

Huntsville City Schools

Code of Student Conduct

2015-2016



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INTRODUCTION

We, the administration and staff of Huntsville City Schools (HCS), are committed to inspiring, developing, and engaging every student to become career and college ready. To carry out the mission of HCS, we will create and implement a positive school climate and culture in our schools from the inside out – beginning with teachers and staff, then with students and parents/guardians. We will work to create a culture in which staff, students and parents/guardians work together respectfully to maintain a positive, orderly, and safe learning environment focused on both teacher-and-student led learning. In keeping with our mission, we will implement a fair and consistent disciplinary process focused on teaching desired behavior through positive reinforcement and restorative justice.

This positive school climate represents a change. Implementation will require the hard work of staff, students and parents/guardians. This will be a multi-year implementation process, and the Student Discipline Policy below is a significant step in our implementation.

During the 2015-2016 school year, HCS will share a proposed Code of Student Conduct (CSC) for the 2016-2017 school year and will consider input by staff, students, and parents/guardians regarding the content and implementation of this new CSC. It is our expectation that this new CSC will be the foundation for a positive school culture for all of our students in all of our schools. This input is important because our schools perform best when all students act as leaders, and everyone, including staff and parents/guardians, works together and respects each other's role in implementing a positive school climate. We are committed to the idea that every child belongs in school, and the new CSC will both reflect and support this idea.

The driving force behind our positive school climate philosophy is our commitment to ensuring an equitable education for every student. Therefore, our disciplinary system is designed to keep students in the classroom to the maximum extent consistent with effective instruction. In order to reach this outcome, our educators are committed to the fair, effective, and consistent implementation of our code of student conduct. As such, the following Student Discipline Policy contains many important differences from the policy used in prior school years. Some of the notable changes are as follows:

- Administrators, teachers and staff will make every effort to address Class I Offenses in the classroom
- Students who commit a Class I Offense will not be removed from school
- Class II and Class III Offenses have been reevaluated resulting in many offenses being reclassified

STAFF AFFIRMATIONS

When hired by HCS, all employees make affirmations that demonstrate their commitment to the goals of HCS. Adhering to these affirmations will be critical to the creation and implementation of a positive school climate. These affirmations are listed below:

1. I believe every child can learn.
2. I will serve as a professional educator in any school in the Huntsville City School system. As such, I expect to:
 - a. Serve within my school's professional learning community focused upon collaborative learning to advance student intellectual, moral, behavioral, and physical development.
 - b. Help create a problem-solving, outcomes-focused culture that embraces continuous process improvement and rejects excuses for low rates of student achievement growth.
 - c. Be held accountable for student achievement growth based upon progress monitoring, benchmark assessments, and other student data. As such, I will:
 - i. Employ research-based instructional strategies that clearly align curriculum, instruction, assessment, and student progress reporting with higher-order student proficiency standards.
 - ii. Focus instruction upon student attainment of common core standards that align with college and career readiness.
 - iii. Create an environment designed to prepare children to enter educational and work settings characterized by continuous change and the need for life-long learning.
 - iv. Work to raise the achievement of top performing students and accelerate the learning of lower performing students so as to close the proficiency gap now evident in Huntsville City Schools.
 - d. Serve as a model for students in my communications with others, in my conduct, and in my appearance.
3. I will employ technology and other resources to create a differentiated learning environment that supports the varied learning needs of students.
4. As a professional educator, I understand that cultural diversity fosters and sustains inclusive learning environments that enrich education and fosters development of higher level thinking and collaboration skills that will be vital to the success of our students in college and in their careers.
5. I will work collaboratively with administrators, parents, and community members to create learning opportunities matched to my students' needs.

STUDENT DISCIPLINE POLICY

As explained above, this Student Discipline Policy is a significant step in our implementation of a positive school climate in all schools. This Student Discipline Policy begins our transition into a positive school climate model by introducing positive strategies to our staff, students and parents/guardians. Therefore, this Student Discipline Policy serves as an important bridge between prior student discipline policies and the new Code of Student Conduct that will be implemented for the 2016-2017 school year.

HCS expects that all students enrolled in the city schools will conduct themselves in a manner that facilitates the educational process. To ensure that the educational process in the schools is not disrupted, the Board of Education has established specific classifications of misbehaviors and the appropriate disciplinary responses to address these behaviors.

Violations are grouped into 4 classes - Minor, Intermediate, Major, and Long-Term Expulsion. HCS normally only disciplines students for conduct occurring on school property or at school activities. However, HCS may discipline a student where behavior occurring off campus and not at a school event creates an identifiable serious threat of physical harm to HCS, HCS student(s), or HCS employee(s).

Alabama Code Section 16-1-14 advises that any local school board may remove, isolate, or separate students who create disciplinary problems in any classroom or other school activities and whose presence in the class may be detrimental to the best interest and welfare of the class. In keeping with this statute, the described disciplinary actions are the normally expected consequences. In an extreme case, the administration is permitted to impose a more severe consequences as dictated by circumstances, except that no level one offense will ever result in an out of school suspension or expulsion. Additionally, no student shall be punished for any suspected violation without being given an opportunity to admit or deny the charge(s) and to tell his or her side of the events in question.

HCS Policy 6.21 authorizes the Superintendent to develop a policy on the appropriate use of physical restraint for all students in those situations in which a student is an immediate danger to himself/herself or others and the student is not responsive to less intensive behavioral interventions. Schools and programs that use physical restraints must ensure that staff and faculty are trained in the appropriate use of physical restraint. Parental notification will be provided within a reasonable time not to exceed one school day from the use of the restraint unless compelling reasons exist for an additional day. Attempts to provide parental notification shall be documented. The use of Seclusion and the use of restraints that restrict breathing are prohibited by this policy. Please refer to the [Overview of Procedures for Physical Restraint and Seclusion for All Students](#) located under the Student Welfare and Social Services department on the HCS website at www.huntsvillecityschools.org.

CLASS I VIOLATIONS / MINOR OFFENSES

Number	Name	Description
1.01	Excessive Distraction, Including on a Bus	<p>Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or any similar grouping for instruction.</p> <p>When offense occurs on a school bus, the following responses should be used:</p> <p>1st Referral: Conference with the student 2nd Referral: Conference with student and call parent/guardian 3rd Referral: Loss of school privileges</p>
1.02	Non-Approved Organization	Any on-campus activities of fraternities, sororities, secret societies, non-affiliated school clubs, or gangs.
1.03	Minor Intimidation/Threat	A non-specific threat made in the heat of the moment. For example, while arguing with another student, yelling "This is not over!" or "I'll pay you back!"
1.04	Gambling	Any participation in games of chance for money and/or other things of value.
1.05	Excessive Tardiness	Weekly incidents during a two month period of reporting late to school or class.
1.06	Profanity	Use of profane or obscene language (verbal, written, or any gesture).
1.07	Non-Conformity to Dress Code	For non-disruptive, non-conformity with the dress code (such as a student whose shorts are slightly shorter than specified by the code), the student will not be removed from class. For disruptive, non-conformity with the dress code (such as wearing an outfit that reveals significant portions or the entirety of the student's undergarments), the student may only be removed from class if is necessary to end the disruption.
1.08		
1.09	Inappropriate Display of Affection	Including, but not limited to, embracing and kissing.
1.10	Unauthorized Class Absence	Cutting class within the school building or on campus.
1.11	Providing False Information	Providing false information to an employee of HCS including but not limited to, giving false student information data, forgery of school notes, grades, signatures (teachers' or parents') and concealment of information directly relating to school business.
1.12	Parking Permit Violation	Failure to properly display current student permit sticker on vehicle.
1.13	Refusal to Complete Work	Repeated refusal to complete class assignments.
1.14	Failure to Follow Instructions/Defiance of Authority/Insubordination	Failure to comply with instructions from any HCS employee.

1.15	Unauthorized Use of Property	The use of school property without permission.
1.16	Littering	Leaving trash on school grounds instead of in a trash can.
1.17	Possession of Tobacco	Possession of any tobacco products including paraphernalia and electronic cigarettes.
1.18	Possession of Matches/Lighter	Possession of matches, lighters or any other item used to light a tobacco product.
1.19	Technology Infraction	Please refer to the Technology Infraction table below.
1.20	Use or Display of Cell Phone/Electronic Devices	Using or displaying personal electronic devices, like a cell phone, after being warned by an HCS employee to put away the item.
1.21	Habitual Disruption	Engaging, on a weekly basis during a two month period, in minor behavior that distracts from the learning environment
1.22	Engaging in Short, Spontaneous Fight	A brief, not pre-planned fight
1.23	Brief Shoving Match	A brief, not pre-planned shoving match between students
1.24	Medication Policy Violation	Failure to comply with the Medication Policy and Procedure. This offense includes a student's use of a prescription drug without notifying the school nurse as required by the Medication Policy and Procedure.
1.25	Trespassing without Intent	Being on school property without permission and without intent to incite or participate in a disturbance, including while suspended or expelled.
1.26	Cheating/Academic Dishonesty	This offense includes plagiarism, cheating, and forgery.

DISCIPLINARY ACTIONS FOR CLASS I VIOLATIONS

Office Disciplinary Referrals for Class I Offenses

Implementation of progressive discipline tied to positive interventions is critical to HCS's implementation of a positive school climate model. Teachers and administrators should address Class I offenses using in-class interventions and discipline before using out-of-classroom discipline such as In-House Learning Centers (ILC). Therefore, every effort should be made to address Class I offenses in the classroom. Office disciplinary referrals for Class I offenses may be used for students who fail to respond to in-class discipline, such as changing a seat in class, loss of privileges, or detention, or if the infraction occurs outside of class, such as cutting class. **If a student receives three Office Disciplinary Referrals or demonstrates escalating behavior in a two month period, the student must be referred to the school's Problem Solving Team (PST). The PST should help determine the positive supports appropriate for helping the student perform expected behaviors.**

Grades K-6

- **First Offense of any Class I Violations:** Teacher to attempt in-class corrections and conference with student. The parent may be contacted.
- **Subsequent Offenses of Class I Violations:** Continued attempts at in-class corrections as well as parental contact. In rare circumstances, out-of-class but in-school disciplinary actions may be used, such as referral to the In-House Learning Center (ILC).

Grades 7-12

- First Offense of any Class I Violation: Teacher to attempt in-class corrections and conference with student. The parent may be contacted.
- Subsequent Offenses of Class I Violations: Continued attempts at in-class corrections as well as parental contact. In rare circumstances, out-of-class but in-school disciplinary actions may be used, such as referral to ILC.

Students With Disabilities Under Individuals With Disabilities Education Act

Unless otherwise stated in the IEP or a § 504 plan, regular disciplinary procedures should be employed with respect to students with disabilities who commit a Class I offense.

CLASS II VIOLATIONS / INTERMEDIATE OFFENSES

Number	Name	Description
2.01		
2.02	Fighting	Large or preplanned physical confrontation between individuals in which physical contact is made with harmful intent or where there are injuries.
2.03		
2.04	Vandalism/Destruction of Property	Intentional action resulting in injury or damages to property.
2.05	Theft	Taking or obtaining property belonging to another without permission and/or knowledge of the owner.
2.06		
2.07	Repeated Threats	3 or more incidents during a two month period of non-specific threat made in the heat of the moment. For example, while arguing with another student, yelling "This is not over!" or "I'll pay you back!"
2.08	Trespassing with Intent	Being on school property without permission and with intent to incite or participate in a disturbance, including while suspended or expelled.
2.09		
2.10	Inadvertent Possession of Pocket Knife or Pepper Spray	Inadvertent possession of a simple pocket knife, mace, or pepper mace that is not used in a threatening manner, nor with a suggestion of threat, and is not openly displayed and with no intent to be armed and with no participation in violence while in possession.
2.11	Appearance of a Gun	Having any instrument that gives the appearance of a gun or knife.
2.12	Sexual Touching	Touching of another person in a sexual manner.
2.13	Sexual Harassment/Sexual Proposition	Unwelcome touching, or other unwelcome sexual advances or propositions, requests for sexual favors or sexually degrading words toward a person, graphic comments or materials about a person's body, or other unwelcome oral, written, or physical conduct of a sexual nature when made by a student directed to another student or staff member constitutes sexual harassment.
2.14		
2.15	Possession of Pornographic Material	Possession of pornographic material in hard copy, digital, or in any other media.
2.16		
2.17	Leaving Campus without Permission	Leaving school campus during scheduled class without permission. When addressing this offense, referral to ILC is the highest disciplinary response.
2.18		
2.19	Possession of Drug Paraphernalia	Possession of drug paraphernalia including, for example, pipes or bongs.
2.20		

2.21		
2.22	Unsafe Driving or Parking	Unsafe/unlicensed driving on school property or other violations of the school parking and driving rules.
2.23		
2.24		
2.25		
2.26	Under the Influence of Drugs/Alcohol	Being under the influence of alcohol, drugs, inhalants, or any other controlled substance.
2.27		
2.28		
2.29		
2.30	Use of Tobacco	Use of tobacco products at school or during a school function.
2.31		
2.32	Indecent Exposure of Body Parts	Improper display of private body parts, bodily functions or sexual acts.
2.33		
2.34		
2.35	Harassment	<p>Harassment is a negative action taken against another student based on race, ethnicity, disability, religion, or other identifying characteristics, other than sexual harassment which is addressed by 2.13. When determining the appropriate disciplinary response to incident(s) of harassment, teachers and administrators should consider the nature and context of the harassment as well as the age of the harasser.</p> <p>If the incident is isolated and minor in nature or committed by a student in early grades, the teacher should make every effort to address the harassment in class.</p> <p>If a student engages in 3 or more isolated and minor incidents during a two month period, classroom removal may be appropriate.</p> <p>If the incident is isolated but severe, out-of-school discipline may be appropriate.</p>
2.36	Technology Infraction	Please refer to the Technology Infraction table below.
2.37	Possession of Alcohol or Marijuana	Possession of alcohol or marijuana in an amount that demonstrates merely personal use; however, if the student is in possession of an amount that demonstrates an intent to distribute or sell or there is any other evidence to demonstrate such an intent, the administrator should treat the student's conduct as a violation of 3.01 or 3.02.
2.38	Habitual Disrespect/Profanity	Weekly occurrences over a two month period of incidents of profane or obscene language (verbal, written, or any

		gesture).
2.39	Disruption That Threatens Safety, Including on a Bus	Engaging in serious behavior that distracts from teaching and creates a threat to the safety of others. When the offense occurs on a bus, disciplinary measures for Class II offenses will be used up to and including temporary or permanent loss of bus privileges.
2.40	Bullying and Cyberbullying	Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions, whether in person or using electronic technologies, such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.
2.41	Intimidation	The intentional, unlawful threat by word or act to do violence to an individual, coupled with an apparent ability to do so, and the doing of some act which creates a well-formed, reasonable fear in the individual that violence is imminent. (Only two components required.)

DISCIPLINARY ACTIONS FOR CLASS II VIOLATIONS

Office Disciplinary Referrals for Class II Offenses

When a student is referred to the office for a Class II offense, school administrators should implement consequences that seek to keep students in the classroom or the school building to the maximum extent consistent with effective instruction. If the offense affects the safety of other students or a student fails to respond to in-class or in-school discipline, out-of-school disciplinary measures may be taken. **If a student receives two Office Disciplinary Referrals for Class II offenses in a two month period the student must be referred to the school's Problem Solving Team (PST). The PST should help determine the positive supports appropriate for helping the student perform expected behaviors.**

Grades K-6

- First Offense of any Class II Violation: Parental contact and in-class or in-school disciplinary actions.
- Subsequent Offenses of Class II Violations: In-class or in-school discipline should be used, but if the student fails to respond to that discipline or if the severity or nature of the offense warrants, out-of-school disciplinary measures, such as suspension, may be taken, not to exceed 5 school days.

Grades 7-12

- First Offense of any Class II Violation: Parental contact and in-class or in-school disciplinary actions. In some exceptional cases, severity or nature of offense may warrant out-of-school discipline.
- Subsequent Offenses of Class II Violations: In-class or in-school discipline should be used, but if the student fails to respond to that discipline or if the severity or nature of the offense warrants, out-of-school disciplinary measures, such as suspension, may be taken, not to exceed 7 school days.

In addition, HCS may require restitution of property and damages where appropriate.

Students With Disabilities Under Individuals With Disabilities Education Act

Unless otherwise stated in the IEP or § 504 plan, regular disciplinary procedures should be employed with respect to students with disabilities who commit a Class II offense.

A student identified as disabled under the Individuals With Disabilities Education Act may not be suspended (out of school) for more than ten (10) school days in a school year.

CLASS III VIOLATIONS / MAJOR OFFENSES

Number	Name	Description
3.01	Possession/Use/Sale of Drugs	Possession of illegal drugs other than those covered by 2.37. Use of illegal drugs on campus or at a school event. The sale of any drugs, whether legal or illegal, including prescription drugs, on a school campus or at a school event.
3.02	Use/Sale of Alcohol	Using or selling any alcohol products on a school campus or at a school event.
3.03		
3.04	Arson	Setting, attempting to set, or helping another set a fire.
3.05	Menacing	The intentional, unlawful threat by word or act to do violence to an individual, coupled with an apparent ability to do so, and the doing of some act which creates a well-formed, reasonable fear in the individual that violence is imminent. (Must have all 3 components.)
3.06		
3.07	Theft	Repeated taking or obtaining property belonging to another without permission and/or knowledge of the owner. This offense also applies to instances of theft that are committed in concert with others.
3.08	Breaking and Entering	Trespassing on school board property outside of operating hours and entering into a school board building.
3.09	Destruction of Property	Repeated intentional action resulting in injury or damages to property of another. This offense also applies to destruction of property in concert with others or violent destruction of property (such as using a weapon to destroy property).
3.10		
3.11	Possession of Weapons	Knowing possession of a weapon or anything designed, made or adapted or used for the purpose of inflicting death or serious physical injury. Such weapons include, but are not limited to, BB gun, pellet gun, air rifle, starter gun; switchblade knife, box cutter, sword, dagger, or stiletto; any club, baton, blackjack, or metal knuckles.
3.12	Bomb Threat	Communicating a threat against school board property made to interrupt the educational environment.
3.13		
3.14	Sexual Harassment/Sexual Aggression	Engaging in physically, sexually aggressive behavior towards another person.
3.15		
3.16		
3.17		
3.18		
3.19		
3.20		
3.21		

3.22	Discharge or Use of Pepper Spray	The discharge or use of pepper spray.
3.23		
3.24	Persistent Harassment	Weekly incidents during a two month period of negative actions that are based on race, ethnicity, disability, religion, or other identifying characteristics.
3.25	Technology Infractions	Please refer to the Technology Infraction table below.
3.26	Indecent Sexual Acts	Acts of sexual nature including, but not limited to, intercourse, oral sex or other indecent acts.

DISCIPLINARY ACTIONS FOR CLASS III VIOLATIONS

Office Disciplinary Referrals for Class III Offenses

If a student receives one Office Disciplinary Referrals in a two month period the student **must** be referred to the school's Problem Solving Team (PST) and the Positive Aid for Student Success Program (PASS). The PST and PASS Program should help determine the positive supports appropriate for helping the student perform expected behaviors. Violation of a Class III offense may result in expulsion from Huntsville City Schools.

Grades K-2

The principal must refer the student to the school Problem Solving Team and the Positive Aid for Student Success (PASS) Program.

Grades 3-6

The normal consequence for a Class III violation is suspension for up to 10 school days. In addition, principal must refer the student to the school Problem Solving Team and the Positive Aid for Student Success (PASS) Program.

Grades 7-12

If the commission of the offense does not result in any harm to another student, the student should be disciplined with a long-term suspension of up to 10 days along with a referral to the Problem Solving Team and the PASS Program. Otherwise, the consequence for the commission of a Class III offense is normally expulsion with a suspension to the hearing panel unless otherwise authorized by the Superintendent.

If a student commits a Class III offense on or after November 20th (for first semester) or on or after May 1st (for second semester) and is recommended for expulsion, the student's disciplinary referral and supporting document will be forwarded to a review panel lead by the Director of Behavioral Learning for review. This review panel will determine how long the student will be expelled from HCS. The panel has two options: 1.) refer the student for expulsion for the rest of the current semester or 2.) refer the student for expulsion for the rest of the current semester and for the following semester. The review panel's duty is to ensure the equitable administration of this process.

In addition, HCS may require restitution of property and damages where appropriate.

Students With Disabilities Under Individuals With Disabilities Education Act

When a student who is disabled under the Individuals With Disabilities Education Act commits a Class III offense for which expulsion procedures can be initiated, an IEP Committee meeting must be held to determine the relationship of the disability to the incident and to determine if a change in placement is warranted. Students with disabilities under the Individuals with Disabilities Education Act are not expelled, but may be placed in alternative programs by the IEP Committee.

A student identified as disabled under the Individuals With Disabilities Education Act may not be suspended (out of school) for more than ten (10) school days in a school year.

OFFENSES RESULTING IN LONG-TERM EXPULSION

Number	Name	Description
E1	Assault	Physically attacking an HCS employee, other adult, a school visitor or any student. This offense covers intentionally attacking, as opposed to accidentally attacking, a HCS employee or other adult that tries to intervene in a fight.
E2	Possession/Discharge/Use of Firearms	Possession, discharge, or use of: any firearm which will, is designed to, or may be readily converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; bullet(s); or any similar destructive device.
E3	Possession/Use of Weapons	Possession of a weapon while suggesting or participating in violence whether or not there is intent to be armed.
E4	Explosives	Preparing, possessing or igniting on Huntsville City Schools' property explosives likely to cause serious bodily injury or property damage. Such explosives include but not limited to, dynamite, TNT, or other similar substances.
E5	Forced Sexual Act	This includes rape, attempted rape, battery, sexual assault, and any other similar forced sexual act.
E6	Robbery	The taking of money or other property from the person or custody of another by force, violence, assault, or instilling fear in same.
E7	Inciting Student Disorder	Leading, encouraging or assisting in large disruptions during which multiple students destroy or damage private or public property or cause personal injury to participants or others.
E8	Threat to School Safety	Initiating warning of fire or other catastrophe without cause, either via electronic or in-person communications. This includes pulling a fire alarm, calling "911" without justification, or discharging a fire extinguisher without cause.
E9	Extortion	Completion of a threat, either by the victim's complying with the demands or the carrying out of the threat against the victim.
E10	Technology Infractions	Please refer to the Technology Infraction table below.

DISCIPLINARY ACTIONS FOR E1-E10 VIOLATIONS

Grades K-6

The normal consequence for an E1-E10 violation is suspension for up to 10 school days. In addition, the principal must refer the student to the school Problem Solving Team and the PASS Program.

Grades 7-12

Same as Class III except that expulsions for these offenses result in expulsion for the remainder of the semester and for the following semester.

Students With Disabilities Under Individuals With Disabilities Education Act

Same as Class III.

GUIDELINES FOR TECHNOLOGY INFRACTIONS

This section explains the conduct that will constitute a “Technology Infraction” in HCS. This section classifies prohibited conduct based on classification as a level I, II, III or E offense.

The following uses of technology are considered unacceptable:

- a) Use of the network for non-educational communication.
- b) Uses that violate the law or encourage others to violate the law.
- c) Uses that cause harm to others or damage to their property.
- d) Use of the computer network or the Internet to gain unauthorized access.
- e) Uses that violate state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or that violate any other applicable law or municipal ordinance.
- f) Uses that jeopardize the security of student access and of the computer network or other networks on the internet.
- g) Uses that are commercial transactions.
- h) Installation or downloading of unauthorized software, files, viruses, games, programs, or other electronic media.
- i) Plagiarizing or using internet resources for school assignments without citing references.
- j) Accessing another user's work, folders, or files without prior permission.
- k) Viewing, sending, or displaying obscene, profane, lewd, vulgar, rude, disrespectful, threatening, or inflammatory language, messages, or pictures.
- l) The use of proxies (either personally owned or provided as a service) or any other means of bypassing content filtering allowing users to access content in violation of any section of the prohibited uses of the network, both during school hours and/or on school system premises is strictly prohibited.

IF A STUDENT ACCESSES A SITE CONTAINING INAPPROPRIATE MATERIAL, THE STUDENT MUST IMMEDIATELY NOTIFY THE TEACHER OR AN ADMINISTRATOR.

The above list of technology offenses will be handled as set forth below. Technology discipline offenses will also result in the restricted use of personal mobile computing devices while on school grounds. As with other offenses, if a student commits multiple Technology Offenses, the school principal should refer the student to the Problem Solving Team. At minimum, the principal must refer all students who receive three (3) or more Office Disciplinary Referrals during a two (2) month period.

TECHNOLOGY INFRACTIONS *(number represents Class of Offense)*

Number	Name	Description
1.19a	Unauthorized Use of Mobile Computer	Unauthorized or inappropriate written/oral communication, non-educational communication, use of e-mail, websites, apps, games, messaging services, chat rooms, or other non-school related activity. School personnel may authorize educational use of the above applications during school hours or otherwise when school is not in session.
1.19b	Unauthorized Downloads without Damage	Downloading, loading, storing, creating, unauthorized files, images, video, music, apps, data, or programs that do not result in damages to person or property.
1.19c	Unauthorized Transmission of Personal Info	Unauthorized transmission of personal information (such as home address or social security number) over the internet. This includes the transmission of your personal information or another student's personal information to an individual over the internet.
1.19d	Use of Computer to Disrupt Class	Use of a computer to disrupt the school environment.
1.19e	Unauthorized Recordings	Taking pictures, audio, and/or video without subject's or school's permission.
2.36a	Damage to Computer	Negligent care of or vandalism such as a malicious attempt to harm or destroy any HCS device.
2.36b	Changing Configurations	Changing software/hardware configurations.
2.36c	Unauthorized Downloads with Damage	Downloading, loading, storing, or creating unauthorized files, images, video, music, apps, data, programs, or viruses resulting in damages to any HCS device.
2.36d	Use of False or Anonymous Communications	Use of unauthorized programs (applications) such as, but not limited to, Google Chat, MSN Messenger, and Yahoo Messenger, to make anonymous and/or false communications.
2.36e	Inappropriate Material without Intent	Sending, transmitting, accessing, uploading, downloading, or distributing inappropriate, obscene, offensive, profane, threatening, harassing, pornographic, or sexually explicit materials.
2.36f	Unauthorized Changes to Settings	Deletion, examination, copying, or modifying of files/data/device settings belonging to other users including staff, students, and district to include sharing, using, or modifying usernames and/or passwords.
2.36g	Bypass of HCS web filter	Bypassing the HCS web filter through a web proxy.
2.36h	Use of Computer to Cause Large Disruption	Use of technology to cause a large school disruption such as using a cell phone to coordinate a group of students to skip class.
3.25a	Voiding the Service Agreement or Software	Any activity that voids the device, service agreement, software license or warranty such as, but not limited to jail

		breaking or rooting (which is the process of hacking a device to bypass digital rights management software).
3.25b	Hacking	Unauthorized entry to program files/hacking.
3.25c	Damage to Computer	Repeated vandalism such as any malicious attempt to harm or destroy a HCS owned device.
3.25d	Inappropriate Material with Intent	Sending, transmitting, accessing, uploading, downloading, or distributing inappropriate, obscene, offensive, profane, threatening, harassing, pornographic, or sexually explicit materials intended to harm or demean staff or students.
3.25e	Use of School Property for Gain	Use of school/district's Internet or email accounts for financial gain or personal gain, or any illegal activity
3.25f	Use of Computer to Cause Large, Violent Disruption	Use of computer to cause a disruption that threatens the safety of other students such as sending texts to instigate a fight or riot.
3.25g	Violation of Local, State or Federal Law	Any use that violates local, state and/or federal laws or regulations
E10	Unauthorized Changes with Network Damage	Unauthorized change of program settings or any behavior or activity that damages or disrupts network performance on school devices. This includes a denial of service attack.

CLASS I CONSEQUENCES

- Classroom warning
- Possible loss of device access
- Temporary loss of device access
- Parent contact
- Before or after school detention
- Referral to administrator
- In rare circumstances, referral to In-House Learning Center not to exceed three (3) days

CLASS II CONSEQUENCES

- Temporary loss of device access
- Parent contact
- Before or after school detention
- Referral to administrator
- In-House Learning Center
- If the severity warrants it, out-of-school suspension not to exceed five (5) days
- Restitution in vandalism instances for actual loss, damage, or repair
- Indemnification –HCS may be indemnified for any losses, costs, or damages including reasonable attorney fees incurred by the district relating to any breach of the Acceptable Use Policy

CLASS III / E10 CONSEQUENCES

- Loss of device access
- Parent contact
- Before or after school detention
- Referral to administrator
- In-House Learning Center
- Out-of-school suspension not to exceed ten (10) days
- Suspension and/or recommendation for the PASS Program
- If a student harms another student or repeatedly causes intentional damage to a device or devices, then expulsion and forfeiture of device.
- Restitution in vandalism instances for actual loss, damage, or repair
- Indemnification - HCS may be indemnified for any losses, costs, or damages including reasonable attorney fees incurred by the district relating to any breach of the Acceptable Use Policy.

STUDENT DISCIPLINE PROCEDURES

PROBLEM SOLVING TEAMS (PST)

HCS will use the school-based PST process to address a student's repeated and escalating behavior issues as follows:

- At a minimum, any student who receives three (3) or more Office Disciplinary Referrals in a two (2) month period must be referred to the PST process. This does not prevent a school teacher or administrator from referring the student earlier.
- The PST will include members such as the student's classroom teacher(s), school counselors(s) and other personnel, as needed.
- The PST process will include development of a plan for a student that will include individual positive behavioral interventions, strategies, and supports.
- The PST will monitor student responses to the plan on a regular basis, will, at a minimum of once every two months, evaluate the plan's effectiveness and will implement modifications as needed.
- Schools will schedule meetings in which parents/guardians are invited to meet with one or more members of the PST to discuss strategies for student support.

During the 2015-2015 school year, HCS will take measures to develop appropriate guidance and support to assist PSTs in approaching student conduct with positive interventions and with appropriate consequences.

SUSPENSION

NOTE: *A student with disabilities may not be suspended out of school for more than ten (10) days in a school year. Any more time in suspension would result in a change in placement, which requires IEP Committee action. Only an IEP Committee may change the placement of a student with disabilities. All students, including students with disabilities, who are suspended will be permitted to complete work or tests missed during the suspension.*

In-House Learning Center

- a) In-House Learning Center (ILC) is placement in a program located in an isolated area of the school where a student is provided an opportunity to continue the educational process.
- b) A student may not be placed in ILC for more than five (5) school days at any one time and no more than 20 school days in the aggregate during any one (1) school year (pay particular attention to note concerning disabled students).
- c) The principal will follow HCS policies with reference to student records.
- d) Prior to ILC, the principal/delegate will advise the student of the charge(s) and the student shall have the opportunity to tell what occurred.
- e) Prior to assigning a student to ILC, a reasonable effort will be made to notify the parent and to have a conference by phone or in person. If the parent cannot be reached, the student will be given notice and a copy will be mailed to the parent.

Out-of-School Suspension

- a) Out-of-School Suspension is defined as the temporary withdrawal of the school attendance privilege for no more than ten (10) school days at any one time. See above *NOTE* for suspension as to disabled students.
- b) A student may not be suspended from school more than twenty (20) school days in the aggregate during any one school year.
- c) The principal will follow HCS policies with reference to student records.
- d) The principal/delegate will advise the student of the charge(s) and the student shall have the opportunity to tell what occurred.
- e) While on Out-of-School Suspension, the student will be permitted to complete work or tests missed during the suspension.
- f) Prior to suspending a student from school, a reasonable effort will be made to notify the parent, hold an informal conference, and release the student to same. If the parent cannot be reached prior to the end of the school day, the student will be given a Notice of Suspension (Form HCS330-01) stating the charge(s) in writing against the student and requesting a conference with the parent.
 - One copy will be mailed to the parent.
 - The administrator will continue to try to contact the parent.
 - The student shall remain in school, unless under an emergency situation, until the end of the school day or until released to the parent or designee.

Suspension Notice Filing and Distribution

The original is forwarded to the Department of Behavioral Learning (Superintendent's Office). One copy is distributed to the student, one copy to the parent, one copy to be placed in the student's cumulative record, and one copy to the principal. If the student is disabled, a copy should be given to the student's teacher of record.

POSITIVE AID FOR STUDENT SUCCESS (PASS)

- a) The PASS program allows a student with disciplinary issues to remain in school contingent on the student adhering to a positive support program.
- b) During a specified period of time, individual attention by a staff member shall be directed to assist the student in conforming to acceptable behavior standards. While in the PASS Program, the student's school PST should help shape supports for the student in completing the program.
- c) If a suspected controlled substance is involved, the Security Supervisor, who serves as the liaison between the school system and the Office of State Toxicologist, is to be notified. HPD is responsible for transporting the substance.
- d) The PASS Program does not normally exceed 18 weeks at any one time.
- e) For the PASS Program, the principal is required to:
 - Notify the student verbally and in writing of the disciplinary charge(s) giving rise to the need for admittance to the PASS Program,
 - Give the student the opportunity to tell what occurred. (If student is suspended, the charge(s) in writing will be on the suspension notice form.)
 - Make a reasonable effort to hold an informal conference to inform the parent of the offense and the decision to recommend the student for support in the PASS Program.

- Write a letter to the Department of Behavioral Learning within three (3) school days after the date of the commission of the offense, recommending the PASS Program, stating the charge(s) and the date(s) of any principal's conference(s).
 - Ensure that the student's cumulative record is in order; forward the letter as well as a copy of the current report card, a copy of attendance records, current demographic information, all necessary documentation of the charge(s) and a copy of the suspension notice.
- f) The Department of Behavioral Learning is required to:
- Receive and date the letter and accompanying information from the principal or take action upon direct recommendation of the superintendent.
 - Set the hearing date, time, and place and notify the student, the parent, and the principal. The hearing normally will be within 10 school days after the date of the commission of the offense.
 - A Hearing Officer shall comply with the procedures as outlined under Expulsion.
 - The parent may elect to accept admittance to the PASS Program and to waive the hearing by executing a written waiver.
- g) Document the student's admission to the PASS Program with the time, date, duration, and conditions. (Use Form HCS330-11)

EXPULSION

General

- a) Expulsion is defined as the withdrawal of the school attendance privilege for the remainder of any school semester or longer.
- b) If a student is suspended pending an expulsion hearing, the principal/delegate will follow the suspension policy and procedure and on the suspension notice form will suspend to the hearing panel; exceptions being disabled students. See above *NOTE* under "Suspension" as to disabled students.
- c) When an expulsion offense is committed, the principal immediately must notify the Security supervisor and the Behavioral Learning department. If the student is a disabled student, the Special Education Services department also must be notified.
- d) If a suspected controlled substance is involved, HPD must be notified.

Superintendent-Initiated Expulsion

The Superintendent, if the situation warrants, may recommend that a student be expelled without prior recommendation from the principal. In such cases, the Superintendent will follow the Principal-Initiated Expulsion procedures (see below).

Principal-Initiated Expulsion

The principal/delegate, after reviewing the allegations and evidence against a student, advising the student of the charge(s), and allowing the student to tell what occurred, is responsible initially for determining that an expulsion offense has been committed. A reasonable effort will be made to notify the parent.

- a) The principal will notify the Behavioral Learning department by letter of the recommendation for expulsion within three (3) school days after the date of the commission of the offense.

- b) At the same time, this letter must have attached the appropriate documentation which shall include all information available, including, but not limited to, the following:
- Copy of the completed Suspension Notice, stating the charges in writing.
 - Specific description of the offense(s) committed, including date, time, and place and supporting facts.
 - A written report giving the suspected student's version of what occurred.
 - Names, addresses, and telephone numbers of persons involved in the incident: suspect(s), victim(s), and witness(es).
 - Signed and dated statement(s) of persons involved in the incident, if possible. (Use Form HCS330-39.)
 - Xerox copy of any contraband.
 - List of special program(s), if any, in which student is enrolled or being considered for enrollment.
 - Verification of student's receipt of the HCS Code of Student Conduct.
 - Past disciplinary record of student involved.
 - Academic record of student, including a copy of the current report card and a copy of the roll call card.
 - Details of extenuating circumstances.
 - Date(s) of principal's conference(s) and names of those present.

Procedures for Hearings

The hearing panel shall comply with the following procedures in conducting a hearing:

- a) The parent shall be given verbal or written notice of the charge(s) against the student and the time, date, and place of the hearing at least 72 hours prior to a hearing. At the time that the notice of an expulsion charge is made, HCS will provide the student and the parent/guardian with the following: copies of all evidence supporting the expulsion; the rules governing the hearing; and notice that the student may have a parent/guardian or family member and an advocate of his or her choosing present to participate in the expulsion hearing and that the student may present witnesses and cross examine live witnesses presented by HCS at the expulsion hearing.
- b) The hearing panel will normally conduct a hearing within 14 school days after the date of the commission of the offense.
- c) The principal or other person assigned by the Behavioral Learning department shall present the case for expulsion of the student. Witnesses for the proponent of the expulsion will be notified to be present by the school or the Security supervisor.
- d) At the hearing, the hearing panel shall give the student an opportunity to admit or deny the charge(s).
- e) If the student denies the charge(s), an explanation of the evidence will be provided and the student will be given an opportunity to tell what occurred.
- f) The case may be presented by statements made by the witness(es). The hearing panel may permit witness(es) by the proponent of the expulsion, but the hearing panel is not required to call or permit any accusers to be present. Additionally, student witnesses, including accusers, may provide evidence by written statement which may be redacted. The decision as to these issues shall rest in the discretion of the hearing panel. The student is permitted to present adult witnesses, but if a witness's testimony is redundant or not relevant the hearing panel can decide not to hear that witness.

- g) Ordinarily, no attorney will be present in an advisory capacity for the expulsion hearing. If the student's parent chooses to have an attorney present, the principal/delegate also may have an attorney present in an advisory capacity. The student's parent must give the hearing panel notice, 24 hours prior to the hearing, of the decision to have an attorney. Failure to do so may result in the rescheduling of the hearing or the hearing panel's denying the participation of the attorney in the hearing.
- h) After following the above procedures, the hearing panel, on the basis of all facts presented, shall determine whether the student did or did not commit an offense, what offense, if any was committed and whether the recommendation of the principal to expel is accepted or overruled. The hearing panel shall prepare a written decision, which shall include the charges against the student; the time, date, and location of the hearing; a summary of the evidence presented at the hearing; the conclusions drawn from the evidence; and the disposition of the student. If extenuating or mitigating circumstances exist, the hearing panel shall document these circumstances.
- i) In the event that a disabled student is alleged to have committed an offense expellable under the HCS Code of Student Conduct, the hearing panel determines the guilt or innocence only. The decision regarding an appropriate placement is determined by the IEP Committee.
- j) The following persons shall be notified of the hearing decision:
 - The student's parent (by certified mail)
 - The Behavioral Learning department
 - The Principal
 - The Special Education Services department (for disabled students)
 - The Superintendent
 - The Deputy Superintendent
 - The Security Supervisor
- k) A recording shall be made of the hearing and shall be kept for no less than six (6) months from the date of the hearing.
- l) The written record of the hearing shall be kept for two (2) years.

Appeal of Hearing Decision For Expulsion

If the student's parent is dissatisfied with the decision of the hearing panel in cases in which the hearing panel upholds the recommendation for expulsion, the parent may file an appeal. The appeal procedures are as follows:

- a) The student's parent must file a written request for an appeal.
- b) The written request for an appeal must be addressed to and mailed or given to the Superintendent.
- c) The written request for an appeal must be postmarked or hand delivered on a date no more than seven (7) calendar days after the postmarked date or date of hand delivery of the written notification of the hearing decision. If the written request for an appeal is not made on time, the hearing decision will be final.
- d) The Superintendent, upon receipt of a timely filed written request for an appeal, will request the documented evidence of the case including the findings, the conclusions, the disposition, and the tape recording.
- e) The Superintendent or designee shall review the case on the basis of the record. No new evidence shall be admissible.

- f) Within seven (7) working days after receipt of the appeal, the Superintendent will make a written decision to adopt, modify, or disapprove all or any part of the hearing panel's findings, conclusions, and disposition.
- g) A copy of the Superintendent's decision shall be sent to the following persons:
- The student's parent (by certified mail)
 - The Behavioral Learning department
 - The Principal
 - The Special Education department (for disabled student)
 - The Superintendent's Office
 - The Security Supervisor

GOOD STANDING

Loss of Good Standing Status

- a) The student will be denied privileges as a result of loss of Good Standing Status if the student:
- Has been suspended Out-of-School during the current school year.
 - Has been assigned to the In-House Learning Center for more than three separate incidents.
 - Has been in violation of any Class III offense during the current school year.
- b) The following privileges may be denied as a result of loss of Good Standing Status:
- Attendance at field trips
 - Dances, including Homecoming and Prom
 - Extracurricular activities
 - Club or organization participation and events
 - Athletic participation and events
 - School-wide elections and honors
- c) Procedure for Principals:
- Advise the student and parent of the student's loss of status.
 - Schedule a conference to sign the First Offender Petition.
 - Document incident that led to loss of Good Standing status.
 - Forward copies of student profile, contract, and other documentation to the Behavioral Learning department.
 - Send documentation of the fulfillment of the contract to the Behavioral Learning department.

Regaining Good Standing Status

Purpose

- a) To encourage a student who is experiencing difficulties to change and improve in all aspects of school life.
- b) To give a student an opportunity to redefine his/her purpose and reasons for pursuing an education.
- c) To recommit his/her effort for learning and redeem his/her reputation for being a good person.

Philosophy

It is recognized that a student may at times make wrong choices or poor decisions. Students who experience problems may not have a fully-developed foundation of beliefs that values education and good behavior as important to success. The student may not recognize that success ultimately occurs as a result of developing cooperative and positive relationships with others, and focusing on obtaining purposeful and meaningful goals. A student who experiences difficulties must believe that he/she has an opportunity to improve and become a better person.

Procedures for Students

- a) A student who was initially deemed as eligible to participate in school activities including field trips, clubs, athletic and other extracurricular activities or events and becomes ineligible to participate in school activities including field trips, clubs, athletic and other extracurricular events may be able to earn back specific privileges. It is the student's responsibility to take the initiative to secure a meeting with his/her counselor and fulfill the requirements of this opportunity. This opportunity will be afforded a student one time in the student's high school career.
- b) The student will meet with the Problem Solving Team who will draft specific requirements, outline the conditions and standards for success, and determine if the student has met the requirements in order for the privileges to be reinstated. It will remain the student's responsibility to follow through with all assignments of the committee and to personally present all data in a timely manner.
- c) The student seeking to return to Good Standing is required to personally present evidence of improvement and success in areas of personal responsibility and in all aspects of the educational process. Evidence will be provided by the student in the areas listed as follows:
 - Recognition of Student Mission - Provide a self-assessment and statement of purpose, goals, and intentions.
 - Respect for School Rules and School Property - Observe school rules pertaining to attendance and the HCS Code of Student Conduct.
 - Willingness to Learn - Present evidence of good academic standing in all subject areas.
 - Service to the Community - Perform community service determined by guidelines of the committee.
 - Demonstrate Emotional Well-being - Document meetings with school counselor or faculty advisor on a scheduled basis.

HCS DRESS CODE

We are committed to preparing our students for college and careers beyond high schools. In order to be successful in either area, students must dress in a neat, clean and appropriate manner in clothing that encourages an atmosphere conducive to learning, work, and discipline. Students will not wear any article of clothing or display any insignia or sign that shows disrespect for any person, creed, race, color, sex, or nationality, or that may lead to a disruption of the learning environment. Our goal to prepare students for the future aligns with state educational authorities and recent court decisions which have determined that style of dress and hair should not disrupt classes, interfere with learning, prevent instruction, and should comply with state health and safety standards. Parents/guardians are expected to monitor students' dress.

The following is a non-exhaustive list of dress guidelines that apply to HCS students:

- Clothing that displays immoral or illegal behavior is not permitted. Any article of clothing, jewelry, or haircut depicting gangs, violence, sex, drugs, alcohol, mutilation or language that could be considered obscene or vulgar will not be permitted.
- Jewelry that could be used as a weapon is not allowed.
- All shorts, skorts, skirts and dresses must fit securely around the waist and come no higher than three inches above the bend of the back of the knee. Slits in skirts and dresses must not be extreme or revealing.
- Except for religious purposes, hats and head coverings may not be worn in school buildings. Sunglasses, gloves, bandanas, and house slippers may not be worn in school buildings.
- Students may not wear pajamas.
- Bib overalls and/or suspenders must be snapped, hooked and/or buttoned and kept on shoulders. Belts must be buckled.
- Pants may not be oversized or allowed to sag. Pant legs must be uniform length and may not drag on the floor.
- Pants or Jeans may only have holes at the knee or below. Pants or Jeans that have holes above the knee are not allowed, even if material is beneath the holes.
- Undergarments must not be exposed.
- Private parts must be covered
- Sleeves must be at least 3" across the shoulder.
- Revealing tops, spandex, or other clinging garments are not permitted.
- Shirts that bare midriffs when arms are raised are not allowed.
- Students may wear yoga pants, tights, leggings, or jeggings as long as they are used as an undergarment covered by shorts, skirts, or dresses that are at least no higher than three inches above the bend of the back of the knee.
- Hoodies and sweatshirts must fit appropriately. Hoods should never be on in the building.

Please dress appropriately for school. If you think it may be inappropriate, it probably is. Use good judgment. Here are some simple guidelines:

- Wear clothes that fit properly.
Avoid wearing clothes that are too tight or too loose and are revealing.
- Dress for safety.
Avoid wearing anything that could cause you to hurt yourself or others, even by accident. **(i.e. wearing “slides” or flip flops during P.E.)**
- Dress positively.
Avoid wearing anything that may be offensive.

Think about what you are wearing and how it reflects on you. You will be seen by other students, teachers, staff, and the community. Put your best foot forward and show the world you respect yourself and your school.

We encourage your individuality but we also encourage you to dress for success.

You may be asked to change into clothing available at the school or wait in ILC while a parent brings a change of clothes. Disregard for the dress code will lead to disciplinary action, in accordance with the HCS Official Student/Parent Handbook.

The final decision regarding dress will rest with the building principal or his/her designee.

PARENT CONCERN FORM

The Parent Concern Form can be found on the following pages and also on the HCS website at www.huntsvillecityschools.org under the Student Welfare and Social Services department.



Parent Concern Form

SW-P1-F1

NOTE: HCS encourages parents to make a reasonable attempt to discuss and resolve concerns directly with the appropriate teacher, counselor, and/or principal at the lowest possible level. If all steps have been followed according to the Student/Parent Handbook section 1.13 and an agreed-upon resolution has not been reached, please complete the form below and submit it to the Student Welfare department as directed by the Student/Parent Handbook section 1.13 to best facilitate resolution of your concern in a timely manner.

Student Name: _____

School: _____ **Grade:** _____

Parent Name: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Home Phone: _____ **Work Phone:** _____ **Cell Phone:** _____

Email: _____

My concern is regarding the following subject: _____

Please explain your concern as clearly as possible. *(Additional space is provided on the next page or a separate sheet may be used if necessary.)*

What resolution to your concern are you seeking?

Prior Communication (check all that apply):

- I have consulted with the appropriate school employee, such as teacher or administration, regarding my concern.
- I have submitted written communication to the school principal regarding my concern and desired resolution.
- I have NOT yet consulted with any school staff member regarding my concern.*

**As directed by the Student/Parent Handbook section 1.13, parent concerns must first be addressed at the school level.
By signing this form, I acknowledge that I have followed all steps as directed by the Student/Parent Handbook section 1.13 and that I have attempted to resolve my concern with the appropriate employee at the school level.*

Signature (Parent/Legal Guardian): _____ Date: _____

Additional Notes (if applicable):

Please return this form to the Student Welfare Department (200 White Street, Huntsville, AL 35801).
QUESTIONS? CALL 256-428-6890

FOR COMPLETION BY HCS PERSONNEL

Parent Concern is being referred to the following for resolution:

- Elementary Education Secondary Education Magnet Education Special Education Career Technical
- Behavioral Learning Attendance Transportation Assessment and Accountability
- Dep. Superintendent Superintendent Other:

Resolution:

Signature (HCS Representative): _____ Date: _____

Name (HCS Representative): _____

Title: _____ Department: _____

****Following resolution, please return completed form to Student Welfare for tracking and filing.****