

## CHAPTER 5.00 - STUDENTS

### PENDING CRIMINAL CHARGES

5.32.2

- I. Any student charged with violating a local, state, and/or federal law which constitutes a felony offense, or which involves any violent crime, use of any type of weapon or illegal drug shall not be allowed to return to a regular classroom setting until all legal proceedings are completely resolved and no such charges are pending. In the event that such criminal charges are dismissed, *nol prosequit*, or the student is found “not guilty” by a court of law, the charged student will be allowed to re-enter a regular classroom setting and allowed to make up work missed according to school policy. Any other disposition of such criminal charges will be considered on a case by case basis to determine whether and on what conditions the student will be allowed to return to the regular class setting. In all cases, the student or parent shall present the Superintendent with all court orders and other documentation showing that the criminal charges have been completely resolved before being allowed to return to the regular classroom.
- II. IDEA students who violate this policy shall be dealt with in accordance to the discipline methods outlined in the IDEA and Alabama Administrative Code.

#### STATUTORY AUTHORITY:

CODE OF ALABAMA  
16-1-30

#### LAW(S) IMPLEMENTED:

CODE OF ALABAMA  
16-1-24(E), 16-12-3(A), 16-12-16,  
36-25-2(A), (B), (D), 36-25-5(A),  
36-25-7, 36-25-8

#### ALABAMA ADMINISTRATIVE PROCEDURE ACT:

290.8.9.09(1)

#### HISTORY:

ADOPTED: July 15, 2009  
REVISION DATE(S): \_\_\_\_\_  
FORMERLY: NEW