



HOOVER  
CITY SCHOOLS

**HOOVER CITY SCHOOLS**  
**CODE OF STUDENT CONDUCT**  
**2016-2017**

**Safe School Hotline**  
**(205) 439-1090**

This document has been published for the 2016-2017 school year and supersedes all previous Code of Conduct information.

# **HOOVER CITY SCHOOL DISTRICT**

## ***CODE OF STUDENT CONDUCT***

**2016-2017**

### **HOOVER CITY BOARD OF EDUCATION**

**Mr. Stephen D. Presley, President  
Mr. Earl A. Cooper, Vice President  
Mrs. Deanna D. Bamman  
Mr. Craig P. Kelley  
Mrs. Jill Ganus Veitch**

**Dr. Kathy L. Murphy, Superintendent  
Dr. Tera Simmons, Assistant Superintendent for Administration  
Dr. Ron Dodson, Assistant Superintendent for Instruction**

## Message from Superintendent Dr. Kathy L. Murphy

Dear Hoover City School Student,

It is my pleasure to be your superintendent! My role as school district superintendent is to support you, to encourage you, and to ensure you receive the best education possible. While serving you is an *obligation* for any superintendent, serving you is much more than an obligation for me . . . it is an *opportunity* that I embrace. Being a part of your life, albeit a small part, gives me great purpose and great satisfaction. There is no greater calling for me than to be your supporter, encourager, and insurer of a GREAT education in this terrific school district.

The Code of Student Conduct is, as the name implies, a system of rules regarding your conduct while at school or when attending school-related events. The Code of Student Conduct, by design, explains the reasonable expectations that your principal, teachers, and I have for you. The rules are there to ensure your safety and that of all students. While we may not always like the rules, rules make our schools safer and rules better position you for success.

When we talk about school rules, we should also talk about your rights. While you have a right to disagree to a rule, you do not have the right to break the rule. If you violate the rule, you have a right to due process. Due process guarantees that you have the right to be heard in sharing your side of the story. After hearing you and after investigating the matter, the principal or designee of the principal will determine appropriate next steps which may include sanctions allowed under the Code of Student Conduct.

I have three requests of you this year which are the same requests I had for my own daughter when she was in school.

- (1) Attend school every day unless you have a valid, excused reason for being absent;
- (2) Behave and conduct yourself in compliance with all rules; and
- (3) Take your "A Game" to school every day by engaging, studying, absorbing, and learning!

I look forward to the best school year ever, and I look forward to celebrating your many successes along the way!

Best Wishes for a Fantastic School Year,

**Dr. Kathy Murphy**

## EQUAL EDUCATIONAL OPPORTUNITIES

(Board Policy 6.6) No student will be unlawfully excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program or activity offered or sponsored by the Board on the basis of race, ethnicity, color, disability, creed, national origin, sex, immigrant or migrant status, non-English speaking ability, or homeless status. All career and technical education opportunities are offered to all students regardless of race, color, national origin, sex, or disability. The district also provides equal access to the Boy Scouts and other designated youth groups.

Dr. Barbara Mayer, IDEA Coordinator  
Mrs. Marley Stephens, Section 504 Coordinator  
Dr. Cindy Adams, Title I Coordinator  
Dr. Cindy Adams, Title II Coordinator  
Dr. Barbara Mayer, Title III Coordinator  
Dr. Tera Simmons, Title IX Coordinator

Hoover City Schools  
2810 Metropolitan Way  
Hoover, AL 35243  
(205) 439-1000

## EQUAL EMPLOYMENT OPPORTUNITY

(Board policy 5.14.1) The Board is an equal opportunity employer. Personnel actions and decisions will be made without regard to factors or considerations prohibited by federal or state law (as such laws may from time to time be amended), including but not limited to race, gender, age, disability, national origin, citizenship, and religious preference. Subject to the limitations set forth in 4.6.2, the general complaint (grievance) policy (4.6.1) may be used to present any complaint alleging unlawful discrimination or harassment. Inquiries regarding compliance and complaint procedures can be directed to:

Mrs. Mary Veal, Equal Opportunity Employment Coordinator  
Hoover City Schools  
2810 Metropolitan Way  
Hoover, AL 35243  
(205) 439-1000

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# STUDENT DISCIPLINE- CODE OF CONDUCT

## INTRODUCTION

The Hoover City Board of Education requires that school personnel will operate the schools in a manner that will provide an orderly process of education and that will provide for the welfare and safety of all students in the District. To accomplish these goals, students and school personnel must work together in a school environment that is characterized by mutual respect. Positive behavior intervention and supports emphasize the promotion of safe, respectful, resourceful and responsible behaviors. The emphasis of the discipline approach shall be on the prevention of inappropriate student behavior and the development of individual responsibility. Even though discipline does not appear as a subject in the curriculum, it underlies the entire educational structure. Discipline is recognized as the training that helps students develop self-control, character, orderliness, efficiency, and effectiveness. Therefore, the Board views discipline as the key to good conduct and appropriate consideration for other people. Principals, teachers, and other school personnel have both the authority and the duty to take appropriate action whenever student behavior is not consistent with established rules of conduct.

Principals and teachers of the schools shall develop reasonable, proper, and specific rules for students. Such rules are detailed in the Code of Student Conduct and are based on the policies of the Board and are directed toward the improvement of education within the schools. Principals shall be responsible for ensuring that students, parents/guardians, and staff members have been informed regarding pertinent student policies and procedures. Rules and regulations shall be disseminated to students, parents/guardians, and staff. Student handbooks, faculty handbooks, school newsletters, PTA/PTO/PTSO meetings, and classroom instruction are some of the ways that can be used to accomplish this task. These documents are available through district and local school websites.

Hoover City Board of Education students and their property are subject to all the rules and regulations of the Hoover City Board of Education during the school day, during school-sponsored activities, while on or in School Board property and facilities, while being transported on school buses, and at times and places, including but not limited to, school-sponsored events, field trips, athletic functions, and other school-related activities. All regulations and prohibitions also apply to automobiles and other property brought onto Board property. In addition to the foregoing, application of this Code of Student Conduct may be extended to the immediate vicinity of the school, as well as before, during, and after-school hours when and where student conduct could have a detrimental effect on the health, safety, and welfare of other students and the school or where the conduct could otherwise disrupt the educational process.

**Student behavior involving drugs, alcohol, weapons, or violence will be subject to serious disciplinary consequences and will be reported to the School Resource Officer or other law enforcement authorities if appropriate.**

## **STUDENT RIGHTS AND RESPONSIBILITIES**

The Board views the school as a place where students have the opportunity to experience academic and social success. Success contributes to positive student self-esteem, which, in turn, translates into positive student behavior. By providing opportunities for students to learn concepts, practice skills, and reinforce learning, a positive environment shall be created which promotes academic and social success.

The total school program focuses on developing each student into a competent, self-disciplined and self-directed learner of good character. Thus, emphasis is placed on teaching responsibility for one's behavior, modeling the behaviors desired of students, and identifying and resolving inappropriate behaviors. At all times, discipline is built within an atmosphere of self-respect, respect for others, and respect for the learning environment.

School policies are intended to allow for opportunities for students to develop self-discipline while providing boundaries within which individuals find emotional and physical security. It is essential that all persons (students, school personnel, and parents) accept responsibility for their actions. It is equally important that inappropriate behaviors be appropriately confronted and redirected.

Students must understand that, while these policies provide a means for resolving misconduct or inappropriate behaviors, certain violations will result in removal from the regular instructional program. In all such cases, and throughout all other phases of school activities, students and parents have a right to expect assistance from and professional involvement with school personnel.

Students, parents, and staff must work cooperatively to support the rights of students while helping students accept responsibility for their academic and social growth.

The Board authorizes the Superintendent to establish procedures to accomplish the intent and spirit of Board policies related to student rights and responsibilities.

## **DISCIPLINE PROCESSES**

Procedural due process, to the extent of its applicability in any particular situation, shall be afforded students prior to imposing consequences. Due process afforded shall be commensurate both with the gravity of the offense and with the severity of the contemplated penalty.

The Board expects all school personnel, including bus drivers, lunchroom personnel, custodians, office staff, and substitutes to be treated with respect and dignity. It is imperative that the teacher be in charge of the class; anything less would lead to a poor educational opportunity for all. All schools in the Hoover School System operate on a "closed campus" policy. This means students must stay in the school building or on the campus from the time they arrive, even if the daily schedule has not begun, until they are dismissed. All staff

members are responsible for the supervision of students anywhere on school property as well as at any school activities away from school property and have the authority to require students to meet behavior expectations. Hoover City Schools students who fail to follow the discipline policy on all Hoover City Schools' property, while riding on a Hoover City Schools' bus, or participating/attending extracurricular activities on or off campus will be subject to the discipline process.

Students are expected to behave in a respectful, responsible, and resourceful manner while traveling on a Hoover City Schools' bus. Any behavior that has the potential to compromise bus safety will be considered a serious violation of these behavior expectations.

### **Discipline Process: Classroom Management Level**

The greatest opportunity for students to demonstrate self-esteem, self-discipline, and respect for others occurs in the classroom under the direction of the classroom teacher. Teachers shall plan and implement effective instructional strategies that are designed to encourage self-respect and respect for others and to prevent and manage student misbehavior.

When a student shows a lack of respect for established rules, teachers shall assist the student in recognizing the inappropriate actions, identifying the rule the student is breaking, and developing a plan for making more appropriate choices. Teacher/student conferences, teacher/parent/guardian conferences, teacher/student/parent/guardian conferences, counseling services, and instructional support will be used as is appropriate in an attempt to redirect student behavior. Classroom management will prioritize a learning environment that is safe and supportive for all students and faculty.

Teachers shall apply logical, appropriate consequences for student misbehavior, including, but not limited to, immediate intervention, student conferences, parent/guardian conferences, loss of free time, and before and after school detention. Student misconduct which is serious or frequent enough to cause significant disruption in the instructional program shall be referred to an administrator for appropriate disciplinary action.

### **Discipline Process: Administrative Level**

The principal is ultimately responsible for the orderly operation of the school program. The principal, with the assistance of his/her staff, will maintain an atmosphere or climate within each school that will support and allow for a strong teaching/learning environment. Failure of any student to adhere to classroom or school rules may result in appropriate consequences by the principal/ designee. Consequences which require students to attend school during non-school hours will be assigned with adequate student/parent/guardian notification prior to the consequence, and transportation will be the responsibility of the parent/guardian or student. Such consequences may include, but are not limited to, the following and are not listed in priority order:

- Supervised Plan for Correction of Misbehavior;
- Detention;



- Bus Suspension;
- Friday Night/Saturday School;
- Supervised Work/Clean Up Program;
- Restitution for Damages of HCS property;
- Supervised Time Out;
- Required Parent Conference;
- Intensive School Supervision (ISS);
- Long term ISS;
- Alternative Class;
- Out of School Suspension (OSS);
- Alternative Program Placement (2C);
- Recommendation for Expulsion.

A principal has the authority to prohibit any item or action that he/she deems interferes with maintaining a safe, orderly, or effective learning environment. Such specific prohibitions should be communicated to staff, students, and parents as soon as possible after the administrative decision is made.

### **Discipline Process: Special Role of School Resource Officer**

The School Resource Officers assigned to Hoover City Schools assist school officials with school safety. These officers often talk with students in matters concerning student behavior, counseling, or other appropriate matters. The day-to-day conversations and interactions between students and the School Resource Officer are not to be construed as “interviews” and do not require prior parent approval. For any violation of the Code of Conduct that is a crime or potentially a crime, the School Resource Office will operate in his/her capacity as a law enforcement officer. The assignment of all disciplinary consequences is the responsibility of the school administrator.

### **SAFE AND DRUG FREE SCHOOLS**

Hoover City Schools are committed to providing learning environments free from alcohol, drugs, controlled substances and weapons. The Code of Conduct includes serious consequences for those who violate its provisions relating to drugs, alcohol, controlled substances and weapons. The possession, use, sale, attempted sale, attempted possession or any other involvement with tobacco, drugs, alcohol, controlled substances, or dangerous instruments/weapons will not be tolerated and will subject the violating individual to immediate disciplinary action up to and including expulsions for students. Such prohibition applies not only to firearms, guns, deadly weapons or dangerous instruments carried by a person, but extends also to said prohibited items in automobiles, personal items such as purses or backpacks, or otherwise in the actual possession of any person. Any violations regarding firearms will result in involvement by appropriate law enforcement authorities and will result in a recommendation for expulsion from the school system to the School Board.

## **DESCRIPTIONS OF CONSEQUENCES FOR INAPPROPRIATE BEHAVIOR**

### **Consequences: Supervised Plan for Correction of Misbehavior**

A supervised plan for correction of misbehavior may be designed to address persistent, disruptive, or continued disregard for general school rules. This plan will be designed by the school administrative team and documented in the student's discipline record.

### **Consequences: Detention**

A student may be detained for disciplinary purposes before, during, or after school and will be under the supervision of a certified school staff member.

### **Consequences: Bus Suspension**

A student who commits a Class I, II, or III Offense on the bus or at the bus stop may lose the privilege of riding the bus for a period of time. The period of time that a student is suspended from riding the bus may range from one day to permanent removal of bus riding privileges. Bus suspension does not replace consequences for the student's violation of the Code of Conduct but is assigned in addition to disciplinary consequences because any disruption on the school bus can distract the bus driver and compromise the safety of other riders.

### **Consequences: Friday Night/Saturday School**

A student may be assigned Friday night or Saturday School from one to four hours and will be under the supervision of a certified school staff member.

### **Consequences: Supervised Work/Clean-up Program**

A student may be assigned to a school work/clean-up program for disciplinary purposes and will be supervised by a certified Hoover City Schools staff member assigned by an administrator.

### **Consequences: Restitution for Damages**

A student or his/her parent may be assessed the exact amount of replacement, repair, and/or service costs from discipline violations that result in damage to school property. In addition, disciplinary action may be taken. A parent/guardian contact will be made and a payment schedule determined by the student, parent/guardian, administrator, and other appropriate persons. If restitution is not made, the Assistant Superintendent of Administration will be notified for further action. Hoover City Schools is not responsible for restitution when a student's personal property is damaged or lost due to the action of another student.

### **Consequences: Supervised Time-Out**

A student may be temporarily removed from regular classes for disciplinary purposes. The student will have the opportunity to complete missed work.

### **Consequences: Required Parent Conference**

A student whose behavior requires parental/guardian intervention may be asked to remain at home until a conference is convened with the student, a parent/guardian, and an administrator.

**Consequences: Intensive School Supervision (ISS)**

A student may be temporarily denied attendance in regular classes for disciplinary purposes. A student assigned to ISS will continue to come to school and receive credit for completed assigned work; however, he/she will be isolated from the school's student population. While in ISS, a student may not attend any school district activities until the ISS assignment is completed. Parent/guardian notification of the ISS placement will be made.

**Consequences: Long-Term ISS/Alternative Class**

Long-term ISS/Alternative Class is designed for students whose behavior warrants removal from the regular school program for an extended period of time (typically from 10 -25 days). While assigned to long-term ISS/alternative class, students may be required to wear a designated "uniform," and parents may be required to transport students to and from school. Students will be prohibited from attending or participating in any school district activities during the time assigned to long-term ISS/alternative class. Students will receive credit for all work completed during the assigned long-term ISS/alternative class placement.

**Consequences: Out of School Suspension (OSS)**

A student may be temporarily denied attendance at school for disciplinary purposes. A school administrator may assign out-of-school suspensions. Students served by an Individual Education Plan are limited by law to a maximum number of days of out of school suspension in a given year. A suspended student shall not attend school or any school-related activities on or off Hoover City Schools property during the suspension nor enroll in another Hoover City school until the suspension is completed. A suspended student will not return to regular classes on the day of the suspension but will leave school only when the parent/guardian or other proper authority assumes responsibility for the student. A school conference shall be convened prior to the student returning to classes and will include the student, a parent/ guardian, an administrator, and other appropriate persons.

Suspended students will be provided the opportunity to make up and receive credit for major projects and major tests that were missed. Grade level counselors may work with teachers to determine assignments that will be accepted and will communicate this to students.

**Consequences: Second Chance Alternative School Placement (2C)**

Under certain conditions, the Board authorizes the placement of students in the Hoover City Schools alternative school program, called Second Chance (2C), as a lesser consequence than expulsion. This program may be housed in a facility separated from any of the regular school programs. Students assigned to 2C will be suspended for 1 to 3 days during which a required Intake Conference must occur before the student begins the 2C placement.

Second Chance (2C) is a program designed for students who commit Class III offenses, continue a pattern of Class II offenses, transfer to Hoover City Schools with an unserved alternative placement pending, or have been arrested for a felony that has not completed adjudication through the judicial system. Parents/guardians of all students placed in the Second Chance Program will be given written information and rules for the program at the required Intake Conference with designated Alternative School personnel. The student and a parent or legal guardian, as determined by school records, must be present together for the Intake

Conference. While assigned to the program, students are not allowed to return to their base school or any Hoover school, nor are they allowed to participate in any extracurricular activities. While attending 2C, students are required to wear a designated school uniform. Transportation to 2C is the sole responsibility of the parent/guardian who must identify in writing a transportation provider who is 21 years of age or older. Students assigned to 2C may not transport themselves to school. Continued Code of Conduct violations by a student while assigned to 2C may warrant a recommendation for expulsion.

### **Consequences: Recommendation for Expulsion**

Serious misconduct or continuing misconduct of any student may be referred to the Superintendent or designee with a recommendation for expulsion. After review of the case, the Superintendent or designee may uphold the recommendation or refer the case back to the principal for reconsideration.

The Board has the exclusive authority to expel a student from school. The Board shall convene a hearing and shall render a decision within ten (10) academic days of the Superintendent's recommendation to expel. A student shall remain suspended from school pending the decision. The Superintendent or designee shall notify the parent/guardian, in writing, of action taken by the Board.

### **APPEALS**

Students charged with and disciplined under Class I or Class II procedures will not have the right to appeal any decision beyond the local school level.

Class III consequences may be appealed to the Superintendent or designee. Procedures for appealing Class III consequences are defined in the Code of Conduct under the heading "Complaints, Grievances, and Appeals."

Class III offenses resulting in an expulsion recommendation by the Superintendent to the Board of Education may be appealed to the Board prior to Board members voting on the expulsion recommendation.

### **MISCONDUCT**

Violations of the Code of Student Conduct are generally grouped into categories of increasing severity- Class I Offenses, Class II Offenses, and Class III Offenses. Because the Code of Student Conduct applies to all students in Hoover City Schools, kindergarten through 12th grade, administrators determine the level of the offense and disciplinary consequences based on multiple factors, including the age of the student, and have the discretion to apply the disciplinary process accordingly.

Some problems are best handled by classroom personnel without resorting to the more formal procedures contained within this Code of Student Conduct. Accordingly, each classroom teacher may deal with general classroom disruption by taking in-class disciplinary action, by making oral or written contact with the child's parent or guardian when feasible, and by

scheduling conferences with parents, guardians, and other school staff. If the action taken by the teacher is ineffective or the disruption is, in the teacher's judgment, sufficiently severe, the student may be referred to the principal or his/her designee.

When a student is referred to the principal or his/her designee, the principal will have the discretion to determine the nature and classification of the offense committed by the student. Each student will be allowed due process to provide an explanation – to admit or refute any charges – prior to any final disciplinary action taken.

For any offense for which an in-school parent conference is required, it is the parent's or guardian's responsibility to make arrangements for the conference within twenty-four (24) hours of being notified of the problem. The administrator will advise the parent/guardian whether a conference is required before the student returns to school.

For offenses which are being investigated as a Class III offense, the principal or designee should apprise the student of the suspected or pending charges and should provide the student with an opportunity for due process to admit or refute those charges. Any charges involving alcohol, drugs, weapons, violence, or a suspected crime may result in intervention by law enforcement authorities. Any items of a dangerous or illegal nature may be confiscated and turned over to law enforcement authorities immediately.

Student misbehaviors that occur during school, on school property, or on school buses, or at school-sponsored or related events are serious and require administrative intervention. While some misconduct would require repeated violations to be considered "serious," a single incident of other misconduct may warrant serious consequences. Students who break the law will also be reported to the police. Law enforcement action or the lack thereof does not dictate or govern school disciplinary action. The following list of misbehavior is not all inclusive.

## **CLASS I OFFENSES**

**(Repeated violations constitute a Class II Defiance of Authority)**

- 1.00 DISRUPTION OF THE LEARNING ENVIRONMENT** - Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom, or any similar grouping for instruction, which cannot be corrected by appropriate classroom management
- 1.01 UNEXCUSED TARDIES** – Each Middle/High School will use current tardy procedure.
- 1.02 BEHAVIOR INVOLVING VERBAL DISRESPECT OR INAPPROPRIATE LANGUAGE** - Including but not limited to insults, name-calling, jeering, embarrassing statements, "potty words," teasing, etc.
- 1.03 BEHAVIOR INVOLVING PHYSICAL DISRESPECT OR CONTACT** - Including but not limited to poking, prodding, tripping, pulling, drawing on, or other unwanted non-sexual physical contact

- 1.04 CLASS I BUS SAFETY INFRACTION** - See the section on Bus Safety Infractions.
- 1.05 INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION** - Including but not limited to extended or repeated hugging, kissing, patting, etc.
- 1.06 HORSEPLAY/SHOVING/RUNNING**
- 1.07 CONTINUED FAILURE TO BRING MATERIALS TO CLASS**
- 1.08 UNAUTHORIZED POSSESSION OF AUDIO AND/OR VIDEO DEVICES OR OTHER TECHNOLOGY DEVICES/MATERIALS**
- 1.09 FAILURE TO FOLLOW INSTRUCTIONS GIVEN BY A BOARD EMPLOYEE**
- 1.10 LITTERING ON SCHOOL PROPERTY, SCHOOL BUSES, OR OTHER SITES OF SCHOOL ACTIVITY**
- 1.11 NONCOMPLIANCE TO DRESS CODE** - See the section on Dress Code.
- 1.12 ANY OTHER VIOLATION WHICH THE PRINCIPAL MAY REASONABLY DEEM FALLS IN THIS CLASS**

**DISPOSITION OPTIONS FOR CLASS I INFRACTIONS AS DEEMED APPROPRIATE BY THE ADMINISTRATION (not ranked in order and can be more than one):**

- ADMINISTRATIVE INTERVENTION (Including Referral to Interventionist and/or Student Services)
- PARENT NOTIFICATION/CONFERENCE
- SUPERVISED PLAN FOR CORRECTION OF MISBEHAVIOR
- SUPERVISED WORK/CLEAN-UP PROGRAM
- DETENTION
- TEMPORARY REMOVAL FROM CLASSROOM
- INTENSIVE SCHOOL SUPERVISION (ISS)
- FRIDAY NIGHT/SATURDAY SCHOOL
- SHORT TERM BUS SUSPENSION (1-5 DAYS)
- OTHER REASONABLE CONSEQUENCE DEEMED APPROPRIATE BY THE ADMINISTRATION

## **CLASS II OFFENSES**

- 2.00 DEFIANCE OF AUTHORITY** - Any verbal or nonverbal refusal to comply with a lawful and reasonable directive or order of a school board employee; Non-compliance with the HCS Code of Conduct.

- 2.01 POSSESSION AND/OR USE OF TOBACCO PRODUCTS, INCLUDING LIGHTERS, MATCHES, ELECTRONIC CIGARETTES, VAPES, AND OTHER SIMILAR/RELATED PRODUCTS** – Unidentified substances intended to be used with electronic cigarettes and/or vapes may be classified as a drug and coded as a Class III.
- 2.02 VERBAL ALTERCATION** – An argument between individuals which disrupts the learning environment or has the potential to create a violent situation.
- 2.03 VANDALISM** - Intentional and deliberate action resulting in or having the potential to result in damages of less than \$200.00 to public property or the real estate or personal property of another. Restitution for HCS property will be required.
- 2.04 THEFT (amounts equal to or less than \$100)** - The intentional taking and/or carrying away of property belonging to someone else without that person's express permission. Restitution will be required for theft of HCS property.
- 2.05 POSSESSION OF STOLEN OR LOST PROPERTY** – Possession of any property that does not belong to the person in possession.
- 2.06 TRESPASSING** - Willfully entering or remaining in any Hoover City Board of Education structure, school bus, or school property without being authorized, licensed, or invited; or having been authorized, licensed, or invited, is warned by an authorized person to depart and refuses to do so or who remains in a HCS structure, school bus or on Hoover City School property without express permission of school authorities.
- 2.07 POSSESSION OF PROHIBITED ITEMS** - Including but not limited to items which have been determined to be nuisance items, items that are distractions to the educational process, food/drink outside designated areas, certain types of foods/drinks, or items which can be harmful to others etc..
- 2.08 FAILURE TO SERVE SCHOOL-BASED DISCIPLINE ASSIGNMENT SUCH AS DETENTION, SATURDAY SCHOOL, ETC.**
- 2.09 USE OF PROFANE, OBSCENE, DEROGATORY, OR INFLAMMATORY LANGUAGE OR GESTURES TOWARD ANOTHER STUDENT OR AS A GENERAL CONVERSATION, OUTBURST, OR STATEMENT/GESTURE**
- 2.10 LEAVING SCHOOL BUILDING AND/OR GROUNDS WITHOUT PERMISSION**
- 2.11 DISRESPECT** - Any verbal or nonverbal conduct of a rude or discourteous nature directed toward a school board employee or another adult at the school.



- 2.12 FALSE INFORMATION** - Intentionally providing false information to a School Board employee including giving false student information or concealment of information directly relating to school business. Intentionally providing false or misleading information or withholding information regarding a school investigation. Submitting false/forged documents, including but not limited to absence excuses, tardy slips, excuse slips, report cards, hall passes, field trip forms, notes from parents or guardians, or any other material required by the school.
- 2.13 IDENTIFICATION WITH OR PARTICIPATION AT SCHOOL OR AT SCHOOL-SPONSORED ACTIVITIES IN AN UNAUTHORIZED ORGANIZATION OR GROUP** – Including but not limited to groups, gangs, or clubs which exhibit or promote drug use, violence, criminal or disruptive behavior. Prohibited activity shall also include, but not be limited to, wearing clothing or other attire which has an identifiable name or identifying sign or symbol of an unauthorized organization or group, the possession of writings or drawings that indicate affiliation with unauthorized organizations or groups, and the use of gestures or signals which indicate affiliation with unauthorized organizations or groups.
- 2.14 THREAT, HARASSMENT, BULLYING, OR INTIMIDATION OF A STUDENT OR ADULT** Verbal or nonverbal behavior that causes physical and/or emotional harm to another or disrupts the learning environment. Such behavior may include, but is not limited to, teasing, taunting, threatening, hitting, stealing or destroying personal property.
- **Threat** includes causing another person to be fearful for his/her physical safety
  - **Harassing behavior** includes unwanted, unwelcome and uninvited behavior, including cyber bullying, that demeans, threatens or offends the victim and results in a hostile environment for the victim.
  - **Cyberbullying** includes, but is not limited to, the use of email, text messages, picture messaging, video messaging, instant messaging, social networking sites, and all other forms of electronic communication to spread rumors, harass, intimidate, or threaten another student.
  - **Bullying** behavior is when someone, or a group of people, upset or create a risk to another person's health and safety – either emotionally, psychologically, or physically – or their property, reputation or social acceptance on more than one occasion.
    - *Bullying* occurs when someone repeatedly and on purpose says or does mean or hurtful things to another person.
    - *Bullying* behavior that is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory handicap, or by any other distinguishing characteristic will not be tolerated.
  - **Intimidation** includes but is not limited to the use of threats, insults, or aggressive behavior to frighten, coerce, or force compliance.

Threat, Harassment, Bullying, or Intimidation are serious offenses that should be reported immediately. Administrators, counselors, parents, and others as appropriate,



should collaborate on a written plan of action which includes documented follow-up review to address this behavior.

Threat, Harassment, Bullying, or Intimidation events that occur off campus, but are disruptive to the school learning environment, may be subject to investigation and discipline by school administrators.

- 2.15 VERBAL ABUSE** - Speech or other expression which insults, degrades, demeans, or stigmatizes others. Repeated verbal abuse is bullying, intimidation, or harassment.
- 2.16 VIOLATION OF THE STUDENT NETWORK ACCESS AND ACCEPTABLE USE AGREEMENT** - Technology Acceptable Use Agreement can be found on the Hoover City Schools website at <http://www.hoovercityschools.net/StudentAUA>
- 2.17 POSSESSION OR ACCESSING VIA THE USE OF SCHOOL RESOURCES TO INCLUDE EQUIPMENT AND/OR DISTRICT WI-FI OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL**
- 2.18 THE UNAUTHORIZED USE OF ELECTRONIC DEVICES.** Unauthorized video and picture taking and/or sharing on Hoover City Schools property/bus or at any school-related event.
- 2.19 ACADEMIC DISHONESTY**– Unauthorized copying or sharing another’s work; using unauthorized materials on quizzes/tests, etc.; unauthorized sharing of material through use of electronic devices is academic dishonesty.
- 2.20 USE OF UNAUTHORIZED WIRELESS/ELECTRONIC DEVICES** - Students are not permitted to use wireless/electronic devices during school hours or while being transported on a school bus without express permission from the school principal or designee.
- 2.21 GAMBLING** - Any participation in unauthorized games of chance or unauthorized possession of items used in games of chance
- 2.22 CLASS II BUS SAFETY INFRACTION** - See section on Bus Safety Infractions.
- 2.23 DISRUPTIVE BEHAVIOR**- Any act which disrupts the orderly conduct of the school learning environment or a school function or poses a threat to the health, safety and/or welfare of students, staff or others.
- 2.24 INTENTIONAL PHYSICAL AGGRESSION**
- 2.25 BEING TRUANT FROM CLASS OR SCHOOL** – Not being in the scheduled location at the scheduled time for the scheduled duration, i.e. “Skipping”

- 2.26 MULTIPLE OR CONTINUOUS CLASS I OFFENSES** – Pattern of non-compliance with Code of Conduct over a period of time
- 2.27 INCITING, PROMOTING, PUBLICIZING, OR PARTICIPATING IN A STUDENT DISORDER** – Leading, encouraging, or assisting in disruptions to the school environment that do not result in damage of private or public property or personal injury to participants or others.
- 2.28 EXCESSIVE OR REPEATED INAPPROPRIATE DISPLAY OF AFFECTION OR INAPPROPRIATE PHYSICAL CONTACT**
- 2.29 REFUSAL BY STUDENTS TO HONOR THE REASONABLE REQUEST MADE BY HOOVER BOARD EMPLOYEES OR DESIGNEES**
- 2.30 ANY OTHER VIOLATION WHICH THE PRINCIPAL MAY DEEM FALLS IN THIS CLASS**

**DISPOSITION OPTIONS FOR CLASS II INFRACTIONS AS DEEMED APPROPRIATE BY THE ADMINISTRATION (not ranked in order and can be more than one):**

- **ADMINISTRATIVE INTERVENTION**
- **PARENT NOTIFICATION/CONFERENCE**
- **SUPERVISED PLAN FOR CORRECTION OF MISBEHAVIOR**
- **SUPERVISED WORK/CLEAN-UP PROGRAM**
- **REQUIRED PARENT CONFERENCE**
- **FRIDAY NIGHT/SATURDAY SCHOOL**
- **INTENSIVE SCHOOL SUPERVISION (ISS)**
- **LONG TERM ISS/ALTERNATIVE CLASS**
- **OUT OF SCHOOL SUSPENSION (OSS)**
- **EXTENDED OR PERMANENT BUS SUSPENSION**
- **RESTITUTION FOR HCS PROPERTY**
- **OTHER REASONABLE CONSEQUENCE DEEMED APPROPRIATE BY THE ADMINISTRATION**

## **CLASS III OFFENSES**

Items marked by an asterisk \* require mandatory alternative placement or recommendation for expulsion.

- 3.00\*** **ALCOHOL** – Unauthorized possession, transfer, use or sale of alcoholic beverages; intent to use, buy, or sell alcoholic beverages; being under the influence of alcoholic beverages.
- 3.01\*** **DRUGS/DRUG PARAPHERNALIA** – Unauthorized possession, transfer, use or sale of drugs or drug paraphernalia; intent to use, buy, or sell drugs/drug paraphernalia; being under the influence of drugs. “Drugs” also includes all illegal controlled substances,

synthetic drugs, prescription drugs, large quantities of over-the-counter medications, and over-the-counter medications that must be released for purchase by a pharmacist or the sale of which is restricted based on the purchaser's age. Possession of any other substance which might create a hazard to the user's health or safety or the health or safety of another is prohibited.

- 3.02\* **ARSON** – The burning of any part of a building or its contents and/or other school property or the property of a person on school grounds or school buses.
- 3.03\* **ASSAULT UPON A SCHOOL BOARD EMPLOYEE**– The intentional physical aggression, touching or striking of a school board employee against his/her will or the intentional causing of bodily harm to a school board employee.
- 3.04\* **ROBBERY** – Taking money or other property from a person by force and/or intimidation
- 3.05\* **THEFT/LARCENY (amounts EXCEEDING \$100)** – The intentional taking and/or carrying away of property belonging to or in the lawful possession or custody of another. Restitution will be required for theft/larceny of HCS property.
- 3.06 **AGGRAVATED MISCHIEF** – Willful and malicious injury or serious damage to public property, or to real or personal property belonging to another. Restitution will be required for HCS property.
- 3.07 **ILLEGAL SCHOOL ENTRY** – Breaking, entering or remaining in a Hoover School structure or school vehicles without permission or justification during the hours the premises are closed to the public.
- 3.08\* **POSSESSION OF FIREARMS** – Discharge, possession, transfer, or sale of any gun or any firearm or any device which will, or is designed to, or may readily be converted to expel a projectile; any similar destructive device. **Using a firearms facsimile in a manner which is perceived as threatening or capable of inflicting physical harm.** A firearm is any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapons, any firearm muffler, or firearm silencer, any destructive device; or any machine gun. A destructive device is any bomb, grenade, mine, rocket, missile, pipebomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage. Includes firearms of any kind (loaded or unloaded). Includes, but is not limited to, handgun, zip gun, pistol, rifle, shotgun, starter gun, or flare gun.

***AL Code 16-1-24.3 – 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...***

- 3.09\* POSSESSION OR USE OF A KNIFE** - Possession of a knife including but not limited to: pocket knives, switchblades, hunting knives, razor blades, or box cutters. Reported or discovered possession of any knife or other object which can be used in a threatening manner and which is perceived by the individual being threatened as capable of inflicting physical harm.
- 3.10\* POSSESSION OR USE OF PROHIBITED OBJECTS** - Possession or use of a gun, other than a firearm (including, but not limited to, "BB" gun, pellet gun, paintball gun/marker, or airsoft gun), metallic knuckles, tear gas gun, chemical weapon or device, martial arts weapon, projectile device including, but not limited to, slingshot, crossbow, taser, or any other similar object; possession or use of any other object that can be used as a weapon or dangerous instrument. Possession of an unidentified or unidentifiable substance.
- 3.11\* BOMB THREATS** – Any such communication(s) which has the effect of interrupting the educational environment.
- 3.12\* EXPLOSIVES** – Preparing, possessing, or igniting on School Board property, explosives (including live projectiles) which have the potential to cause bodily injury or property damage.
- 3.13\* POSSESSION OF FIREARMS FACSIMILES** - Discharge, possession, transfer, or sale of any facsimile or toy-type replica of a firearm or any other item resembling a firearm.
- 3.14\* SEXUAL OR LEWD ACTS** – Acts of a sexual or lewd nature including, but not limited to, battery, intercourse, attempted rape, rape, or indecent exposure.
- 3.15\* ASSAULT UPON STUDENT OR OTHER PERSON** – Intentionally striking another student or other person against that person's will.
- 3.16\* AGGRAVATED ASSAULT** – Intentionally causing bodily harm, disability, or permanent disfigurement; use of a weapon or other instrument causing physical harm.
- 3.17 UNJUSTIFIED ACTIVATION OF A FIRE ALARM SYSTEM**
- 3.18 ANY OTHER OFFENSE WHICH IS REASONABLY LIKELY TO CAUSE HARM TO PERSON OR PROPERTY OR SERIOUSLY DISRUPT THE EDUCATIONAL PROCESS.**
- 3.19\* AGGRAVATED THREAT, HARASSMENT, BULLYING OR INTIMIDATION OF A STUDENT OR ADULT-** A threat to do bodily harm or violence to another student by word or act; a threat to kill, maim or inflict bodily harm; a threat to inflict harm involving the use of any weapon, explosive, firearm, knife, prohibited object, or other object which may be perceived by the individual being threatened as capable of inflicting bodily harm;

- **Violation of the Anti-Harassment Policy** - policy required by Alabama’s anti-bullying law (See the section on Anti-Harassment Policy)
- **Aggravated Threat** stated or written intent to do harm to another person
- **Aggravated Harassment** includes repeated, unwanted, unwelcome and uninvited behavior, including cyberbullying, that threatens the victim and results in the victim feeling fear for his/her physical safety.
- **Aggravated Cyberbullying**; any threat in the form of a “hit list,” writing, statement, or communication evidencing a plan or intent to do violence to another. Cyberbullying includes, but is not limited to, the use of email, text messages, picture messaging, video messaging, instant messaging, social networking sites, and all other forms of electronic communication to spread rumors, harass, intimidate, or threaten another student.
- **Aggravated Bullying** behavior is when someone, or a group of people, create a risk to another person’s health and safety, either emotionally, psychologically, or physically, or their property, on more than one occasion.
  - *Bullying* occurs when someone repeatedly and on purpose does mean or hurtful things to another person.
  - *Bullying* behavior that is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory handicap, or by any other distinguishing characteristic will not be tolerated.
- **Aggravated Intimidation** includes but is not limited to the use of threats or aggressive behavior to frighten, coerce, or force compliance.

Threat, Harassment, Bullying, or Intimidation that occur off campus but not at school activities/events but which disrupts the school learning environment in any way are subject to investigation and discipline by school administrators.

**Aggravated Threat, Harassment, Bullying, or Intimidation are serious offenses that should be reported immediately. Administrators, counselors, parents, and others as appropriate should collaborate on a written plan of action which includes documented follow-up review to address this behavior both in the alternative setting and once the student is released back into the general school population.**

- 3.20 THREATS TO EXTORT** - Any communication maliciously threatening an injury to the person, property or reputation of another, with the intent to extort money or any monetary advantage whatsoever; or with the intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against his/her will.
- 3.21\* EXTORTION** – Compelling someone by threat or physical injury to pay money or otherwise do an act or refrain from doing an act against his/her will.
- 3.22\* INCITING, PROMOTING, PUBLICIZING, OR PARTICIPATING IN A MAJOR STUDENT DISORDER** – Leading, encouraging, or assisting in disruptions which result

in destruction or damage of private or public property or personal injury to participants or others.

**3.23 UNAUTHORIZED USE OF A COMPUTER OR COMPUTER SYSTEM WHICH RESULTS IN, BUT IS NOT LIMITED TO, THE FOLLOWING:**

- (a) Unauthorized access to a computer system resulting in data modification or disclosure of restricted information.
- (b) Computer usage or tampering which causes a major disruption in the educational or administrative process. Student must also pay restitution for the cost of repairs.
- (c) Distribution of restricted computer passwords.
- (d) Unauthorized access to computer sites.
- (e) Other computer violations as defined by the school administration.

Technology Acceptable Use Agreement can be found on the Hoover City Schools website at <http://www.hoovercityschools.net/StudentAUA>

**3.24 POSSESSION/USE/LIGHTING OR OTHERWISE DISCHARGING OF FIREWORKS, FIRECRACKERS, STINK BOMBS, BULLETS, OR OTHER SIMILAR DEVICES -**

Possession or use of any device/object that can cause injury or creates a situation of panic, fear, threat, or other potentially unsafe environment

**3.25 DIRECTING OBSCENE OR PROFANE LANGUAGE OR GESTURES TOWARD A SCHOOL BOARD EMPLOYEE OR ANY OTHER ADULT AT THE SCHOOL**

**3.26\* HAZING AT SCHOOL OR AT SCHOOL SANCTIONED EVENTS, WHICH IS DEFINED AS FOLLOWS:**

- (a) Any willful action taken or situation created which recklessly or intentionally endangers the mental or physical health of any student.
- (b) Any willful act by any person alone or acting with others in striking, beating, bruising, or maiming; or threatening, or attempting to strike, beat, bruise or maim or to do or threaten or attempt to do physical violence to any student of any educational institution or any assault upon any such student made for the purpose of committing any of the acts or producing any of the results to such student as defined herein.

**3.27\* DISPLAY OR DISTRIBUTION OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL –** Including having this material visible where others can intentionally or unintentionally see it

**3.28 IMITATION CONTROLLED SUBSTANCES –** Unauthorized possession, transfer, use or sale of a substance other than a drug, which, by dosage unit, appearance (including color, size, shape, and markings), and/or by representations made, would lead a reasonable person to believe that the substance is a controlled substance.

- 3.29 CLASS 3 BUS SAFETY INFRACTION - ANY ACT ON A SCHOOL BUS THAT HAS THE POTENTIAL TO CAUSE HARM TO THE PASSENGERS, DRIVER, OR PROPERTY SURROUNDING THE BUS**
- 3.30 MULTIPLE/ CONTINUOUS CLASS II OFFENSES - Pattern of continued defiance of Code of Conduct**
- 3.31\* SEXUAL HARASSMENT INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: OFFENSIVE TOUCHING WITH SEXUAL CONNOTATIONS, WRITTEN OR VERBAL PROPOSITIONS, ENGAGEMENT IN SEXUAL ACTS, USE OF OBSCENE MANIFESTATIONS (VERBAL, WRITTEN, GESTURE) TOWARD ANOTHER PERSON**  
- Unwanted verbal, non-verbal, and/or physical contact of a sexual nature that occurs on multiple occasions or multiple times on one occasion or is of such a serious nature that it creates an environment of sexual harassment for another person or group of people
- 3.32\* CONTINUED ACTIVITIES THAT INDICATE GANG INVOLVEMENT AND WHICH CAUSE DISRUPTION ON THE SCHOOL CAMPUS, THE SCHOOL BUS, AND/OR SCHOOL-SPONSORED ACTIVITIES**
- 3.33\* FIGHTING - 2 or more students in physical conflict; potential/actual injury; potential/actual escalation involving other students; potential/actual major disruption**
- 3.34 PROVIDING FALSE INFORMATION OR WITHHOLDING INFORMATION THAT SERIOUSLY COMPROMISES A SCHOOL INVESTIGATION AND/OR HAS THE POTENTIAL TO COMPROMISE THE SAFETY OF ANOTHER INDIVIDUAL.**
- 3.35 THREAT OF OR ACT OF TERRORISM - Notification of law enforcement is required.**
- 3.36 ANY OTHER VIOLATION WHICH THE PRINCIPAL MAY REASONABLY DEEM FALLS IN THIS CLASS**

**DISPOSITION OPTIONS FOR CLASS III INFRACTIONS AS DEEMED APPROPRIATE BY THE ADMINISTRATION (not ranked in order and can be more than one)**

**REQUIRED FOR ALL CLASS III DISPOSITIONS – Parent/Guardian notification and face-to-face parent/guardian conference in addition to one or more of the of the following dispositions:**

- LONG TERM ISS/ALTERNATIVE CLASS
- OUT OF SCHOOL SUSPENSION (OSS)
- ALTERNATIVE SCHOOL PLACEMENT (2C)
- RECOMMENDATION FOR EXPULSION
- PERMANENT REMOVAL FROM SCHOOL BUS
- RESTITUTION FOR HCS PROPERTY - in addition to other consequence(s)



## **\*Mandatory Alternative Placement and/or recommendation for Expulsion**

### **DISCIPLINE AND STUDENTS WITH DISABILITIES**

Discipline of students with disabilities will be subject to applicable legal implications and requirements as determined by the Americans with Disabilities Act (IDEA), its associated regulations, and Section 504.

### **THREAT ASSESSMENT PROTOCOL**

The purpose of this protocol is to establish a procedure for members of the Hoover School System and community to work together to recognize and assess threats of violence in a school setting and, if possible, to prevent acts of violence from occurring. The protocol is intended to help school administrators and law enforcement officials identify credible threats of violence, establish procedures for addressing them, and develop guidelines for follow-up once a threat has occurred.

**Threatened Act of Violence:** Any threat or action that suggests the possibility that serious physical injury or death may be caused to another.

**Procedure:** The following procedure is separated into several sections to highlight the responsibilities of different members of the school community.

1. Any student, parent or guardian, or school staff member, upon receiving information that a person is threatening to commit an act of violence, shall:
  - ◆ Assume the threat is serious;
  - ◆ Immediately report the threat to a school administrator or law enforcement officer;
  - ◆ Take measures to preserve the evidence;
  - ◆ Be available and cooperative in providing a statement of information, with the understanding that the information source will remain anonymous to the greatest extent possible.
2. Any school administrator, upon receiving information that a person is threatening to commit an act of violence, shall:
  - ◆ Assume the threat is serious
  - ◆ Arrange for threat assessment interviews to be conducted
3. The SRO/police officer, upon receiving information that a person is threatening to commit an act of violence or upon notification from a school administrator that a threat to commit an act of violence has occurred, shall:
  - ◆ Assume the threat is serious;
  - ◆ Immediately notify a school administrator and provide complete information;



- ◆ Work with the school administrator to make arrangements for the threat assessment interviews to be completed.

### **Threat Assessment Interviews**

The primary purpose of the interviews are to engage in an assessment of the available information in an attempt to determine the veracity of the threat in order to decide what level of follow-up action is needed and appropriate.

- ◆ The school administrator will make arrangements for the threat assessment interview to be conducted at the time of the threat or as closely to the time of the threat as possible.
- ◆ Administrators will work with law enforcement personnel to determine an appropriate time to conduct the assessment if law enforcement determines there is need/cause for immediate removal of the student from the school campus.

Once the assessment is complete, the SRO/police officer and school administrator shall convene privately to discuss the threat and consider options for further assessment and follow-up action. If the result of the threat assessment indicates that the threat is credible, school administrators and the SRO will follow standard procedures regarding disciplinary actions for the student, notification of the parent, etc. Hoover City Schools will cooperate with law enforcement and diligently seek criminal prosecution for any incident involving threats of violence.

If the result of the threat assessment indicates that the threat is not credible, the school administrator will determine if any further action is necessary and contact the parents/guardians of the students involved in the incident.

## **RESTRAINT & SECLUSION NOTIFICATION AND PROCEDURES**

### Procedures for Implementing Alabama Rule Seclusion and Restraint of all Students

The Hoover City Board of Education utilizes physical restraint in a manner that complies with the Alabama State Board of Education rule 290-3-1-02(1)(f). Physical restraint, as defined by the state rule, may be used in situations in which a student is an immediate danger to himself or to others. Designated faculty and staff are provided with training in the appropriate use of physical restraint. In each instance that physical restraint is used, the student's parents will be provided with written notification of the incident.

#### 1. Definitions from Alabama Administrative Code:

**Chemical Restraint** refers to any medication that is used to control violent physical behavior or restrict the student's freedom of movement that is not a prescribed treatment for the student.

**Physical Restraint** is 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. School employees may provide limited physical contact and/or redirection to promote student safety or prevent self-injurious behavior, provide physical guidance or prompting when teaching a skill, redirect attention, provide guidance to a location, provide comfort, or provide limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.

Physical Restraint that restricts the flow of air to the student's lungs, including 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, is prohibited in Alabama public schools and educational programs.

**Mechanical Restraint**, the use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student, is prohibited. School employees may use adaptive or protective devices when recommended by a physician or therapist to promote normative body positioning, physical functioning, and/or to prevent self-injurious behavior. Seat belts and other safety equipment can be used to secure students during transportation.

**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, is prohibited. 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 below, in-school suspension, detention, or a student-requested break in a different location in the room or in a separate room.

**Time-Out** refers to a behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used when: (1) The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled; (2) The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the student, but should not exceed 45 minutes per time-out; (3) The student is reasonably monitored and in line of sight by an attending adult; and (4) The time-out space is free of objects that unreasonably expose the student or others to harm.

## 2. Requirements of the Seclusion and Restraint Rule:

- 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 or as a means to obtain compliance.

- 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.

## **SEARCHES**

### **Search of Property**

Desks, lockers, and other equipment at any school belong to the Board of Education. Any school property, including electronic devices, may be searched by school administrators or designee. Law enforcement agencies are allowed to make periodic, unannounced visits to any local school for the purpose of detecting the presence of illegal drugs or other justifiable reasons. These visits may be unannounced to anyone except the local Superintendent and building principal. Further, school property may be examined by the school administrator/designee for other justifiable reasons. Students' property such as backpacks, handbags, automobiles, electronic devices, etc., may be entered and searched by school administrators/designee whenever there is reasonable suspicion that some substance or material is contained therein which is illegal, harmful to the safety of students, or significantly disruptive to the overall discipline of the school or is evidence of a crime or violation of this code. Any items which are specifically prohibited by law or by Board policy may be impounded by school administrators/designee. Such prohibited items shall include, but not be limited to, the following: (1) knives of any size or type, including pocket knives, (2) other weapons, (3) tobacco, (4) drugs or drug paraphernalia of any sort, (5) alcoholic beverages, (6) pornographic material, (7) property that is alleged to belong to another party, and (8) unauthorized electronic devices (i.e., phones, iPads, etc.).

### **Search of a Student's Person**

When there is a reasonable suspicion that a search will yield evidence of a violation of law or Code of Student Conduct, an administrator or designee has the authority to conduct a search of a student's person, including the check of coats, jackets, and other outerwear, shirt and pants pockets, purses and wallets, shoes, caps and hats, and other such items. An appropriate law enforcement officer may be called to conduct the search of a student's person when an administrator has reasonable suspicion that the student is in possession of contraband, other items harmful to the health and safety of students and staff, or evidence of a crime or a violation of this code. The search shall be conducted in private by the police officer and in the presence of a school administrator or by a school administrator with another school employee present. Should items which are illegal or contrary to Board policy be found, the board's discipline process will be followed.

## **UNLAWFUL CONDUCT**

Misconduct that violates local, state, or federal laws and which occurs at school, on a school bus, or at a school-sponsored activity may result in notification of the appropriate law

enforcement agency. The Board reserves the right to file charges and to prosecute students engaged in conduct which violates local, state, or federal laws. If a student is arrested and charged with a felony or with a drug, alcohol, or weapons related misdemeanor, the school's disciplinary procedure, up to and including expulsion, may be implemented.

Unless otherwise modified in connection with Alabama Code 16-1-24.3, the Superintendent will recommend 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.

*Firearms*, as defined by Alabama State Department of Education Prevention and Support Services, is as follows: A firearm is any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapons, any firearm muffler, or firearm silencer, any destructive device; or any machine gun. A destructive device is any bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage. Includes firearms of any kind (loaded or unloaded). Includes, but is not limited to, handgun, zip gun, pistol, rifle, shotgun, starter gun, and flare gun.

## **DISCIPLINE CONSEQUENCES: Enrollment and Transfer Implications**

Students who withdraw from Hoover City Schools while under review for a Class II or Class III offense will resume this review should he/she choose to re-enter any Hoover school in the future. Upon re-entry to any Hoover school, pending disciplinary consequences will be enforced.

If a student transfers into a Hoover City school and is under disciplinary actions at his/her former school, the recommendation for disciplinary actions from the former school will be applied unless a Hoover administrator overrides the recommendation from the former school.

## **DRESS CODE**

The Hoover City Board of Education recognizes the effect of student dress upon safety and the learning environment. Parents have an important role in helping their children make appropriate choices regarding clothing, accessories, and personal appearance. In order to maintain a safe environment that is conducive to learning, attire considered disruptive or that seriously distracts from the learning environment or that could present a health or safety problem is not allowed. Failure to comply with the following rules will make the student subject to disciplinary action.

With this in mind, the following rules concerning dress and grooming are mandatory for all students attending Hoover City Schools. Students who fail to follow these rules will be subject to disciplinary action.

1. Any clothing, appearance, or personal hygiene and grooming practices that draw an inordinate amount of attention to the individual student are considered inappropriate for school. The dress and/or grooming style of any student must not interfere with the educational process of any Hoover City School.
2. Clothing should not reveal the body in an inappropriate manner. Examples: clothing which is too tight, too short, bare at the midriff, bare at the sides, sun dresses, "spaghetti strap" type tops, off-the-shoulder tops, tank tops, Racer-Back tops, low-cut front or back tops, sheer or see-through clothing, clothing worn backward or inside-out, pants worn too low (low riders), too long, or excessively large, etc. Legging/Jeggings are not considered pants. Undergarments should not be visible.
3. Excessively large clothing is not allowed.
4. Pants with holes above the knee are not appropriate.
5. Shorts must be hemmed and not shorter than mid-thigh when student is seated. The following types of shorts are not allowed: shorts that are torn or in disrepair, sweatshirt material, tennis shorts, spandex shorts.
  - High school students may wear athletic shorts.
  - Shorts Rule may be adjusted at the Elementary Level.
6. Length of dresses, skirts, etc., is required to be at the top of the knee front and back when standing or walking.
  - Length of dresses, skirts, etc. may be adjusted at the Elementary Level.
7. Students are not to wear jewelry, ornaments, or accessories which distract from the learning environment or may pose a safety risk/hazard (ex. excessively large, noisy jewelry and/or belts). Facial jewelry is not allowed for males or females. No decorative dental appliances (whether permanent or temporary) or decorative contact lenses will be allowed.
8. T-shirts or any other type clothing or personal item bearing a reference to alcoholic beverages, tobacco products, drugs, drug-related slogans, and/or any other wording, drawing, pictures, etc., which in any way can be interpreted as being "off-color," suggestive, obscene, or offensive, or relating to, death, the occult, etc. are not permitted.
9. Clothing and/or accessories which are disruptive or distracting to the learning environment or which identify a student as being a member of a gang, unauthorized organization, or any subversive or unlawful organization will not be allowed.
10. During the school day, students are not to wear or carry caps, hats, bandannas, sunglasses, or other inappropriate headwear (ex. Hoodie pulled up over head, ski hat, etc.).

11. Outerwear (coats, gloves, etc.) are not to be worn in the building during normal school time unless temperature or individual medical problems dictate this to be appropriate or the administrator approves it as appropriate.
12. Hair cannot obscure the student's face or impair the student's vision. Hair design or style which causes disruption to the learning process or that can be associated with unauthorized organizations is not allowed.
13. Extreme facial make-up, face painting, etc. that obscures the student's face or causes a disruption to the learning process is not acceptable.
14. Students are not to wear heavy metal chains, metal spiked apparel, or accessories, etc.
15. Students are required to wear shoes to school at all times. Boots with chains, steel toes, or other metal reinforcement or decorations are not allowed.
16. Gym style fleece sweat pants and basketball shorts may be worn at the elementary and high school level, but may not be worn at the middle school level. Such pants or shorts must conform to general dress code criteria with regard to being too large/sagging or too tight/revealing.
17. Clothing & accessories designed to conceal illicit objects are prohibited.

**NOTES:**

- The privileges offered under the school Dress Code may be withdrawn from any student who fails to meet the Code of Conduct in general.
- Students who violate the rules and/or intent of the Dress Code will be subject to consequences as well as having privileges allowed under the Dress Code withdrawn.
- If any aspect of the Dress Code becomes a consistent problem, appropriate adjustments will be made by the administration to address the situation.

**SCHOOL BUS BEHAVIOR EXPECTATIONS**

**Responsibilities of Students Transported on Buses**

The School Bus Behavior Expectations enhance safety for all students, staff, and general public. The school bus is considered an extension of the classroom, and all Hoover City School rules apply.

Because bus safety depends on the driver being able to operate the bus in a safe manner, any student behavior that causes the driver to be distracted from safely operating the bus will be reported to the school administrator for appropriate intervention and discipline and may result in the student being removed from riding the bus for a period of time. Any student behavior that necessitates the bus stopping for the driver to correct behavior, restore order, or request assistance from administrators or the police department will also result in the student being disciplined for the behavior and being removed from riding the bus for a number of days

appropriate to reflect the safety breach and/or severity or repeated nature of the behavior. Repeated violations of the bus behavior expectations will result in increased disciplinary consequences and time the student is removed from riding the bus or permanent revocation of bus riding privileges. Should misconduct on a Hoover school bus create a danger to the driver or students, the bus driver is authorized to drive immediately to the nearest school for removal of the student(s) creating the danger or pull the bus into a safe area and request assistance.

Students and parents/guardians should note the following information:

1. Transportation services are a privilege and inappropriate conduct can result in a loss of that privilege.
2. Bus drivers are in charge of their buses at all times. Students will respectfully follow the directions of the bus driver and behave in a responsible manner which demonstrates respect for property and consideration for others while riding the bus.
3. Transportation is available to all Hoover City students who live beyond the legally prescribed two (2) mile walking distance from their zoned school or those students with authorized exception; therefore only students authorized to ride the bus should do so. Students found to be riding the bus without authorization are in defiance of authority and will be disciplined accordingly.
4. Students are assigned to a particular school bus by the appropriate transportation personnel. **Students are not permitted to ride any bus other than their regularly assigned bus without written permission from a school administrator in coordination with the Transportation Department.** Students found to be riding the bus without authorization are in defiance of authority and will be disciplined accordingly.
5. There will be no transportation provided for students wishing to go to another address except upon written request by the student's parent/guardian and specific written permission from a school administrator in coordination with the Transportation Department. This special authorization only covers students authorized to ride a bus and will not displace any other student from their assigned bus.
6. The location of all bus stops will be determined at the discretion of the Transportation Department. All requests for a new/change bus stop location must be made to the Transportation Department.
7. Only students living along a bus route will be assigned to the bus serving that route.
8. Transportation is not provided for in-district or out-of-district transfer students.
9. Video cameras are placed on all school buses as a tool for school personnel to monitor behavior, and shall not limit the bus driver's authority or the discretion of school officials in implementing and enforcing the provisions of the Code of Student Conduct.



10. Any carry-on equipment (i.e., book bags, band instruments or uniforms, sports equipment or bags, science projects, school fundraiser items, personal items, etc.) must be held by the student owner or safely placed under the student's seat and must not interfere with either the seating or the safety of other students on the bus (i.e., block any emergency exits).

## **DISCIPLINARY INFRACTIONS PERTAINING TO STUDENTS TRANSPORTED ON BUSES**

Every student who utilizes transportation services is subject to the Code of Student Conduct. Violation of the Code of Student Conduct will result in disciplinary consequences and possible removal from riding the bus for a period of time or permanently.

### **Expectations for Student Behavior on Hoover School Buses**

- Always follow the bus driver's/aide's instructions.
- Show respect for everyone.
- Remain seated in your assigned seat, facing forward.
- Keep your head and arms inside the bus.
- Keep your feet and backpacks out of the aisle.
- Keep your hands, feet, books, pencils, etc. to yourself.
- Keep voice at a low volume (inside voice) so that the driver is not distracted and can hear traffic warnings or other danger alerts.
- No eating or drinking on the bus. (Administrator may approve for documented medical reasons.)

### **CLASS I: BUS SAFETY INFRACTIONS**

1. All Class I Offenses listed in the Code of Student Conduct
2. Failing to follow proper procedures at bus stops, including but not limited to the failure to do any of the following:
  - a. Walk on the left, facing traffic, to the bus stop and stay off the roadway at all times while waiting for a bus
  - b. Be at the bus stop ahead of the scheduled bus arrival time
  - c. Wait until the bus comes to a **COMPLETE** stop before attempting to get on or off
  - d. Cross the roadway, if necessary, after leaving the bus in the following manner:
    - i. Make certain that the bus is stationary.
    - ii. Upon exiting from the bus, stand on the side of the road at a point 10 feet in front of the bus and wait for the proper signal to cross.
    - iii. Upon signal from the driver, look to both the right and left and proceed across the roadway in front of the bus; never cross behind the bus!
3. Removing seat belts before coming to a complete stop on buses for exceptional education students
4. Bringing prohibited items aboard the bus including, but not limited to gum, candy, drink, and most toys - Exceptions are made for medically documented conditions
5. Moving from assigned seat - Seats may be assigned or be reassigned at any time. Students should remain seated facing forward with feet on the floor and legs out of the aisle from the time they board the bus until they arrive at their destination, and the bus door is opened.
6. Yelling or speaking in a loud or disruptive manner



7. Speaking when approaching or crossing railroad tracks
8. Blocking, restricting, or otherwise placing objects on or in the aisles, steps, or emergency exits
9. Failing to secure all items such as book bags, backpacks, and cases.
10. Using a cell phone or other electronic communication device on the bus without express permission of school principal or his/her designee
11. Any other violation which the principal may reasonably deem falls in this class

**DISPOSITION OPTIONS DEEMED APPROPRIATE BY ADMINISTRATION (not ranked in order and can be more than one);**

- **ADMINISTRATIVE INTERVENTION**
- **BUS SUSPENSION**
- **PARENT NOTIFICATION/CONFERENCE**
- **SUPERVISED WORK/CLEAN-UP PROGRAM**
- **FRIDAY NIGHT/SATURDAY SCHOOL**
- **DETENTION**
- **INTENSIVE SCHOOL SUPERVISION (ISS)**
- **OTHER REASONABLE CONSEQUENCE DEEMED APPROPRIATE BY THE ADMINISTRATION**

**CLASS II: BUS SAFETY INFRACTIONS**

1. All Class II Offenses listed in the Code of Student Contact
2. Entering or exiting before the bus has come to a stop; or entering or exiting a bus through an emergency exit, window, or by any means other than the front door, except in the case of a bona fide emergency.
3. Fighting, shoving, tripping, or striking another student or any other aggressive physical contact with another student.
4. Bringing prohibited objects on the bus (Reference prohibited items at school in Code of Conduct).
5. Throwing or dropping anything inside or outside the bus at any time.
6. Failing to keep head and/or hands inside the bus at all times.
7. Entering or leaving the bus without the consent of the driver.
8. Tampering with door handles and/or other safety equipment at any time unless directed to do so by the driver or the aide.
9. Cutting, scratching, writing on, or otherwise defacing any part of the bus. Restitution will be required.
10. Changing seats or standing while the bus is in motion.
11. Any other violation which the principal may reasonably deem falls in this class.

**DISPOSITION OPTIONS DEEMED APPROPRIATE BY ADMINISTRATION (not ranked in order and can be more than one);**

- **ADMINISTRATIVE INTERVENTION**
- **EXTENDED OR PERMANENT BUS SUSPENSION**
- **REQUIRED PARENT CONFERENCE**
- **SUPERVISED WORK/CLEAN-UP PROGRAM**

- FRIDAY NIGHT/SATURDAY SCHOOL
- INTENSIVE SCHOOL SUPERVISION (ISS)
- OUT OF SCHOOL SUPERVISION (OSS)
- LONG TERM ISS/ALTERNATIVE CLASS
- RESTITUTION FOR HCS PROPERTY
- OTHER REASONABLE CONSEQUENCE DEEMED APPROPRIATE BY THE ADMINISTRATION

### **CLASS III: BUS SAFETY INFRACTIONS**

**Any Class III offense occurring on a bus or at a bus stop is also considered a Class III bus infraction.**

Students referred to the school administrator for offenses listed under Class III will be disciplined according to the Code of Student Conduct and may be removed permanently from the school bus.

The Principal or his/her designee has the authority to suspend a student from riding a bus if the behavior of the student represents a danger to the health, welfare or safety of others riding the bus.

**DISPOSITION OPTIONS DEEMED APPROPRIATE BY ADMINISTRATION (not ranked in order and can be more than one):**

- LONG TERM ISS/ALTERNATIVE CLASS
- OUT OF SCHOOL SUSPENSION (OSS)
- ALTERNATIVE SCHOOL PLACEMENT (2C)
- RECOMMENDATION FOR LONG TERM SUSPENSION
- RECOMMENDATION FOR EXPULSION
- PERMANENT REMOVAL FROM SCHOOL BUS
- RESTITUTION FOR HCS PROPERTY
- OTHER REASONABLE CONSEQUENCE DEEMED APPROPRIATE BY THE ADMINISTRATION

### **IT'S THE LAW!**

The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees:

Attendance and Conduct (Act 94-782) (Ala. Code § 16-28-12)

Each parent/guardian or other person having control or custody of a child required to attend school who fails 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 misdemeanor (may be fined up to \$100 and may be sentenced to hard labor for up to 90 days).

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

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

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

A person who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage 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 (Act 94-784) (Ala. Code § 16-1-24.1)**

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

**Weapons in Schools (Act 94-817) (Ala. Code § 13A-11-72)**

No person shall knowingly with intent to do bodily harm carry or possess a 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: The term “deadly weapon” means a firearm or anything manifestly 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 switch-blade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, blackjack, bludgeon, or metal knuckles.)

**Possession of Firearms—Expulsion Recommendation: (Al Code 16-1-24)**

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...

**Vandalism (Act 94-819) (Ala. Code §16-5-380)**

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

**Pistol Possession/Driver’s License (Act 94-820) (Ala. Code §16-28-40)**

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 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 180 days.

**Drop-Out/Driver's License (Act 94-820 which amended Act 93-368 as codified in -16-28-40, Ala. Code, 1975) (Ala. Code §16-8-40)**

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

**Theft of Lost Property (Acts 1977, No. 607, p. 812, §3205)**

**Theft of lost property – Definition**

A person commits the crime of theft of lost property if he actively obtains or exerts control over the property of another which he knows to have been lost or mislaid, or to have been delivered under a mistake as to the identity of the recipient or as to the nature or the amount of the property, and with intent to deprive the owner permanently of it, he fails to take reasonable measures to discover and notify the owner.

**Theft of lost property in the first degree** Section 13A-8-7

- (a) The theft of lost property which exceeds two thousand five hundred dollars (\$2,500) in value constitutes theft of lost property in the first degree.
- (b) Theft of lost property in the first degree is a Class B felony.

**Theft of lost property in the second degree** Section 13A-8-8

- (a) The theft of lost property which exceeds five hundred dollars (\$500) in value but does not exceed two thousand five hundred dollars (\$2,500) in value constitutes theft of lost property in the second degree.
- (b) Theft of lost property in the second degree is a Class C felony.

**Theft of lost property in the third degree** Section 13A-8-9

- (a) The theft of lost property which does not exceed five hundred dollars (\$500) in value constitutes theft of lost property in the third degree.
- (b) Theft of lost property in the third degree is a Class A misdemeanor.

**Mandatory Reporting of Suspected Child Abuse or Neglect (Code of Ala. § 26-14-3(f)** According to Alabama laws, all ... nurses, school teachers and officials, peace officers, law enforcement officials, social workers, day care workers or employees, mental health professionals, as defined in Rule 505 of the Alabama Rules of Evidence, or any other person called upon to render aid or medical assistance to any child shall report or cause to report incidents where a child below the age of 18 is known or suspected to be a victim of child abuse or neglect.

**COMPLAINTS, GRIEVANCES AND APPEALS FOR DISCIPLINARY CONSEQUENCES**

The primary purpose of this procedure is to provide for prompt and equitable resolution of students' complaints and grievances. These procedures can also be used by students for complaints on the basis of sex or disability.

**Students charged with and disciplined under Class I or Class II procedures will not have the right to appeal any decision beyond the local school level.**

**Class III consequences may be appealed through the process defined below.**

**Level One** – The resolution of a grievance through free and informal communications as close as possible to the point of origin is encouraged. A student or parent with a grievance must first take it in written form to the school principal. The principal will review the grievance with the school administrative team and apprise the student or parent either by meeting or phone conversation and follow up email of the outcome of the appeal.

**Level Two** – In the event the aggrieved person is not satisfied with the disposition of his grievance at Level One, he may file an appeal in writing with the Superintendent or designee. Within ten (10) days from receipt of the grievance, the Superintendent or his designee shall arrange a conference with the aggrieved person to discuss the appeal or render a written decision if the appeal can be resolved at that point. Once the Level II Appeal investigation is complete, the Superintendent or designee will meet with the student and parent in person or by phone to share the outcome of the appeal, and the parent will receive a written summary of investigation. If the parent is unable to meet with the Superintendent or designee in person, the summary of investigation will be mailed to the parent. While every effort will be made to resolve the appeal, a Level II Appeal may not reach an outcome for up to two weeks after the initial appeal conference.

**Level Three** – In the event that a principal recommends expulsion for a student and the Superintendent concurs that the recommendation is appropriate, the aggrieved person has the right to appeal the recommendation for expulsion to the Board of Education. The Board will set a hearing date within a reasonable time. When the Board renders a decision on the appeal, the aggrieved person will be provided with a written response.

### **General Information**

Parent(s) elect whether or not to have a representative or legal counsel accompany him at any level of the appeal process. The parent may be asked to submit the facts of the appeal or additional information requested in written form prior to meeting at any level in the process. The parent will receive a written decision at the conclusion of each level of the appeal process.

The grievance procedure must be initiated at the level at which the grievance occurred, and all requirements specified must be observed by students and school officials. For the discussion and consideration of a grievance, attempts will be made to select a time and place which will not interfere with regular scheduled classes or school-related activities. The faculty and administration shall make an honest effort to resolve student grievances as quickly as possible at the most immediate level of supervision.

# Student Substance Abuse Intervention Program

## HOOVER CITY SCHOOLS POLICY MANUAL - Substance Abuse

### 6.19 *Student Parking Privileges – Substance Abuse*

In order to promote the safety and welfare of students and others who work on or visit school campuses, to encourage the development of safe and responsible driving practices, and to serve the general purposes of maintaining a drug and alcohol free school environment, students will be granted the privilege of driving and parking on school property only if they are free of the effects of alcohol or other illegal or controlled substances. Accordingly, any student who desires to drive a vehicle on school property or park on school property may be required to submit to periodically or randomly administered sobriety or drug tests as a condition to issuance of a permit authorizing the operation or parking of a motor vehicle on school grounds. Principals may impose reasonable additional conditions or requirements for the privilege of driving or parking a vehicle on school property including, for example, conditions relating to maintenance of academic and attendance standards and the payment of fees. Principals may also establish priorities for issuance and assignment of parking permits. The Board reserves the right to require that sobriety or drug tests or screenings be passed as a condition to granting parking or vehicle permits, or privileges relating to use of a motor vehicle. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws, and procedures that are developed by the Superintendent.

### 6.20 *Student Competitive Extracurricular Activity Substance Abuse Policy*

In order to promote the safety and welfare of students who participate in competitive extracurricular activities, to insure that such participation is neither impaired nor any risk of injury exacerbated, to provide incentives to students to maintain safe and healthful practices, and to promote a school environment that is free of alcohol and illegal drugs or controlled substances, the Board reserves the right to require any student who participates in extracurricular competitive programs or activities to submit to sobriety tests or screening for illegal drugs or controlled substances prior to, during, or following a competitive event, practice, competition, or at any other time while the student is under the supervision of the school system. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws, and procedures that are developed by the Superintendent.

## HOOVER CITY SCHOOLS POLICY MANUAL - Student Searches

### 6.13 *Searches (Students)*

6.13.2 Personal Property - Personal property, including but not limited to vehicles, purses, wallets, gym bags, book bags, cell phones, computers, and “personal digital assistant” (PDA) devices may be searched by authorized school officials, including school principals or their designees, when reasonable suspicion exists that the property contains prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety or welfare of the school community.

6.13.3 Personal Searches - Students may be searched whenever reasonable suspicion exists that the student possesses prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety and welfare of the school community. Student searches must be conducted by a school administrator in the presence of another certified school employee and may include a frisk or “pat down” of the student, a search of personal items and clothing, or a more thorough search upon specific approval of the Superintendent. Personal searches will be conducted with due regard for the age and gender of the students. Searches that require physical contact between the school official and the students should be conducted in a way that preserves the dignity of the student to the extent practicable under the circumstances. Refusal to submit to a search or to cooperate in a search as provided in this policy may be grounds for disciplinary action.

6.13.4 Use of Recovered Items - Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

## **HOOVER CITY SCHOOLS CODE OF STUDENT CONDUCT - Drugs and Alcohol**

3.01 DRUGS/DRUG PARAPHERNALIA – Unauthorized possession, transfer, use or sale of drugs or drug paraphernalia; intent to use, buy, or sell drugs/drug paraphernalia; being under the influence of drugs. “Drugs” also includes all illegal controlled substances, synthetic drugs, prescription drugs, large quantities of over-the-counter medications, and over-the-counter medications that must be released for purchase by a pharmacist or the sale of which is restricted based on the purchaser’s age. Possession of any other substance which might create a hazard to the user’s health or safety or the health or safety of another is prohibited.

3.00 ALCOHOL - Unauthorized possession, transfer, use or sale of alcoholic beverages; intent to use, buy, or sell alcoholic beverages; being under the influence of alcoholic beverages

## **GOALS OF STUDENT SUBSTANCE ABUSE PREVENTION PROGRAM**

- To support HCS policy of providing a drug and alcohol free school environment
- To promote the safety and welfare of students and others on our school campuses
- To deter the use of drugs and alcohol among students
- To assist in identifying students in need of intervention and provide assistance, support, and resources to those students and their families



## **STUDENT DRUG SCREENING**

### **STUDENT POPULATIONS ELIGIBLE TO BE DRUG TESTED**

1. High school students who purchase parking passes to drive/park on campus (“Student Drivers”)
  - a. Random Drug Testing; and
  - b. Reasonable Suspicion Drug Testing at any time while under the supervision of the school district
  
2. Activity students who are members of any HCS sponsored extracurricular organization which participates in interscholastic competition such as, but not limited to, academic teams, fine arts clubs/organizations/teams, athletic teams, and performance teams (“Activity Students”)
  - a. Reasonable Suspicion Drug Testing at any time while under the supervision of the school district

### **FORMAT FOR RANDOM DRUG TESTING OF STUDENT DRIVERS**

1. Names of students eligible for random testing will be submitted to 3rd Party Testing Agency, the district contracted third-party testing agent.
2. At various times during the year, a third party testing agency will provide school administrators a list of students to be tested based on a random selection by the third-party testing agency’s computer program.
3. Upon receiving the list of students, school administrators will partner with the third party testing agency to conduct the drug screening process.
4. Drug screenings will be conducted randomly throughout the school year.
5. Students selected for drug testing and their parent/guardian will not receive notice prior to the screening, but the parent/guardian will be notified afterward that the student was tested.
6. Positive results will be reported to parent/guardian by the third party testing agency and to school administrators by the third party testing agency. The principal will initiate an intervention and consequence plan for students who test positive for drug use.

## **INTERVENTION & CONSEQUENCES FOR POSITIVE RESULTS: STUDENT DRIVERS**

### **Intervention Plan**

- Principal will notify school social worker interventionist of positive results, and interventionist will contact parent to set up meeting with parent or legal guardian and student.
  - Meeting is held at school, central office, or student services.
  - Parent or legal guardian and student are given the following information:
    - outside assistance agencies/programs;
    - effects of drug/alcohol use on adolescent brain/physical development;
    - Indicators for abuse and addiction;
    - parental strategies for detection and monitoring;
    - information specific to drugs/alcohol tested positive;



- recommended follow-up meetings with interventionist/student

Consequence Plan for Student Drivers Who Test Positive for Drugs

Principal or designee will meet with student and parent or legal guardian to review consequences.

- *1st Positive Result*
  - Suspension of driving privileges for 45 school days, including after school events on any HCS campus or property
  - At the end of the suspension period, a drug test administered by the 3rd Party Testing Agency at the expense of the parent/guardian must produce negative results
- *2nd Positive Result*
  - Suspension of driving privileges for 90 school days, including after school events on any HCS campus or property
  - At the end of the suspension period, a drug test administered by the 3rd Party Testing Agency at the expense of the parent/guardian must produce negative results
- *3rd Positive Result*
  - Permanent revocation of driving privileges on any HCS campus or property, including after school events

Penalties for Student Drivers Who Do Not Comply with Consequence Plan

- *1st offense of failure to comply*  
suspension of driving privileges for one calendar year and disciplinary action for Class 2 Defiance of Authority.
- *2nd offense of failure to comply*  
permanent suspension of driving privileges and disciplinary action for Class 2 Defiance of Authority.
- *3rd offense of failure to comply*  
Class 3 Defiance of Authority resulting in alternative placement for 45 instructional days contingent on the successful completion of those instructional days OR recommendation for expulsion.
- *Any subsequent offense of failure to comply*  
Class 3 Defiance of Authority  
Recommendation for expulsion

**STUDENT DRUG TESTING OF ACTIVITY STUDENTS FOR REASONABLE SUSPICION**

Activity students are members of any HCS sponsored organization that participates in interscholastic competition and/or performance teams. Activity students can be tested for substance abuse provided both of the conditions are met.

- The student is at school, a school activity, or is otherwise under school supervision, including but not limited to supervised times before, during, or following a practice, performance, or competitive event; AND

- There is a reasonable suspicion or belief based upon observation, information, or other source, that the student has used drugs in violation of board substance abuse policy.

**FORMAT FOR STUDENT DRUG TESTING OF ACTIVITY STUDENTS FOR REASONABLE SUSPICION**

1. Names of students eligible for random testing will be submitted to 3rd Party Testing Agency, the district contracted third-party testing agent.
2. At various times during the year, a third party testing agency will provide school administrators a list of students to be tested based on a random selection by the third-party testing agency's computer program.
3. Upon receiving the list of students, school administrators will partner with the third party testing agency to conduct the drug screening process.
4. Drug screenings will be conducted randomly throughout the school year.
5. Students selected for drug testing and their parent/guardian will not receive notice prior to the screening, but the parent/guardian will be notified afterward that the student was tested.
6. Positive results will be reported to parent/guardian by the third party testing agency and to school administrators by the third party testing agency. The principal will initiate an intervention and consequence plan for students who test positive for drug use.

**INTERVENTION & CONSEQUENCES FOR POSITIVE RESULTS FOR ACTIVITY STUDENTS TESTED UNDER REASONABLE SUSPICION**

Intervention Plan for Positive Results for Students Drug Tested Based on Reasonable Suspicion

- Principal will notify school social worker interventionist of positive results, and interventionist will contact parent to set up meeting with parent or legal guardian and student.
  - Meeting is held at school, central office, or student services.
  - Parent or legal guardian and student are given the following information:
    - outside assistance agencies/programs;
    - effects of drug/alcohol use on adolescent brain/physical development;
    - indicators for abuse and addiction;
    - parental strategies for detection and monitoring;
    - information specific to the substances identified in the positive test;
    - recommended follow-up meetings with interventionist/student

Consequence Plan for Positive Results for Activity Students Drug Tested Based on Reasonable Suspicion

Principal and activity sponsor/coach/athletic director will meet with student and parent or legal guardian to review consequences.

- *1st Positive Result*
  - Suspension from practice and participation in all extracurricular competitive activities for one calendar year
  - Negative result drug test administered through 3rd Party Testing Agency at cost to the parent/legal guardian before student is reinstated as eligible to practice or participate in extracurricular competitive activities

- Suspension of driving privileges for 45 days, including after school events on any HCS campus or property if student is a licensed or permitted driver\*
- *2nd Positive Result*
  - Permanent suspension from practice and participation in all extracurricular competitive activities
  - Suspension of driving privileges for 90 days, including after school events on any HCS campus or property if student is a licensed or permitted driver\*

\*Penalties for Activity Student Who Are Also Student Drivers And Who Do Not Comply With Consequence Plan

- *1st offense of failure to comply*  
suspension of driving privileges for one calendar year and disciplinary action for Class 2 Defiance of Authority.
- *2nd offense of failure to comply*  
permanent suspension of driving privileges and disciplinary action for Class 2 Defiance of Authority.
- *3rd offense of failure to comply*  
Class 3 Defiance of Authority resulting in alternative placement for 45 instructional days contingent on the successful completion of those instructional days OR recommendation for expulsion.
- *Any subsequent offense of failure to comply*  
Class 3 Defiance of Authority  
Recommendation for expulsion

**STUDENT ALCOHOL ABUSE**

The abuse of alcohol by underage individuals is a significant national problem. Our school administrators and school resource officers believe it is important to send a strong message to students and parents about alcohol abuse as well as address intervention and discipline in a consistent manner.

STUDENT POPULATION ACCOUNTABLE

- All HCS students present at any HCS event and/or activity either on or off campus

SCOPE OF CONSIDERATION

- Student's behavior
- General observations of student's physical state (i.e., slurred speech, impaired motor skills, odor of alcohol, loud/boisterous talking, etc.)
- Reports from other people about student's inappropriate behavior
- Observations by school administrators and/or law enforcement officers

INTERVENTION & DISCIPLINE

- PART ONE - Intervention Plan
  - Interventionist contacts parent to set up meeting with parent/student.

- Meeting is held at school, central office, or student services.
- Parent/student are given the following information:
  - outside assistance agencies/programs;
  - effects of drug/alcohol use on adolescent brain/physical development;
  - indicators for abuse and addiction;
  - parental strategies for detection and monitoring;
  - information specific to positive tests for drugs/alcohol;
  - recommended follow-up meetings with interventionist/student
- PART TWO - Disciplinary Consequences
  - o *1st incident*
    - alternative placement as per HCS Student Code of Conduct
    - intervention counseling specific to alcohol abuse
    - possible arrest
  - o *2nd incident*
    - alternative placement as per HCS Student Code of Conduct
    - additional intervention counseling specific to alcohol abuse
    - possible arrest
  - o *3rd incident*
    - recommendation for expulsion as per HCS Student Code of Conduct
    - possible arrest

## **SEXUAL HARASSMENT**

### **Prohibited Conduct**

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

### **Definition**

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

### **Complaint Procedure**

A student who believes he or she has been or is being subjected to any form of sexual harassment shall immediately report the matter to a teacher, school counselor, principal, or the Superintendent/designee. A student's request to make his or her report of sexual harassment to someone of the same sex as the student shall be granted.

No student alleging sexual harassment shall be required to present the matter to the person who is the subject of the complaint.

If the complaint is received by someone other than the school principal, the person receiving the complaint shall promptly inform the school principal. The principal shall start an immediate investigation into the matter. The custodial parent(s)/guardian of the student will be informed of the complaint. The completed investigation shall be reviewed by the Superintendent/designee for prompt and appropriate action, if warranted. A written response to the student's complaint will be provided to the custodial parent(s)/guardian of the student and the student within forty-five (45) days of the date the student first registered the complaint. The student or the custodial parent(s)/guardian of the student may appeal the decision within ten (10) days of receipt of the decision by filing a written notice of appeal with the Superintendent. The Superintendent shall present the decision and notice of appeal to the Board at the next scheduled meeting of the Board. The Board shall make a final decision and notify the student and the custodial parent(s)/guardian of the student in writing of the Board's decision.

### **Protection of Complainant**

No student shall be subject to adverse action for any good faith report of sexual harassment under this policy. To the fullest extent practical, all reports of sexual harassment will be kept confidential.

## **ANTI-HARASSMENT POLICY FOR HOOVER CITY SCHOOLS**

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

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

### Definitions

The term "harassment" as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the following categories - race, sex, religion, national origin, and/or disability. To constitute harassment, a pattern of behavior may do any of the following:

- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
- Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.

- Have the effect of substantially disrupting or interfering with the orderly operation of the school.
- Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
- Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
  - a. The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
  - b. The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
  - c. The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.
  - d. The term “student” as used in this policy means a student who is enrolled in the Hoover City school system.

#### Description of Behavior Expected of Students

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

#### Consequences for Violations

Graduated consequences for any violation of this policy are outlined in the Class I, Class II, and Class III sections of this Code of Student Conduct.

## Reporting, Investigation, and Complaint Resolution Procedures

- a. Complaints alleging violations of this policy must be made on district approved complaint forms available at the principal and/or counselor's office. The complaint must be signed by the student alleging the violation or by the student's parent or legal guardian and delivered to the principal or the principal's designee either by mail or personal delivery. At the request of the complaining student or the student's parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.
- b. Upon receipt of the complaint, the principal or the principal's designee will, in their sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.
- c. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.
- d. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee will inform the student's parent or guardian of the report.

## Promulgation of Policy and Related Procedures, Rules, and Forms

This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians, and employees by such means and methods as are customarily used for such purposes, including publication on the Hoover City Schools website. Copies of the reporting form are available in the offices of each Hoover school.

## Construction of Policy



This policy is supplemental to other Board policies and procedures and does not repeal, replace, or supersede any other prohibition on harassment, violence threats of violence or intimidation found elsewhere in Board policy or procedure, including the Code of Student Conduct. This policy shall not be construed to allow harassment, violence, threats of violence or intimidation for any reason not specifically listed in this policy or to prohibit the Board from disciplining students for acts of harassment, violence, threats of violence or intimidation not specifically listed herein. Students who engage in harassment, violence, threats of violence or intimidation not specifically covered by this policy may be subject to appropriate disciplinary action in accordance with the Code of Student Conduct.

### Reporting Forms

Forms to report bullying, harassment, or intimidation are available on the website of the school or in the school offices.

## **ATTENDANCE/ABSENCES/EXCUSES/TARDIES**

The Board believes that the right to attend public schools places upon students the accompanying responsibility to be faithful in attendance. Regular attendance is essential for a student's successful progress in the instructional program. Failure to comply with attendance procedures can result in Educational Neglect and Truancy, Title 16-28-12, Code of Alabama.

All Hoover policies and procedures are in alignment with Alabama State Law. The right to attend school and arrive on time is the responsibility of **both** the student and the parent (in the case of children under 17 years of age). Nothing hinders student success more than absences, tardies, and checkouts. Nine (9) excused absences per semester is the maximum number of absences a student may have and still pass. Each case will be evaluated on an individual basis. Illness, when supported by a physician verification, may be considered as a mitigating circumstance. If you need further explanation of the policies, please contact your school's registrar or principal.

### Excused Absences

#### **Absences are excused for the following reasons:**

1. illness
2. death in the immediate family
3. inclement weather
4. legal quarantine
5. emergency conditions as determined by the Principal/Designee or Superintendent/Designee
6. permission of Principal and consent of parent

#### **When a student returns, the parent must provide in writing within three (3) days of the student's return to school an excuse which includes the following:**

1. a written statement from the parent or doctor stating the reason for the absence
2. the date of the absence(s)

3. the parent's signature

**After nine (9) absences in a semester, Hoover City Schools may not excuse other absences unless verified by a physician explanation.**

**Pre-arranged absence forms can be found on the school's website.**

### **Unexcused Absences**

Any absence that does not fall under the category of **Excused Absence** is recorded as an **Unexcused Absence**. Any student with **5 (five) unexcused absences during the school year** may be referred to **Early Warning Court in the court division of the student's school zone**.

**Absences are unexcused for the following:**

1. the student and parent fail to provide the above **EXCUSED ABSENCE** written statement with required information to the school officials within 3 days (including the return date) of the student's return to school;
2. the student has been suspended

**For unexcused absences, the student may only be permitted to receive credit for make-up work for major tests/assignments.**

Suspension -School days missed as a result of suspension are considered unexcused; however, a suspended student will have the opportunity to make up and receive credit for major projects and tests (not daily assignments, homework, or quizzes). Grade level counselors will work with teachers to determine assignments that will be accepted and will communicate this to students. High School students will have 3 days from the last day of the suspension to turn in assignments to their teachers at their base school. Intermediate/Middle School students will have 1-3 days from the last day of the suspension to turn in assignments to their teachers at their base school as determined by the school administrator. If a student is placed in Second Chance Alternative School (2C), the student is generally suspended 1-3 days prior to the placement. The student is responsible for completing the work missed during the time of suspension and getting the agreed upon work to the base school within the 5 day period.

### **Excessive Absences**

If unexcused absences exceed five (5) days or more during the **school year** (not semester), the student may be referred to the District's Office of Attendance. Hoover's Student Services Representative and the Principal will proceed with the following:

1. investigate the reasons for the excessive absences
2. meet with parent(s) and student to resolve the attendance problem
3. refer the parent and student to the **Early Warning Court of the student's school zone** and follow all policies and laws concerning truancy

Once truancy has been filed, all further actions reside with the **Judge of Juvenile Court**.

The Driver Improvement Unit of the Driver's License Division in the Department of Public Safety will be notified of students who have more than ten (10) consecutive or fifteen (15) cumulative unexcused absences during a single semester and/or students who drop out of school under the age of nineteen (19). This notification is required by Alabama Code 16-28-40 (School Enrollment Law) and will result in suspending or obtaining the license or permit of the student.

### **Tardies**

Being tardy to school greatly affects student success and routine. Once fifteen (15) unexcused tardies have accumulated during the **school year**, referral will be made to District Office and the same **Early Warning Court procedures may apply. The school may also impose disciplinary procedures for excessive tardies. Tardies are considered excused for the same reason(s) as excused student absences. Excessive absences and tardies will result in a home visit from the school's Student Resource Officer – Hoover Police Department and/or the Student Services Representative.**

### **Checkouts**

While checkouts from school are discouraged by the Board, necessary checkouts must be processed by the parent through the school's office. The Board encourages that appointments not of a critical nature be scheduled for times and days when school is not in session. **Checkouts are considered excused for the same reasons as excused absences. An unexcused checkout will be treated as a tardy.**

**When severe weather conditions exist, parents are asked to comply with emergency school dismissal procedures established by building level administrators.**

### **What to Expect for Excessive Absences and Tardies**

- A warning letter will be sent from the student's school.
- A home visit will be made by a Student Resources Officer-Hoover Police Department and/or Student Services Representative.
- Continued excessive absences and/or tardies will require a parent/legal custodian, along with the student, to attend a district attendance intervention/meeting.
- Continued excessive absences and/or tardies will require a parent/legal custodian, along with the student, to attend Early Warning Court in that school's jurisdiction.
- After attending Early Warning Court, if excessive absences and/or tardies continue, a petition for Educational Neglect and/or Truancy will be issued to the courts.

### **Educational Neglect**

School personnel are considered "mandatory reporters." If neglect is suspected or observed, a report MUST be made to proper authorities.

- Warrant issued for parent/legal custodian's arrest
- Parent/legal custodian will be arrested and taken to jail. There will be a \$2,500 bond.
- Parent/legal custodian will appear for a court hearing.
- If found guilty, the parent will be given a 90-day jail sentence – suspended.
- Court-ordered to make sure the child is in school every day and on time.
- If the child has unexcused absences, the parent could be ordered to spend 30 days in jail.
- If there continue to be unexcused absences, the parent could be ordered to serve the remainder of the jail sentence.
- The parent could lose custody of the children.
- Department of Human Resources (DHR) could be involved in the case.

### **Truancy Case**

Age 12 and up - The student may be prosecuted.

Possible Consequences –

- **Electronic Monitoring**
- **Adolescent Substance Abuse Program**
- **H.I.T. program (Boot Camp)**
- **Out of Home Placement**
- **Department of Youth Services (DYS)**
- **Suspended Drivers' License**

## **USE OF DIGITAL DEVICE DURING THE ADMINISTRATION OF STATE TEST**

The possession of a digital device (including but not limited to cell phones, MP3 players, cameras, or other telecommunication devices capable of capturing or relaying information) is strictly prohibited during the administration of a secure test. If a student is observed in possession of a digital device during the administration of a secure test, the device will be confiscated.

If a student is observed using a digital device during the administration of a secure test, testing for the student will cease, the device will be confiscated and is subject to search, the student will be dismissed from testing, and the student's test will be invalidated.

Local education agency (LEA) personnel will make all students, parents, and/or guardians aware of this prohibition through inclusion of this policy in the Student Code of Conduct Handbook and other regularly used modes of communication.

## **COMPUTER ACCESS AND USE BY STUDENTS**

Hoover City Schools provide a wide variety of computer equipment for student use. When a student uses this equipment, he/she assumes the responsibility to avoid acts which may interfere with use of the information systems.

Each student is allowed to use school-installed programs to access, modify, and delete his/her own data and documents in his/her assigned area (assigned by the network manager). All other forms of access or use are prohibited.

Violation of the following will be considered Class II offenses.

1. Students must not access or attempt to access any program, data, or user area not assigned by the network manager.
2. Students must not install or download a computer program from any source outside the school without written authorization from the principal/instructor.
3. Students must not use the "message" capabilities of the network without written authorization from the principal.

Violation of the following will be considered Class III offenses.

1. Students must not use or possess, on or off school property, a computer program capable of modifying or destroying other school programs or school data. Prohibited programs include but are not limited to "Virus," "Trojan Horse," and the like.
2. Students must not use or possess, on or off school property, a computer program designed to access, read, or modify the security system installed on the information networks of Hoover City Schools.
3. Students must not modify or attempt to modify any program or data other than their own.
4. Students must not delete or attempt to delete any program or data other than their own.
5. Students must not attempt to disrupt the networks through vandalism. Vandalism includes the destruction and/or theft of hardware, software, data, or files of another user.
6. Malicious attempts to harm, modify, or destroy technology resources could result in suspension, expulsion, legal action, restitution, and prosecution by authorities.

## **Technology Acceptable Use Agreement**

The most current Acceptable Use Agreement can always be found at this address:

<http://www.hoovercityschools.net/StudentAUA>

By signing the Code of Student Conduct you are agreeing to the terms of the Acceptable Use Agreement.

It is the responsibility of each HCS student and parent to read and abide by the Technology Acceptable Use Agreement.

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) (Act 99-34)**

The Family Educational Rights and Privacy Act (**FERPA**), a Federal law, requires that Hoover City Schools obtain written consent from parent/legal guardian prior to the disclosure of

personally identifiable information about a child's education records. However, Hoover City Schools may disclose appropriately designated "directory information" without written consent, unless the parent/legal guardian has advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow Hoover City Schools 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, can also be disclosed to outside organizations without parent/legal guardian 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 Acts of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses, and telephone listings for students – unless parent/legal guardian has advised the LEA that they do not want the student's information disclosed without prior written consent.<sup>1</sup>

If parent/legal guardian does **not** want Hoover City Schools to disclose directory information from the child's records without prior written consent, the parent/legal guardian must notify the child's school in writing prior to the end of August of the current school year or no later than two weeks after enrollment. Hoover City Schools has designated the following information as directory information:

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

**Footnotes: 1. These 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.**

*For more information, contact your school principal or visit the FERPA Web Site at: [www.FERPA@ED.Gov](http://www.FERPA@ED.Gov).*

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

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

- (1) The right to inspect and review the student's education records;
- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate;
- (3) The right to consent to release of personally identifiable information contained in the student's education records, except to the extent that **FERPA** authorizes disclosure without consent (i.e. directory information);
- (4) The right to file a complaint with the U. S. Department of Education concerning alleged failures by Hoover City Schools to comply with the requirements of **FERPA**. The name and address of the Office that administers **FERPA** are:

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



**HOOVER CITY SCHOOL DISTRICT  
CODE OF STUDENT CONDUCT  
NOTICE OF RECEIPT**

**Student (print)** \_\_\_\_\_

**Parent/Legal Guardian (print)** \_\_\_\_\_

**School (print)** \_\_\_\_\_

The above named student and parent/legal guardian hereby acknowledge they have received and read, or had read to them, the Hoover City Schools Code of Student Conduct, which contains a copy of "It's the Law" and contains other important information including information specific to student attendance and Internet Use. In addition, the student and parent/legal guardian acknowledge they have received and read, or had read to them, the school's handbook (if one exists).

The student and parent/legal guardian understand the policies and procedures apply to all students in Hoover City Schools. The policies and procedures in the Student Code of Conduct and in the school's handbook apply to all school-related events and activities on school campuses, the immediate vicinity of the school, school field trips, and school buses or other school-owned vehicles.

The student and parent/legal guardian acknowledge by signing below they have access to the Code of Student Conduct and the school's handbook (if one exists), have read or had read to them the information in the Code of Student Conduct and the school's handbook, and understand the expectations of the school district and school as outlined in the Code of Student Conduct and school handbook.

**Student (signature)** \_\_\_\_\_

**Parent/Legal Guardian (signature)** \_\_\_\_\_

**Parent/Legal Guardian (signature)** \_\_\_\_\_

**Note:** The student is to sign the above statement. If the student lives with both parents or two legal guardians, both are to sign the statement. If the student lives with only one parent or one legal guardian, only one is to sign. A separate statement is to be signed for each student.

Please sign this page and have the student return it to the homeroom teacher. Keep the accompanying information for future reference. **NOTE: Completion of online registration includes agreement by the parent/legal guardian and student of knowledge of the requirements and regulations of the Code of Conduct.**