

CHAPTER 5.00 – STUDENTS

ZERO TOLERANCE

5.32*

It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement.

- I. Students found to have committed the following offenses on school property, school-sponsored transportation or during a school-sponsored activity shall be brought before the Board for expulsion or alternative placement:
 - A. homicide (murder, manslaughter);
 - B. sexual battery;
 - C. armed robbery;
 - D. aggravated battery;
 - E. battery, aggravated battery or threats to a teacher or other school personnel;
 - F. kidnapping or abduction;
 - G. arson;
 - H. possession, use or sale of any firearm or weapon;
 - I. possession, use or sale of any explosive device;
 - J. possession, use or sale of controlled substances;
 - K. threat or false report to do harm related to bombs or explosive devices.

The expulsion limit is a minimum mandatory one (1) full year. (See subsection 2 in reference to procedures for Students with Disabilities.)

- II. Prior to taking such action against any student, the School Board shall ensure that appropriate due process procedures are followed. If a student committing one of the offenses outlined in subsection (1) of this rule is identified as disabled and participating in a program for exceptional students, then the system shall follow procedures as outlined in the Code of Student Conduct pursuant to Alabama statute and applicable State Board of Education rules. This provision shall not be construed to remove a School Board's discretion in cases where mitigating circumstances may affect decisions on disciplinary action.

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- III. Local law enforcement authorities shall be notified immediately when one of the offenses listed above is committed on school property, on school-sponsored transportation, or during a school-sponsored activity. Additionally, if the offense involves a victim, school officials shall notify the victim and the victim's parents/legal guardian if the victim is a minor, of the offense and of the victim's rights to press charges against the offender. School personnel shall cooperate in any investigation or other proceedings leading to the victim's exercise of rights as provided by law.
- IV. Upon notification by juvenile authorities that a *no contact order* has been issued by the court for the purpose of a juvenile offender not attending the same school or riding the same bus as the victim of a crime committed or as the siblings of the victim, the Superintendent or his/her designee will determine the appropriate setting for delivery of educational services to the offender. If the delivery of educational services requires transportation which is beyond the existing transportation and which would incur additional costs to the school system, then the offender or the parents/legal guardians of the juvenile offender shall be responsible for arranging and paying for transportation.

If it is determined that it is not possible to deliver educational services to the offender at a different school site from the victim or the siblings of the victim, then the school system and the principal will take steps such as the use of in-school suspension of the offender and the scheduling of classes, lunch, or other school activities of the victim and the offender to keep the offender separated from the victim.

- V. The school principal shall monitor the administration of discipline of students to ensure that discipline is administered equitably without regard to race, color, religion, gender, sexual orientation, age, ethnicity, linguistic preference, marital status, disability, political or religious beliefs, national or ethnic origin, or social and family background. Annually, the principal shall review school discipline data with the school advisory council in developing school improvement plans to maintain a safe and healthy school environment that protects the civil rights of all students.

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STATUTORY AUTHORITY:

**CODE OF ALABAMA
16-1-30**

LAW(S) IMPLEMENTED:

**CODE OF ALABAMA
16-1-24, 16-1-24.1, 16-1-24.3,
16-8-8, 16-16-9, 16-28A-3**

ALABAMA ADMINISTRATIVE PROCEDURE ACT: _____

HISTORY:

**ADOPTED: October 18, 2006
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