TO PUBLISH THE FOLLOWING
ACT AND SECTION**

Expectations of Parents Regarding Attendance and Behavior in Public Schools (§16-28-12, Code of Alabama 1975)

“(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 City for not more than ninety (90) days. The absence of a child without the consent of the principal teacher of the public school he or she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.”

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

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

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

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

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

1. Definitions

(iii). Physical Restraint – Direct physical contact from an adult that prevents or significantly restricts a student’s movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to promote student safety or prevent self-injurious behavior, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, providing comfort, or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person’s property.

(iv). Physical Restraint that restricts the flow of air to the student’s lungs – Any method (face-down, face-up or on your side) of physical restraint in which physical pressure is applied to the student’s body that restricts the flow of air into the student’s lungs. Use of this type of restraint is prohibited in Alabama public schools and educational programs.

(v). Seclusion – a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does

not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student, time-out as defined in paragraph (1.)(vi) of this rule, in-school suspension, detention, or a student-requested break in a different location in the room or in a separate room. Use of seclusion is prohibited in Alabama public schools and educational programs.

2. Requirements

(i). The use of seclusion is prohibited in Alabama public schools and educational programs.

(v). The use of physical restraint is prohibited in Alabama public schools and educational programs **except** in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Notwithstanding the foregoing, physical restraint is prohibited in Alabama public schools and educational programs when used as a form of discipline or punishment.

(vi). All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress.

DEFINITIONS AND RULES RELATING TO FORMAL DISCIPLINARY ACTION

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

Detention

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

In-School Suspension

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

Saturday School Detention

High school and middle school students may be assigned to Saturday School for various rule infractions. Students will be assigned a directed study of school materials.

Guidelines for Saturday School:

- A. The Saturday School administrator will have students sign in at 8:00 a.m. and out at 12:00 p.m. Students will be required to show proof of identification.
- B. Students will be allowed one mid-morning rest room break.
- C. Regular school dress code will be in effect.
- D. No food or drink will be allowed.
- E. No transportation will be provided by the school system.
- F. Each student will be required to bring his/her own school materials. School administrators may assign extra work assignments. Students who fail to bring their school materials will be assigned one additional day of Saturday School.
- G. Only the school administrator may excuse a student from Saturday School Detention in a documented emergency.
- H. Students who are assigned to Saturday School and fail to appear on the assigned Saturday will receive in-school suspension in addition to serving the missed Saturday School. Failure to serve the in-school suspension and Saturday School may result in referral to the Alternative School.
- I. Students failing to arrive on time at 8:00 a.m. will be assigned one additional Saturday.
- J. Disruptive behavior at Saturday School will result in immediate further disciplinary action.

Corporal Punishment

Corporal punishment (paddling) may be used as a disciplinary option by an administrator. The use of corporal punishment requires prior written consent of the parent, guardian, or other parental representative. Guidelines for the use of corporal punishment are available in the Central Office of the Board of Education and the local school office.

Suspension

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

- A. Days absent from school because of suspension are unexcused.
- B. At the discretion of the principal, credit for major tests, nine-week tests, midterm exams, and final exams may be given to students who have been suspended during exam periods.
- C. Any single suspension shall not exceed ten (10) school days without an administrative hearing by the Superintendent or his designee. Any suspension of ten (10) or more days is considered long-term suspension.
- D. The Superintendent or designee will be notified of all suspensions.
- E. A student being suspended will be informed of the reason for suspension, the number of suspension days, and appeal rights. A disciplinary action notice form will be provided to the custodial parent or legal guardian.
- F. The custodial parent or guardian will be given the opportunity to confer with the principal before the student is readmitted to school.
- G. After an administrative hearing, the Superintendent or his designee may suspend the student until action is taken by the Board.
- H. Students suspended for any portion of the school day are not allowed to participate in or attend any school-related activities until reinstated by the school administrator.

Alternative School Placement

The Pelham Board of Education operates an Alternative Educational Program to which students may be referred depending on the circumstances and conduct involved instead of receiving long-term suspension or expulsion. There is no guarantee or commitment on the part of the Pelham Board of Education or its employees that all middle and high school curriculum can be duplicated while a student is in attendance at the Alternative School Programs.

Students who commit a Class III or IV violation, as defined by the **Code of Conduct**, or who repeatedly commit Class II violations such that they frequently disrupt the education of others may be referred to the Alternative School Program by the school administrators. Additionally, students that presently have criminal charges pending may be placed at the Alternative School until those charges have been adjudicated.

Alternative School Programs are located at Pelham High School. Alternative School hours may be different than normal school hours. The Alternative School hours will be determined by the principal at Pelham High School and approved by the Superintendent. Alternative School placements are used in the place of a long-term suspension and/or expulsion. Any student attempting to enroll at Riverchase Middle School or Pelham High School from a juvenile facility and/or another court ordered treatment facility may be required to transition through the Alternative School prior to attending regular classes. The transitional period would be for a minimum of 20 school days. Students who are assigned to the alternative school may not attend any school related function while enrolled. This includes, but is not limited to, all extracurricular activities including athletic contests, school dances, field trips, group class activities, graduation ceremonies, and other school activities. Students are expected to follow all guidelines and procedures established at the school. **Transportation to the Alternative School is the responsibility of the parent/guardian. At the high school level, a student's driving privileges will be suspended for the duration of the Alternative School assignment. Students are required to be signed in/out by a parent/guardian or by another designee approved by an Administrator.** Upon a student's completion of his/her Alternative School assignment and return back to the home school, the local school administrator will conduct a transition conference to support a successful new start.

Expulsion

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

Early Warning

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

Juvenile Court Referral

Students may be referred to Juvenile Court for attendance or behavior-related problems. Once a student is referred, the Court will take such action as it deems appropriate.

Student referral will be in the form of a complaint or petition. The kinds of petitions are as follows:

- A. Child in Need of Supervision (CHINS), for status offenders;
- B. Delinquent, for juveniles committing misdemeanors or felonies;
- C. Dependent, for abused or neglected juveniles. Students who are 18 years of age cannot be classified as juveniles, and, therefore, any court action will be through adult court.

CLASSIFICATION OF VIOLATIONS

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

Parents or guardians of students who consistently disrupt class and/or exhibit poor work habits should be notified by the teacher or other school official and/or referred to a guidance counselor.

When a student is brought to the office of the supervising employee, the principal/designee shall hear the student's explanation and consult further with other school personnel, if necessary, before determining the classification of violation or disciplinary measure. With incidents resulting in either the out of school suspension and/or alternative school placement of a student, the local school administrator will first make a verbal contact with the parent or guardian prior to administering the consequence.

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

CLASS I VIOLATIONS

101 **EXCESSIVE TARDINESS**

101.1 **Tardies to School**- 8 tardies to school during a semester will result in a referral to early warning program.

101.2 **Tardies to Class**-Excessive tardiness to class will result in disciplinary action.

102 **DISTRACTION OF OTHER STUDENTS OR THE SCHOOL PROGRAM IN GENERAL** - Any behavior which is disruptive to the educational process.

103 **NON-CONFORMITY TO DRESS CODE.**

104 **MINOR DISRUPTION ON A SCHOOL BUS.**

105 **INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION.**

107 **LITTERING OF SCHOOL PROPERTY.**

108 **FAILURE TO COME TO CLASS PREPARED WITH ALL NECESSARY MATERIALS.**

109 **UNAUTHORIZED USE OF SCHOOL OR ANOTHER PERSON'S PERSONAL PROPERTY.**

110 **POSSESSION OF NUISANCE ITEMS** - Any item which disrupts the instructional program is not allowed at school. Such items will be confiscated and may be claimed by a parent or guardian. Examples include, but are not limited to: iPods, CD players, radios, toys, trading cards, playing cards, or other hand-held video games. Students bring these items to school at their own risk. The local school is not responsible for attempting to recover these items should they be lost or stolen while at school.

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

Class I Disciplinary Actions

First Violation:

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

Subsequent Violations:

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

Safe school and drug-free school policy; treatment of policy violators; promulgation and distribution of discipline policy; liability limited for discipline actions; local boards may adopt more stringent guidelines. (§16-1-24.1 (3), Code of Alabama 1975)

(3) Any public school system shall be entitled to recover actual damages, plus necessary court costs, from the parent or guardian, or both, of any minor who maliciously and willfully damages or destroys property belonging to the school system. However, this section shall not apply to parents whose parental control of any child has been removed by court order or decree or to parents of exceptional children with specific mental and physical impairments if the damage is determined to result from the impairments. The action authorized in this section shall be in addition to all other actions which the school system is entitled to maintain and nothing in this section shall preclude recovery in a greater amount from the minor or from a person, including the parents or guardian, or both, for damages to which such minor other person would otherwise be liable.

CLASS II VIOLATIONS

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

- 215 **TRESPASSING** - Willfully entering or remaining on any school property without first checking in at the main office, completing visitor check-in procedures and receiving approval.
- 216 **POSSESSION AND/OR IGNITING FIREWORKS OR FIRECRACKERS.**
- 217 **INAPPROPRIATE SEXUAL BEHAVIOR – VERBAL, WRITTEN, OR PHYSICAL.**
- 218 **USE OF PHYSICAL OR GRAPHIC OBSCENE GESTURES.**
- 219 **THE UNAUTHORIZED USE OF PERSONAL COMMUNICATION DEVICES.**
- 220 **USE OF RACIAL OR ETHNIC INSULTS OR SLURS** - Verbal or written affronts of a racial or ethnic nature.
- 221 **ANY OTHER OFFENSE, WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL WITHIN THIS CATEGORY.**
- 222 **MINOR VIOLATION OF STUDENT ACCEPTABLE USE PRACTICES FOR THE USE OF TECHNOLOGY.**
- 223 **POSSESSION OF INAPPROPRIATE DEVICES** - Including, but not limited to, ammunition, artificial weapons, facsimiles and/or replicas.
- 224 **DISRUPTION ON A SCHOOL BUS.**
- 225 **UNAUTHORIZED ORGANIZATION** - Any on-campus participation in non-sanctioned fraternities, sororities, secret societies, or non-affiliated school clubs

Class II Disciplinary Actions

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

First and second violations require parental notification and one or more of the following disciplinary actions: in-school suspension, extended work assignments before- and after-school detention, corporal punishment, suspension from school and/or bus, Saturday School, or revoking of vehicle and/or parking privileges. Law enforcement and/or juvenile court personnel may be contacted.

Subsequent violations may result in suspension up to ten (10) school days plus additional disciplinary action as warranted. Special circumstances may warrant contact with law enforcement, referral to the Early Warning Program, Alternative School, or the filing of a complaint or petition in Juvenile Court.

CLASS III VIOLATIONS

- 301 **CHARGE OF A MISDEMEANOR CRIME.**
- 302 **MISUSE OR ABUSE OF PRESCRIPTION OR NON-PRESCRIPTION MEDICATION, INHALANTS, AEROSOL SPRAYS, OR OTHER OVER-THE-COUNTER PRODUCTS.** Required medications must be delivered to the school by the parent or other responsible adult accompanied by the completed Alabama State Department of Education designated medication authorization form and kept in accordance with the Pelham Board of Education medication policy and procedures.
- 303 **STEALING/LARCENY/GRAND THEFT** - The intentional taking and/or carrying away of property valued at more than \$100 belonging to another person.
- 304 **BURGLARY OF SCHOOL PROPERTY** - Entering or remaining in a structure or conveyance with the intent to commit an offense therein.
- 305 **CRIMINAL MISCHIEF/VANDALISM** - Willful and malicious injury or damages at or in excess of \$200 to public property or to real or personal property belonging to another.
- 306 **POSSESSION OF A KNIFE.**
- 307 **POSSESSION OF DANGEROUS DEVICES** including, but not limited to, mace, tear gas, "blank" guns, facsimiles, replicas, artificial weapons, or any item used inappropriately with intent to harm.
- 308 **INDIVIDUALS AND/OR GROUPS INCITING OR PARTICIPATING IN UNAUTHORIZED DEMONSTRATIONS AND/OR DISORDERLY ACTIVITIES** which lead to disruption of the normal school program. This includes any gang-related behavior and instigators.
- 309 **THE INTENTIONAL THREAT, HARASSMENT, INTIMIDATION, STRIKING, OR BULLYING OF A SCHOOL BOARD EMPLOYEE** - The threat by word or act to do harm to an employee, with an apparent ability to do so, and doing some act which creates a well-founded fear in the person that such violence is imminent. Harassment is inclusive of name-calling, as well as conduct, which directly affects another individual's emotional state of mind.
- 310 **THE INTENTIONAL THREAT, HARASSMENT, INTIMIDATION, STRIKING, OR BULLYING OF A STUDENT** - The threat by word or act to do harm to another student, with an apparent ability to do so, and doing some act which creates a well-founded

fear in the person that such violence is imminent. Harassment is inclusive of name-calling, as well as conduct, which directly affects another individual's emotional state of mind.

- 311 **FIGHTING** - Mutual participation in a fight involving physical violence where there are at least two participants, but no one main offender and no major injury. Fighting does not include verbal confrontations, tussles, or other minor confrontations.
- 312 **DIRECTING OBSCENE, PROFANE LANGUAGE OR GESTURES (VERBAL OR WRITTEN) TO A SCHOOL BOARD EMPLOYEE.**
- 313 **SEXUAL HARASSMENT** - Any unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature.
- 314 **UNAUTHORIZED USE, MISUSE, AND/OR ABUSE OF SCHOOL COMPUTER EQUIPMENT, OTHER TECHNOLOGICAL DEVICES, OR OTHER SCHOOL EQUIPMENT** - This includes intentionally tampering with another student's class work, and intentionally damaging and/or sabotaging computer equipment belonging to the school system.
- 315 **INTENTIONALLY PROVIDING FALSE INFORMATION TO A SCHOOL BOARD EMPLOYEE OR HINDERING THE INVESTIGATION IN REGARD TO A CLASS III OFFENSE.**
- 316 **UNJUSTIFIED ACTIVATION OF A FIRE ALARM SYSTEM OR ITS COMPONENTS, EMERGENCY OR SECURITY SYSTEMS.**
- 317 **ANY OTHER OFFENSE, WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL WITHIN THIS CATEGORY.**
- 318 **ASSAULT**
- 319 **THE MISUSE AND/OR ABUSE OF PERSONAL COMMUNICATION DEVICES** - Sending inappropriate messages and/or images via electronic communication devices or any other form of technology, whether personally owned or owned by the school district, at any time may result in serious school, personal, and/or civil or criminal legal consequences.
- 320 **THE INTENTIONAL ATTEMPT TO AND/OR CIRCUMVENTION OF THE SCHOOL SYSTEM'S COMPUTER FILTERING OR SECURITY SYSTEM.**
- 321 **SEXUAL OFFENSES** - Acts of a sexual nature including, but not limited to, lewd behavior, indecent exposure, sexual contact, sexual intercourse, or other conduct intended to result in sexual gratification.

Class III Disciplinary Actions

The disciplinary action for such violations committed on school premises or during school related functions **shall** be suspension from school and/or bus up to ten (10) days with possible recommendation for expulsion or referral to the Alternative School. Parental contact will be made as soon as possible. Law enforcement and/or juvenile court personnel **shall** be contacted and a complaint or petition may be filed after consultation with juvenile authorities.

Safe school and drug-free school policy; treatment of policy violators; promulgation and distribution of discipline policy; liability limited for discipline actions; local boards may adopt more stringent guidelines. (§16-1-24.1 (3), Code of Alabama 1975)

(3) Any public school system shall be entitled to recover actual damages, plus necessary court costs, from the parent or guardian, or both, of any minor who maliciously and willfully damages or destroys property belonging to the school system. However, this section shall not apply to parents whose parental control of any child has been removed by court order or decree or to parents of exceptional children with specific mental and physical impairments if the damage is determined to result from the impairments. The action authorized in this section shall be in addition to all other actions which the school system is entitled to maintain and nothing in this section shall preclude recovery in a greater amount from the minor or from a person, including the parents or guardian, or both, for damages to which such minor other person would otherwise be liable.

CLASS IV VIOLATIONS

- 401 **ALCOHOL AND ILLEGAL DRUGS** - The unauthorized use, sale, transfer, possession, soliciting, trafficking, misuse, and/or abuse of drugs. These include alcoholic beverages, barbiturates, central nervous system stimulants, hallucinogens, synthetic replicas, drug paraphernalia, and all other drugs to which the narcotic and drug abuse laws of the United States, local municipalities, and the State of Alabama apply.
- 401.1 **ALCOHOL, POSSESSION**
- 401.2 **ALCOHOL, SALE**
- 401.3 **ALCOHOL, USE**
- 401.4 **DRUGS, POSSESSION**
- 401.5 **DRUGS, SALE**
- 401.6 **DRUGS, USE**
- 402 **ARSON** - The willful and malicious burning of any part of School Board property.
- 403 **ASSAULT UPON SCHOOL BOARD EMPLOYEES** - The intentional touching or striking of a school employee against his or her will, or the intentional causing of bodily harm to a School Board employee.
- 404 **POSSESSION OR DISCHARGING OF DANGEROUS WEAPONS OR DEVICES** in the school building, on the school campus, in a vehicle, or at any school-related function.

The term “dangerous weapon” means a firearm or anything designed, made, or adapted for the purpose of inflicting death or serious physical injury, and such term includes, but is not limited to, a bazooka, hand grenade, missile, or explosive or “incendiary device”; a pistol, rifle, or shotgun; or a switchblade knife, gravity knife, stiletto, sword, or dagger.

- 404.1 **KNIFE, USE**
- 405 **EXPLOSIVES** - Preparing, possessing, or igniting on School Board property explosives likely to cause serious bodily injury or property damage.
- 406 **SEXUAL MISCONDUCT** - Acts of a sexual nature including, but not limited to, abuse, battery, attempted rape, or rape.
- 407 **AGGRAVATED ASSAULT** - Intentionally causing great bodily harm, disability, or permanent disfigurement; use of a deadly weapon.
- 408 **ROBBERY** - The taking of money or other personal property from a person by force, violence, assault, or putting the person in fear of same.
- 409 **THE CHARGE OF A CRIME** - As defined under the laws of the city, State of Alabama, or United States while on school property or participating in a school activity (§ 16-1-24.1, *Code of Alabama*, 1975)
- 410 **BOMB THREAT** - Any such communication(s) which has the effect of interrupting the educational environment.
- 411 **POSSESSION OF A HANDGUN RESULTS IN EXPULSION FROM THE PELHAM CITY SCHOOL SYSTEM FOR A PERIOD OF NOT LESS THAN ONE (1) YEAR.**
 - 411.1 **HANDGUN, POSSESSION**
 - 411.2 **HANDGUN, SALE**
 - 411.3 **HANDGUN, USE**
 - 411.4 **RIFLE/SHOTGUN, POSSESSION**
 - 411.5 **RIFLE/SHOTGUN, SALE**
 - 411.6 **RIFLE/SHOTGUN, USE**
- 412 **INTENTIONALLY PROVIDING FALSE INFORMATION TO A SCHOOL BOARD EMPLOYEE OR HINDERING THE INVESTIGATION IN REGARD TO A CLASS IV OFFENSE.**
- 413 **MISUSE OR ABUSE OF PRESCRIPTION DRUGS** - The unauthorized use, sale, transfer, possession, soliciting, trafficking, and misuse of prescription drugs. These include any drug which requires a doctor’s prescription to legally possess.
- 414 **ANY SECOND MAJOR OFFENSE FROM THE CLASS III CATEGORY.**
- 415 **ANY OTHER OFFENSE WHICH THE PRINCIPAL MAY REASONABLY DEEM TO FALL WITHIN THIS CATEGORY.**

Class IV Disciplinary Actions

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

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

1. Additional suspension days or other disciplinary action as determined by the principal after consultation with the Superintendent or his designee.
2. Long-term assignments to Alternative School
3. Expulsion from the Pelham City School System.

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

When a student violates any Pelham Board of Education policy concerning drug, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, the principal **shall** notify appropriate law enforcement officials.

If any criminal charge is warranted arising from the conduct, the principal is authorized to sign the appropriate warrant. The local schools **shall** immediately suspend that person from attending regular classes and schedule a hearing at the earliest possible date, which shall not be later than five (5) days.

If the student is found to have violated any Pelham Board of Education policy concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, the student **shall not** be readmitted to a Pelham City school other than the Alternative School, until (1) criminal charges or offenses arising from the conduct, if any, have been disposed of by appropriate authorities, and (2) the student has satisfied all other requirements imposed for readmission. **Readmission of any student determined to be guilty of an offense involving drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, may be conditioned upon the student meeting certain conditions mandated by the Board of Education, the Superintendent, and/or his designee.**

ADDITIONAL CONDUCT POLICIES

Participation in Graduation Ceremonies and Class Recognition Programs

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

Search and Seizure Policies

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers, or student vehicles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search. This can include specially-trained dogs and metal detectors.

As used in this policy, the term “unauthorized” means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission, or process of the school, or any item described as unauthorized in school rules available beforehand to the students.

A student’s failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

Personal Searches

A student’s person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school administrator or administrative designee has a reasonable suspicion to believe that the student is in possession of illegal, unauthorized, or contraband materials.

If a pat down search of a student’s person is conducted, it shall be conducted in private by a school official of the same sex. Another adult witness shall also be present.

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

Locker Searches

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their locker. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

Students shall not be issued lockers until such time that the “Acknowledgement Concerning Use of Student Lockers” form has been properly completed and returned to the school. Such forms shall be maintained on file at the school (See Attachment #2)

Vehicle Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student vehicles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal, unauthorized, and/or contraband materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Students shall not be allowed to park vehicles on campus until such time that the "Acknowledgement Concerning Use of Student Parking Lots" form has been properly completed and returned to the school. Such forms shall be maintained on file at the school. (See Attachment #1)

Searches Involving Outside Personnel, Dogs, and/or Detection Devices

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

Seizure of Illegal Materials

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

Documentation

The principal shall fully document every incident where a search is conducted.

Such documentation shall include a detailed account of the search, items impounded, the student(s) involved, a list of all witnesses present, and other information regarding the incident.

Public Complaints

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

Grievance Procedures

The primary purpose of this procedure is to provide for the prompt and equitable resolution of student complaints, grievances, and appeals for long-term suspensions or expulsions.

A grievance shall mean a complaint by a student or group of students that there has been a violation, a misinterpretation, or inequitable application of any policy or practice of the school or school system related to long term suspensions or expulsions.

Attendance hearings, disciplinary hearings, or other matters not specifically mentioned herein, may be appealed under provisions provided in the Student Code of Conduct and covered in public complaints.

The grievance may be initiated orally or in writing at Level One and must be filed **within twenty (20) work days** following the act or condition which is the basis for the complaint. Beyond the initial step, the grievance shall be in writing.

Procedures:

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

A. Level One (Informal Procedures)

The aggrieved student shall first seek resolution of the complaint or grievance through free and informal communication as close as possible to the point of origin. A student with a grievance may first take it to his/her immediate teacher or principal. Both shall be consulted prior to further resolution procedures.

B. Level Two (Formal Procedures)

Step 1

If, as a result of the discussion between the student, teacher, and principal, the matter is not resolved to the satisfaction of the student, then **within five (5) working days**, the student shall set forth the grievance in writing to the Superintendent specifying:

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

The Superintendent or the Superintendent's designee shall hear the grievance and render a decision **within fifteen (15) working days** after receiving notice of appeal for long-term suspension, expulsions, or alternative school placements.

At this hearing, the student may be accompanied by a representative of the student's choice.

Step 2

If the student is not satisfied with the disposition of the grievance at Level Two, Step 1, the student may file the grievance in writing with the Pelham City Schools Board of Education. Said appeal must be filed **within five (5) working days** after the decision at Level Two, Step 1.

At the Board hearing, the aggrieved student may be accompanied by a representative of his/her choice and present evidence supporting the grievance.

Step 3

In the event the student is not satisfied with the disposition of the grievance by the Board of Education, the student may appeal the decision to the appropriate authorities as provided by law or seek recourse through the state or federal court system.

Miscellaneous Provisions:

A. Timelines

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

B. Hearing Procedures

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

Field Trips

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

Transportation to Off-Campus Extracurricular Activities

Pelham City Schools does not furnish transportation for all off-campus extracurricular activities. The coach or sponsor for the activity in which the student participates or other school official will communicate whether off-campus transportation will be provided for various activities. If the school system does not provide such transportation, a parent(s)/guardian will be responsible for transporting or arranging for the transportation of the named student to off-campus extracurricular activities. However, students may not transport other students to or from off-campus activities.

Dress Code Policy

A standardized dress code of Pelham City Schools has been adopted to assure that all students are provided safe and appropriate educational opportunities which are free from unnecessary disruptions or outside influences and to instill in students the need to dress appropriately and have respect for each other and authority. For young people, especially teenagers who are beginning to find their true identities in the middle of peer-pressure and parent prodding, dress is an important issue. For the younger children, lifetime habits of taste and dress are greatly affected by their childhood dressing patterns. This dress code will be strictly enforced in all Pelham City Schools, middle through high school.

We encourage you to familiarize yourself with the following explanation behind the choice of the standards.

The way a person dresses reflects the way he/she thinks. We want to prepare students for the world of work, and we believe a neat, professional appearance is a good habit to develop in the childhood years.

Just as students would dress one way for a picnic or ball game, there is an appropriate way to dress for school.

A well-groomed student should come to school with an attitude that prepares him or her for neat, conscientious work. His or her attire should give him or her respect for self, fellow students, and teachers.

Students who have questionable or inappropriate dress will not be allowed to attend class. The following items will serve as a minimum guide to acceptable dress for Pelham City School students.

Any school modifying the Pelham Board of Education Dress Code must obtain the Superintendent's approval. All modifications must be presented in writing to students prior to enforcement.

Dress Code Guidelines:

- A. All students must wear shirts, blouses, or dresses with a collar or with a non-revealing neckline, such as crew neck, jewel neck, or boat neck. Low cut, open back, bare extracurricular midriff or clothing that allows the midriff to be exposed, are not permitted.
- B. Male students must wear sleeved garments. Female students may wear sleeveless garments which adequately cover undergarments. Spaghetti and/or thin-strapped shirts may be worn only if over another T-shirt or if covered by a blouse with sleeves. Only sleeveless blouses or dresses in which the shoulder is fully covered from the base of the neck to top of arm will be considered acceptable.
- C. No obscene language and/or illegal substance advertisements (to include alcoholic and tobacco advertisements) may be worn on clothing or accessories.
- D. No hats, caps, head coverings, hair curlers, picks, or sunglasses will be worn in school.
- E. Skirts, shorts, and dresses must be no more than 3 inches above the knee in front and back. Leggings, or other similar garments (i.e., jeggings), must be paired with shorts, a skirt, or dress that is no more than three (3) inches above the knee (i.e., shorts, dress, or skirt of proper length).
- F. Articles of clothing worn too low, too long, too large, too tight, or too loose are not permitted. Pajama style pants, snap-aways, and sweatpants are prohibited. Athletic-type pants may be worn only during physical education classes or as approved by administration (including, but not limited to, wind suit pants and soccer shorts).
- G. Jackets and coats are to be worn in good taste. Generally, these are inappropriate to be worn in the classroom.
- H. Students are required to wear appropriate shoes at all times. Shoes with wheels are not appropriate for the school environment.
- I. Students' clothing should be neat and clean and should not be in noticeable disrepair. Unhemmed (cut-off) shorts, skirts, shirts, pants, and garments with inappropriate holes or inappropriate slits are not allowed.
- J. Students are prohibited from wearing body jewelry, hairstyles, tattoos, and other adornments that draw attention to oneself in a manner that may be disruptive to the educational process.
- K. Appropriate undergarments must be worn and not visible.
- L. Students are prohibited from wearing any metal chains, metal spiked apparel, over-sized belt buckles, or accessories.
- M. Students are to wear clothing in the manner it is designed to be worn, i.e., clothing worn backwards or inside out is not allowed. No excessively tight or revealing clothing, such as fishnet or see-through garments, may be worn.
- N. Students are prohibited from wearing any sign, symbol, logo, or garment, which has become synonymous with any gang, cult, or unauthorized club or organizational activity. This also includes any avenue for the promotion of products or activities prohibited by school policy or that is inflammatory and may generate negative feelings among the student body.

Any item which disrupts the instructional program is not allowed to be displayed at school. The above items serve as a minimum guide. The principal shall have the discretion to outline other appropriate guidelines for their campus or for special occasions.

Suspensions/Expulsion of Students with Ability Impairments

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

Student Pregnancy

Pregnant students may attend school and participate in regular school programs.

The principal/guidance counselor should be contacted for the purpose of a possible limitation of normal activities.

School Visitors

Visitors to the school must report to the principal's office or the main office for permission to visit. Authorized visitors will be issued a visitors badge prior to visiting in the school. Persons without badges will be considered to be trespassing. Security cameras are located throughout the buildings and campuses, and anyone on school property may be videotaped.

Transportation

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

- A. Students will be picked-up and dropped-off at their residence or designated bus stop only.
- B. Students should be at the bus stop at least five (5) minutes prior to the designated time.
- C. Once students arrive at their school bus stop, they are subject to the rules of the school system.
- D. Students must obey instructions given by the driver.
- E. Students must be courteous to fellow pupils and the bus driver (do not annoy other students).
- F. Horseplay, threats, and fighting are not permitted on or around the bus or at bus stops.
- G. Students should remain silent when approaching and crossing railroads.
- H. Students should talk only in a normal voice and not use profane or obscene language.
- I. Students should remain properly seated, not change seats, and keep head and hands inside the bus.
- J. Students are not allowed to eat, chew gum, drink, smoke, or strike matches on the school bus.
- K. Weapons of any kind are not permitted on the bus.
- L. Students are not allowed to tamper with any of the equipment on the bus, especially the emergency door.
- M. Students are not allowed to litter the bus, or throw objects within or outside the bus.
- N. Students are not allowed to leave the bus except at the regular bus stop without written permission from the administration.
- O. No objects should be transported on a school bus that may compromise the safety of the students or the driver. This includes, but is not limited to, animals, fireworks, sharp objects, glass, balloons, and any other objects that could obstruct a driver's vision, distract a driver's attention, or otherwise endanger the lives of anyone who rides a school bus.
- P. Books, packages, coats, band instruments, and other items should not be in the aisles or in the driver compartment and should not be left on the bus.
These items must be held in the child's lap and must not occupy the seat of another child.
- Q. Students are not allowed to transport prescription or non-prescription medications on the bus except emergency medications and approved medications prescribed for self-administration.
- R. Due to the possible distraction to the bus driver by the use of cell phones, or other personal electronic communication devices, the use of these items will not be allowed on the school bus.

Discipline Procedure for Other Off Campus Learning Venues

Conduct violations occurring en route to the School of Technology and while at the School of Technology will be handled by the SOT Principal in accordance with the Code of Conduct. Bus incidents while returning to the home school will be handled by the local school administration.

Student Arrival at School

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

Enrollment of New Students and Transfer Students

Students who apply for enrollment in a Pelham City School must attend school in the attendance zone where they reside with a custodial parent or legal guardian. Failure to comply with this requirement will result in the immediate withdrawal of the student from said school. All transfer students must be in good disciplinary standing from their previous school(s) with no outstanding suspension or expulsion offenses pending. The Pelham Board of Education honors suspensions and expulsions from other official Boards of Education.

ATTENDANCE CODE FOR PELHAM CITY SCHOOLS

Daily attendance is vitally important to the acquisition of knowledge. Students learn considerably more as the result of being in class each day. It is the purpose of this program to do everything possible to encourage good attendance by involving as many supportive groups as necessary and by developing a uniform method of addressing this important issue.

Students deserve every opportunity for academic success and prompt, regular, daily attendance not only teaches life supporting skills, but also increases the likelihood of school being a positive experience. A uniform attendance emphasis must then define the responsibilities of the groups of people directly related to the program. These groups will be: students, parents, teachers, administrators, and courts.

Responsibilities of the Student:

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

Responsibilities of the Parents:

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

Responsibilities of the Teacher:

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

Responsibilities of the Administration:

- A. Designing local school plans for improving attendance.
- B. Enforcing a check-out system consistent with administrative policy.
- C. Providing a **Perfect Attendance Award** to students who have been present every complete day of the school year with no tardies, checkouts, or early dismissals.
- D. Providing an **Exemplary Attendance Certificate** for those students who attend school each day of the school year. Excessive tardies, checkouts, and/or early dismissals resulting in a detention may prevent a student from earning this award.
- E. Developing a procedure whereby high school students may be exempted from all final exams the second semester.
- F. Considering many alternatives in an effort to reduce the number of suspensions and/thereby, absent days.
- G. Attempting to keep parents aware of each absence daily.

Responsibilities of the Courts:

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

State Definition of Truancy & Laws Governing School Attendance

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

Upon the seventh unexcused absence during the school year, a truancy referral will be made to the Early Warning Program, with mandatory parent participation. Seven (7) unexcused absences within a school year constitute a student being truant for the purpose of filing a petition with the Court.

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

The law requires that every child between the ages of six (6) and seventeen (17) years shall be required to attend school (§16-28-3 **Code of Alabama**, 1975).

*Effective July 1, 2000, § 16-28-16 of the **Code of Alabama**, 1975, is amended to read as follows:

“(b) Each child who is enrolled in a public school shall be subject to the attendance and truancy provisions of this article except that any parent or parents, guardian or guardians who voluntarily enrolls their child in public school, who feels that it is in the best interest of that child shall have the right to withdraw the child at any time prior to the current compulsory attendance age.”

The law also gives the responsibility for attendance and control of the child to the parent (§ 16-28-12, **Code of Alabama**, 1975).

If the child is truant, there are several actions that can be filed against the parent and/or the child.

Actions Against Adults:

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

Action against the Alleged Truant Child:

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

Notice:

“In all cases investigated where no valid reason for non-enrollment or non-attendance is found, the Attendance Officer shall give written notice to the parent...and shall be required to bring criminal prosecution against the parent...” (§ 16-28-16, **Code of Alabama**, 1975). Literal, not substantial, compliance is required of the notice provisions of this section. See, *Ex parte Hill*, 381 So.2d94(Ala.1980)(Attached).

Custody:

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

Regulations Governing Attendance:

- A. Enrollment and Attendance

1. Compulsory enrollment and attendance is mandated by Alabama Law for any child between the ages of six (6) and seventeen (17) years. Compulsory enrollment and attendance are required each year for these ages unless the pupil is legally excused from enrollment by the Superintendent, Board of Education, or the courts. Only these officials have authority to excuse a child from enrollment and attendance.
2. All school personnel shall report known cases of non-enrollment and irregular attendance to the principal. The principal shall report cases of non-enrollment or irregular attendance to the System's attendance officer.

B. Absenteeism:

1. Parents or guardians shall send a note of explanation, i.e., court notes, doctor's notes, or parent excuses to the school the day the child returns to school but not later than three (3) days. Failure of the parent or guardian to send a note will ordinarily result in the absence being marked unexcused.
2. Check-outs and check-ins shall be considered as an absence for the classes missed. Notes of explanation for the absence will be required as in Section B (1) above.
3. Only an excused absence permits work to be made up. It is the responsibility of the student to contact the teacher within three (3) days of returning to arrange for make-up work.
4. Students will not be allowed to participate or attend a school function such as an athletic contest, prom, school dance, band trip, job training program, etc., if they are not in school for at least one half of the instructional day of the event, except for situations approved by the principal.
5. Credit for class work may not be permitted for students suspended from school. At the discretion of the principal, credit for major tests, nine-week tests, midterms, and final exams may be made up and credit given for those students who have been suspended during exam periods.

C. Absences Allowed:

1. According to the Alabama State Department of Education, excused absences are as follows:
 - a) Illness
 - b) Death in the immediate family
 - c) Inclement weather which would be dangerous to the life and health of the child as determined by the principal
 - d) Legal quarantine
 - e) Emergency conditions as determined by the principal
 - f) Prior permission of the principal and consent of the custodial parent or legal guardian (a parent's prior notification to the school does not automatically excuse the absence)
2. The following information is provided to you concerning the codes for absences which will be on your child's attendance record: **1X** – Parent note (for student illness); **2X** – Doctor's excuse which indicates that the student visited the doctor and was treated for the illness; **3X** – Court excuse; **4X** – Principal's Permission/Death in the Immediate Family; **5X** – Suspension; **6X** – Parent Note – unexcused; **7X** – No note or explanation. **1X, 2X, 3X, and 4X** are excused absences. **5X, 6X, and 7X** are unexcused absences.
3. The Pelham Board of Education will allow 5 parent written excuses for student illness (coded 1x). Other excused absences are doctor's excuse (2x), court excuse (3x), and principal's permission or death in the immediate family (4x).
4. School sponsored or sanctioned activities are exempt and do not count toward the total absences allowed; however, arrangements must be made for making up work as required.

D. Make-Up Work:

1. Excused Absences – If a student is absent for any excused reason as defined above, the student shall be allowed the opportunity to make up all assignments missed during said absence or absences at a time agreeable to the teacher(s). Given the number of days missed due to excused absences, students shall be given an appropriate time period in which to complete the assignment(s). For assignments that were due on the day in which the student was absent, provided that the due date was previously communicated prior to the student's absence, the student should be prepared to turn in the assignment upon returning to school.

Procedure for retrieving missed academic work:

- a. Within three (3) days of returning to school from an excused absence, the student will contact his/her teacher(s) to arrange for make-up work.
- b. The teacher(s) will provide an overview of any academic work missed as a result of the absence, and communicate a due date for which the school work should be completed and turned in for credit.

2. **Unexcused Absences** – Teachers **shall not** provide make-up work for students absent for unexcused reasons. Exceptions or unusual circumstances will be left to the principal’s discretion.
- E. Check-Out/Check-In Procedure:
Parent/Legal Guardian will be required to show a picture ID when checking students in or out of school. (Exception: PHS students may be allowed to check themselves in to school). Students checking in or out of school must be signed for by the parent, legal guardian, legal custodian, or designated responsible adult. **Notes, faxes, email, and telephone calls will not be accepted.** The principal has the responsibility of making a decision in the best interest of the student when emergency situations and unusual circumstances arise.
- F. Notification of Parent or Guardian:
1. Attendance letters will be mailed to parents after the third (3rd), fifth (5th), and seventh (7th) absence that is not documented by court, doctor, excused parent note, or principal’s permission during the school year.
 2. Tardies will be closely monitored and students with consistent tardies to school and/or excessive unexcused check-ins and check-outs may be summoned to the Early Warning Program.
 3. In keeping with the procedures of the Early Warning Program, maximum flexibility is allowed the principals and teachers to determine if absences are truancy cases before mailing the first notification to parent or guardian. All excuses must be documented in writing by the parent or guardian. The attendance officer or principal reserves the right, despite submission of such written excuse, to evaluate each case on its individual merits to determine if referral to the Early Warning Program is appropriate. Reasons for non-referral after the requisite number of absences shall be documented by the principal or his designee. Only those names listed on the Request for Early Warning Referral will be sent a letter from Juvenile Court Services to report to Early Warning session.
 4. The following protocol will be followed by schools when absences occur:
 - A. Attempted phone contact upon the occurrence of any school absence.
 - B. Written notification upon the third unexcused absence.
 - C. Conduct a pre-Early Warning Program referral conference upon the fifth unexcused absence.
 - D. Submit an Early Warning Program student referral upon the seventh unexcused absence.
- G. Early Warning Program:
1. Purpose: The Early Warning Program is a school/community-based program to assist public school personnel, parents, and law enforcement personnel in providing for early intervention for children and youth who are truant or in danger of becoming truant. A child is truant if no explanation is provided for absences or the child is absent for reasons other than those recognized as excusable
 2. Description: The Early Warning Program is a cooperative effort involving the Pelham Board of Education, The District Court Judge of Shelby County, The District Attorney for Shelby County Juvenile Court Services, and the Department of Human Resources.
 3. Procedure: Parents will be notified when truanancies have occurred. Per State Department guidelines, participation in the Early Warning Program is required. Should truanancies occur, the parent(s) and child may be summoned to a juvenile court session. Further truanancies could result in the filing of a petition.
- H. Loss of Credit for Excessive Absences:
1. When a student in grades 6-8 has accumulated more than ten (10) unexcused absences per year, the principal will evaluate the attendance record and may recommend retention. A student who has **eight (8) unexcused absences** out of a total of ten (10) absences may be retained due to excessive absences. If such is the case, the parent/guardian and the System Attendance Officer shall be notified in writing in the event of retention.
 2. Regarding high school students and semester classes, when a student in grades 9-12 has accumulated more than six (6) absences in a class during the semester, the principal shall evaluate the attendance record and may recommend loss of credit. A student who has four **(4) unexcused absences** out of a total of seven (7) or more absences during a semester may be denied academic credit for excessive absences. The parent/guardian and the system Attendance Officer shall be notified in writing in the event of loss of credit.
 3. A student who has been retained or lost credit because of non-compliance with attendance policies shall receive a **Non-Compliance Attendance (NCA)** on the report card and all other records for that semester or that year.
 4. NCA loss of grades will be made up in the same manner other failures and retentions are made up.

I. Due Process Procedures:

1. The parent, guardian, or student may request a hearing with the principal in writing, signed and dated, within five days from the date of the notification of the loss of credit or retention.
2. The failure of the parent, guardian, or student to request a hearing shall be sufficient evidence to sustain the loss of credit or retention.
3. The decision of the principal at the local school to deny credit or to retain a student may be appealed to the Superintendent in writing within five (5) days after the hearing after the local school has taken place.

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

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

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

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

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

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

**ACCESSIBILITY OF RECORDS TO
MILITARY RECRUITERS**

According to Alabama law (§ 16-1-25, *Code of Alabama*) all city and city public school systems of Alabama shall allow reasonable access of their public school facilities to official recruiting representatives of branches of the armed forces and military forces of the United States, consistent with policies governing other agencies not a part of the school system, to inform students on the educational and occupational options in military service. **If you choose for your child's name and address not to be given out to official recruiting representatives of branches of the armed forces and military forces, you must notify the school of this request in writing.**

**IMMUNIZATION AND SOCIAL SECURITY
NUMBER REQUIREMENTS**

The boards of education shall require each pupil otherwise entitled to admittance into an Alabama public school to present a certificate of immunization, medical or religious exemption upon initial entrance into school.

Authority: Ala. Code §16-30-3 and -4(1975)

Every child enrolled in an Alabama public school grades K through 12 shall have an assigned identification number or may voluntarily provide a valid Social Security Card. The card, if presented, will be returned to the child, parent, and/or guardian.

NOTICE OF GIFTED EDUCATIONAL SERVICES

Gifted students are those who perform at high levels in academic or creative fields when compared to others of their age, experience, or environment. These students require services not ordinarily provided by the regular school program. Students possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor. In

addition, some students with disabilities may be gifted. The Pelham Board of Education prohibits discrimination against any student on the above basis with respect to his/her participation in the gifted program.

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

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

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

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

Contact the student's teacher or the school counselor to refer a student for consideration for gifted services. For more information, contact the Supervisor of Advanced Programs for Pelham City Schools.

STUDENT SUBSTANCE ABUSE PROGRAM

The Pelham City Board of Education requires that all students report to school, sport practices and competitive events without prohibited substances in their system. Participating in student competitive extracurricular activities and parking a vehicle on school grounds is a privilege, not a right, and the student must be willing to conform to the guidelines of the Pelham City Schools Substance Abuse Policy and Student Drivers in order to participate in these activities.

In order to enforce these rules, the Board reserves the right to require all students participating in a competitive extracurricular activity or parking a vehicle on Board property to submit, at any time prior to, during, or following any practice, competitive event, or otherwise while under the supervision or care of this School, to drug tests to determine the presence of prohibited substances. Failure to conform to the Substance Abuse Policy will result in a student being suspended from participation for a minimum period of seven weeks and the completion of an approved drug education program.

HARASSMENT, VIOLENCE, THREATS OF VIOLENCE, AND INTIMIDATION

Passed by the state of Alabama Legislature, House Bill 216 became effective July 1, 2010. As a result, public school districts in Alabama are now required to establish school board policy to address and prevent harassment, violence, threats to do violence, and intimidation in the school environment. Subsequently, the Pelham Board of Education recently adopted its own anti-harassment policy which strictly prohibits this behavior. Harassment is defined as a continuous pattern of intentional behavior, and includes (but is not limited to) written, electronic, verbal, or physical acts that are reasonably perceived to be threatening by the student-victim.

In an effort to minimize this type of behavior in the school environment, the Pelham Board of Education has created a process whereby a student, or the student's parent or legal guardian, may report instances of harassment to the school administrator for further review and investigation. **The reporting form is available through the school district's website.** When incidents of harassment are investigated and confirmed, the school administrator will apply appropriate disciplinary consequences.

STUDENT CELL PHONE USE

The Pelham Board of Education respects parent wishes for their child to bring a cell phone to school. However, cell phones brought to school must be stored appropriately. The school is not responsible for attempting to recover lost or stolen cell phones. Cell phones cannot be audible during the instructional day. When a student is found to be using his/her cell phone during the school day, the phone will be taken from the student and given to a school administrator. Students whose cell phones contain any illegal or inappropriate material may be subject to the appropriate school consequences, as well as possible legal consequences.

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

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

ACCEPTABLE USE PRACTICE (AUP) FOR TECHNOLOGY RULES AND REGULATIONS

Technology

The Pelham Board of Education provides students with access to technology in order to enhance student learning. The term "technology" refers to all forms of hardware, digital devices, software, and accounts. Although cell phones and smartphones can be used for many of the same activities as other forms of technology, additional rules apply to the possession and use of these communication devices.

This AUP applies to all technology, regardless of ownership, used on school property during school hours or during other school-related activities. It also applies to the use of Board-owned technology regardless of location or time of day.

Parental Restrictions

Parents have the option of restricting certain activities related to technology use. For complete information and directions on how to notify the school about any of the following restrictions, see the "Parental Notifications" section later in this Code of Conduct. (See page 28)

- Restrict student from independently using the Internet (applies only to students under 17 years of age)
- Restrict students from setting up free, online accounts for software used as part of a class activity without first obtaining written permission from the parent for each program used (applies only to online programs that require parental permission)

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

Personally-Owned Technology

The use of any personally-owned technology at school is a privilege, not a right. The Board reserves the right to place conditions on, restrict, or prohibit the use of personally-owned technology on its property, including the use of personal online accounts. Students may only use personal technology during school hours when given specific permission to do so by their teacher or a school administrator.

Prior to bringing any personal technology to school, students must first determine which devices their school allows on campus. Permissions may vary from school to school. All devices or accounts used to set up their own network for Internet access, such as wireless access points or 'hotspots' are prohibited at all schools.

Keeping personal technology safe while in transit or at school is the responsibility of the owner. The school is not responsible for attempting to recover lost or stolen personal technology when students have not properly secured them in their school locker and/or personal vehicle. Please note that personally-owned technology that is connected to the Board-owned network or Internet is subject to *all* Board Policies and rules outlined in this Acceptable Use Practice.

Rules and Limitations

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

Expectations of Privacy

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

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

Permission to Use Technology

In general, students should only use technology with a teacher or administrator's permission. During school hours they should only use technology, whether the Board's or their own personal technology, for school-related purposes. Students must have specific permission in order to...

- Use personally-owned technology while in school;
- Publish information to websites, blogs, or other online workspaces. When doing so, students are expected to adhere to applicable design requirements, online safety practices, and general rules of good behavior.
- Take board-owned technology off-campus. A permission form, including specific instructions and conditions, may need to be signed.

Examples of Unacceptable Use

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

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

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

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

14. Attempt to obtain, steal, hack, or otherwise alter another user's login ID and/or password.
15. Access or use another user's account, resources, programs, files, or data.
16. Allow others to use your account and/or password to access the network, email, or the Internet.
17. Use another person's identity or a fictitious identity.
18. Save information on any network drive or device other than a Board, school, or a teacher-specified and approved location.

19. Cause files to appear as if they were created by another person.
20. Forge or otherwise falsely reproduce or alter report cards, letters from the school, or other school system correspondence.
21. Forge or attempt to forge or “spoof” email messages.
22. Send or attempt to send anonymous email messages.
23. Use technology to cheat or plagiarize, or assisting others to cheat or plagiarize.
24. Send or request information including, but not limited to, hoaxes, chain letters, jokes, phishing scams, etc.
25. Intentionally waste supplies and materials.
26. Download games or play online games for personal entertainment rather than learning.
27. Use any System technology resource for personal gain, commercial, political, or financial gain.
28. Participate in personal, non-instructional, digital or online communications without the explicit permission and supervision of authorized school personnel (i.e., chat, email, forums, text or instant messaging, blogging, etc.)
29. Create, access, view, or post to personal online accounts while at school.

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

30. Use inappropriate language, gestures, or symbols in any digital communications or files, including audio/video files.
31. Create, store, access, use, request, display, or post impolite, abusive, offensive, obscene, profane, racist, inflammatory, libelous, inaccurate, derogatory, malicious, insulting, embarrassing, bullying, or threatening language, images, audio files, messages or other files.
32. Edit or modify digital pictures with the intent to embarrass, harass, or bully.
33. Link to external sites considered inappropriate by Board standards.
34. Intentionally view or encourage/enable others to view any material that may not have been filtered, but would be classified as inappropriate for the school environment whether on the Internet, or sent as an email attachment, or accessed from a digital storage device.
35. Commit the Board, any school, or any employee of the Board, to any unauthorized financial obligation. Any resulting financial burden will remain with the user originating such obligations.
36. Conduct communications about unlawful activities, including references to illegal or controlled drugs, gun crimes, or violence.
37. Violate federal, state, or local laws, including use of network resources to commit forgery, or to create a forged instrument (i.e., counterfeit money, fake identification, etc.)
38. Violate copyright laws, including illegally copying software, music, videos, and documents. (Students should become familiar with Copyright, the Digital Millennium Copyright Act, and Fair Use laws to ensure they fully understand the limitations of Fair Use rights.)
39. Copy or use logos, icons, graphics, trademarks, or other legally protected data or images.

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

40. Attempt to read, delete, copy, forward, or modify email or electronic files of others.
41. Post any false or damaging information about other people, the school system, or other organizations.
42. Falsely post as an employee of the Board of Education on any website, online forum, social networking site, or other online venue.
43. Post the image or intellectual property of others without their permission.
44. Post or expose the personal information of yourself or others. Personal information includes, but is not limited to, a person’s full name, home or work address, phone number, and social security number.
45. Post your own full name or the full name of other students to a school website, blog, wiki, or other publicly accessible Internet site. When posting information about yourself or a fellow student, you may only use the first name and first letter of the last name of the individual. In addition, no information may be posted about a student if their parent or guardian has notified the school in writing that their child’s information cannot be posted on the web.
46. Make appointments to meet unknown individuals contacted via electronic communications.
47. Record, post, or transmit images, video, or audio recordings of oneself or others taken during school for personal uses. The exceptions to this are 1) during public activities such as concerts, plays, or athletic events when permitted by the school; and 2) when directed by the teacher for a school project – not personal use.

Disciplinary Actions

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

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

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

Limitation on Liability

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

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

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

Acknowledgement Form

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

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

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

Examples include:

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two Federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, and institutions of higher learning, upon request, with three directory information categories – names, address, and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.¹

¹These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the *No Child Left Behind Act of 2001* (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by Section 544, the *National Defense Authorization Act for Fiscal Year 2002* (P.L. 107-107), the legislation that provides funding for the Nation's armed forces

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

The PCBOE may disclose the following information as directory information:

- Pelham City Schools defines Directory information as follows:
- Student name
- Student gender
- Student address
- Student telephone listing
- Student email listing
- Student photograph
- Student place and date of birth
- Student dates of attendance (years)
- Student grade level
- Student diplomas, honors, awards received
- Student participation in school activities or school sports
- Student weight and height for members of school athletic teams
- Student most recent institution/school attended
- Student ID number, not to include student State ID number

NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS

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

- The right to inspect and review the student’s education records within forty-five (45) days of the day the school receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- The right to request the amendment of the student’s education records that the parent or eligible student believes is inaccurate.

Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school principal decides not to amend the record as requested by the parent or eligible student, the school principal will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interest. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records **without consent** to officials of another school or school district in which a student seeks or intends to enroll.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the *School District* to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA are:

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

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

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

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

Receive notice and an opportunity to opt a student out of:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
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, use:

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Pelham Board of Education (PCBOE) will develop these policies, in consultation with parents, regarding these rights, as well as arrangements to protect a student’s privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing sales, or other distribution purposes. The PCBOE will notify parents and eligible students of these policies annually through the publication of the Pelham City Code of Conduct and Attendance and upon enrollment of students thereafter.

Parent/eligible students who believe their rights have been violated may file a complaint with:

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

ALABAMA DEPARTMENT OF PUBLIC HEALTH IMMUNIZATION FORM INSPECTION

Each year, the Alabama Department of Public Health (ADPH) conducts an audit of student immunization records to ensure that children enrolled in school in Alabama are protected from vaccine-preventable diseases or have a valid exemption from vaccination.

The Family Educational Rights and Privacy Act mandates parental consent be obtained for persons not employed by this school to view the records of its students.

If you **DO NOT** wish your child's immunization record (blue slip) to be evaluated by ADPH personnel, please notify your child's school in writing and your request will be placed with your child's form.

NO RESPONSE from you will indicate that you will allow ADPH to audit the immunization records of your child.

STUDENT HEALTH SERVICES

"School nursing is a specialized practice of professional nursing that advances the well-being, academic success, and life-long achievement of students. To that end, school nurses facilitate positive student responses to normal development; promote health and safety; intervene with actual and potential health problems; provide case management services; and actively collaborate with others to build student and family capacity for adaptation, self-management, self-advocacy, and learning."

(National Association of School Nurses)

Medication Policy/Procedures:

Every effort should be made to administer scheduled medications at home. If your child should require Prescription or Over-the-Counter (OTC) medications at school, please adhere to these procedures.

- All medications, whether Prescription or over-the-counter, must be turned in to the school nurse by the student's parent/guardian or other responsible adult.
- Students are not permitted to carry or possess any type of medications, whether prescription or over-the-counter, on his/her person at any time (except emergency medications and approved medications prescribed for self-administration).
- Controlled substances cannot be approved for self-administration by a licensed prescriber.
- The parent/guardian must sign a School Medication Prescriber/Parent Authorization Form before any medication, prescription or Over-the-Counter, can be administered at school.
- Prescription medication will require the physician/prescriber's signature on the authorization form as well as the parent/guardian's signature.
- If the prescription medication order is changed during the school year, a new authorization form is required. Both the physician and parent/guardian must sign the form.
- For prescription medications, a current pharmacy labeled container is required. The label must include the student's name, physician name, name of medication, strength, dosage, time interval, route and date of medication discontinuation when appropriate.
- Over-the-Counter medications given 2 weeks or less will require the parent/guardian signature only on the Medication Authorization form. The parent has the option of signing a new form for additional 2 week periods.
- If over-the-counter medication needs to be given throughout the school year, it will require the parent/guardian and physician/prescriber's signature on the authorization form.
- For over-the-counter medicines, an unopened, unexpired, age appropriate, manufacturer's container is required. All manufacturers' labeling must be legible. The student's name must be written on the container.
- Pelham City Schools will not supply any prescription or over-the-counter medicines to staff or students.
- All unused medications not picked up by the parent/guardian or other responsible adult by the last day of school will be discarded according to the appropriate disposal guidelines.

These medication procedures were adopted with your child's safety in mind. If you have any questions concerning these procedures, please contact your school nurse. You can obtain needed health forms from your school nurse or at www.pelhamcityschools.org under Health Services.

Immunizations:

An Alabama Immunization Certificate, required by Alabama Law, must be presented to the principal before the student can enroll in public schools. The certificate must list vaccines, dates given and have a current expiration date. Only students presenting a Certificate of Medical Exemption or a Certificate of Religious Exemption are excused from this requirement.

If a child receives vaccinations/immunization updates during the school year, the parent will need to bring the updated Alabama Certificate of Immunization (blue immunization card) to the school.

A Tdap vaccine is now required for students 11 years or older, entering the 6th grade.

If you have any questions about your child's vaccinations, please contact your private physician, health clinic or local county health department or visit (www.adph.org/immunization).

Meningococcal Disease and Vaccine:

Meningococcal disease is any illness caused by the bacteria *Neisseria Meningitidis*. It is the leading cause of bacterial meningitis in children 2-18 years of age in the U.S.

Meningococcal disease can be very serious, even life-threatening in 48 hours or less.

Symptoms of meningococcal disease are similar to influenza (flu) and may include: sudden onset of a high fever, headache, stiff neck, increased sensitivity to light, nausea, vomiting, rash, confusion, pain in the muscles, joints, abdomen, chest or belly.

Meningococcal disease is spread person to person by sharing respiratory secretions through sneezing or coughing, kissing, close or lengthy contact, and among people who share a room or live in the same household. Teens and college students who live in residence halls are at increased risk.

Adolescents 11-18 years of age are routinely recommended for two doses of meningococcal conjugate vaccine (MCV4), one given between 11-12 years of age and a booster dose at 16 years of age.

Please refer to the following information from <http://www.cdc.gov/meningitis/index.html> regarding meningitis. You can also contact your doctor or local county health department for more information.

Communicable Disease and Parasites:

A student with a communicable/contagious disease, or a parasite, shall be ineligible to attend school until such time as appropriate treatment has been administered and/or the student is declared safe to return to school by the school principal or his/her designee.

Pediculosis (head lice):

Checking for head lice is not a routine nursing procedure. It is recommended that families periodically check their child's head for nits and live lice. If students are found to have live lice at school, they will be sent home from school and need be treated before returning to school. The student and parent/guardian will need to come to the school nurse's office to be cleared before returning to school.

Guidelines for Student Illness:

Should a child develop any contagious signs or symptoms such as vomiting, diarrhea, fever (over 100.4), severe headache, severe stomach ache, severe sore throat or flu like symptoms while at school, school personnel will contact the parent/guardian or other authorized adult and request that the child be taken home. In the absence of a medical diagnosis or a physician-signed clearance to return to school, students who are ill should be excluded from school for 24 hours after the last episode. Students should be fever free for 24hrs, without the use of fever reducing medication, before returning to school.

Regular hand washing, particularly before and after certain activities, is one of the best ways to remove germs, avoid getting sick, and prevent the spread of germs to others.

MEDIA RELEASE

Photography and Media Release

From time to time the school, school district, and/or approved designee may wish to publish the image and/or intellectual property of students in order to enhance individual, group, school, or system-wide accomplishments. Intellectual property includes but is not limited to, photographs, audio/video productions, and other written and graphic works. These reproductions can be used in the schools'/district's newsletter, yearbook, website, social media, podcast, instructional videos, or other publications produced or authorized by the school system. In addition, the news media may also publish or broadcast school-related news coverage in video or print publications aired or printed on television or in the newspaper or other similar form of communication. This also includes school yearbooks, school newspapers, and programs for school events, such as athletics, choral, and band.

In addition, many teachers now use blogs or other online learning management programs as a means of having students submit comments and intellectual property as a modern-day method of engaging students in learning. In some cases, the work that students submit to these blogs is readable by the general public.

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

Parent Restrictions on Media and Web Publishing

Parents who do not grant the Pelham Board of Education permission to publish their child's image and/or intellectual property as explained earlier in this Code of Conduct must submit a letter detailing the restrictions to the school principal within ten (10) school days of the student's first day of attendance each school year. If the child attends more than one school, each school should be notified in writing. Once submitted, parents can change or remove these restrictions by submitting such changes in writing to the school's principal. However, the district and/or school cannot retract or change any items that were sent to publishers prior to the parent submitting the change.

Legal Issues

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

Limitation on Liability

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

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

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

Military Recruiters

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

Acknowledgement Form

Failure to sign or return a signed Student Code of Conduct Acknowledgement form does not release students from their obligation to abide by these AUP rules and regulations and all other applicable Board policies.

PELHAM CITY BOARD OF EDUCATION
 Acknowledgment Concerning Use of Student Parking Lots

I understand that it is a privilege, not a right, to participate in the Parking Privileges Program offered by the Pelham Board of Education, and that I must comply with the Parking Privileges Program Substance Abuse Policy in order to be given the privilege to participate. I have read and understand the Pelham City Schools Substance Abuse Policy and Student Drivers procedures and penalties, and I and agree to abide by these rules regarding the possession and use of prohibited substances. I agree to submit to prohibit substance screenings, as outlined in the Pelham Board of Education Parking Privileges Substance Abuse Program Policy and Procedures, as a condition for my initial or continued participation in parking privileges. I specifically consent to allow urine, breath, saliva, and/or hair to be taken in accordance with the Board's policy and procedures and consent to allowing those samples to be forwarded to the Board's Drug Testing agency for testing to determine the existence of prohibited substances. I authorize any laboratory or medical provider to release test results to the Board, the Medical Review Officer, the Drug Program Coordinator, and to local school Administrators.

I also expressly authorize the Board and/or the MRO to release any test- related information, including positive results (a) as directed by my specific, written consent authorizing release of the information to an identified person, (b) to the finder of fact in any lawsuit, grievance, or other proceeding initiated by or on behalf of myself, and/or (c) under compulsion of law.

I understand that the refusal to submit to testing for the use of prohibited substances will prohibit me from my initial and continued participation in the parking privileges offered by the Pelham Board of Education. I also understand that: The Pelham Board of Education retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property; The Pelham School Board of Education may inspect the interiors of student automobiles whenever a school official has reasonable suspicion to believe illegal, unauthorized, and/or contraband materials are contained inside the automobiles; Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant; and If a student fails to provide access to the interior of his/her car upon request by a school official, the student will be subject to school disciplinary action. Parking permits may be revoked due to disciplinary action (leaving school without permission, smoking, etc.).

This document will remain in effect and serve as my continued consent and release while I am a student in Pelham City Schools, unless and until revoked by me in writing.

Student Signature	Date	Parent/Guardian Signature	Date
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VEHICLE INFORMATION

Tag No.	Year and Make of Vehicle
Model of Vehicle	Color of Vehicle
Owner of Vehicle	Owner's Phone Number
Student's Driver's License Number	Insurance Co. for Vehicle

 Vehicle VIN

PELHAM BOARD OF EDUCATION
Acknowledgement Concerning Use of Student Lockers

I acknowledge and understand that:

1. Student lockers are the property of the Pelham Board of Education.
2. Student lockers remain at all times under the control of the Pelham Board of Education.
3. Students are expected to assume full responsibility for their school locker.
4. Students are not permitted to use private locks on school lockers.
5. The Pelham Board of Education retains the right to inspect student lockers for any reason at any time without notice, without student consent, and without a search warrant.

Print Student's Name _____

Student Signature _____ Date _____

Parent Signature _____ Date _____

**PELHAM BOARD OF EDUCATION
PARENT AND STUDENT ACKNOWLEDGEMENT FORM
CODE OF CONDUCT AND ATTENDANCE**

Alabama law mandates that every child between the ages of six and 17 years shall be required to attend school and that every parent, guardian, or other person having control or charge of any child required to attend school shall explain the cause of any absence of child under his control or charge. This law has been amended to also state that each child who is enrolled in a public school shall be subject to the attendance and truancy laws of the State of Alabama. My signature below indicates that I have reviewed all of the information set forth in the ***Code of Conduct and Attendance***. My signature also indicates acknowledgment of my responsibility as a parent **to abide by the guidelines and requests set forth in this booklet.**

Print Student's Name

Parent/Guardian Signature Date

Student Signature Date

