

DUE PROCESS

It is the policy of the board to adhere to the basic tenets of due process when carrying out the procedures contained in this handbook. Furthermore, the board and the educational staff employed by the board will comply with legal elements of due process, which include procedural due process and the substantive due process. With regard to procedural process, students should be informed of the rules and regulations applicable to them, should receive adequate notice of any charges that they have violated those rules and regulations; and should be given an opportunity to be heard on any disciplinary matter. With regard to substantive due process, the rules and regulations adopted by the board should be reasonable related to the legitimate purpose and function of the school system. The board requires principals to familiarize their staffs with the basic tenets of due process and provide them a copy of this handbook published with the following concepts in mind:

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

ROLES OF PARENTS, STUDENTS, SCHOOL & SCHOOL PERSONNEL:

In order for effective teaching and learning to take place in our schools, there must be a cooperative relationship among students, parents, guardians and educators. To foster this relationship:

PARENTS AND GUARDIANS SHOULD:

- keep in regular communication with the school authorities concerning their child's progress and conduct.
- ensure that their child is in daily attendance and promptly report and explain an absence or tardiness to school officials.
- provide their child with the resources needed to complete class work.
- assist their child in being healthy, neat and clean.
- bring to the attention of school authorities any problem or condition which affects their child or other children.
- discuss report cards and grade assignments with their child.
- maintain up-to-date homework and emergency telephone numbers at the school.
- attend school parent-teacher conferences.

STUDENTS SHOULD:

- attend all classes daily and be punctual in attendance.
- come to class with appropriate working materials.
- be respectful to all individuals and of all property.
- refrain from profane or inflammatory statements.
- conduct themselves in a safe and responsible manner.
- be clean, neat, and appropriately dressed.
- be responsible for their own work.
- respect the classroom and school.
- show a positive, cooperative attitude toward school.

SCHOOLS SHOULD:

- encourage the use of good guidance procedures.
- maintain an atmosphere conducive to good behavior.
- exhibit an attitude of respect for students.
- plan a flexible curriculum to meet then needs of all students.
- promote effective discipline based upon fair and impartial treatment of all students.
- welcome and encourage staff, parents, guardians and students to use the services of community agencies.
- encourage parents and guardians to keep in regular communication with the school.
- seek to involve students in the development of policies.

SCHOOL PERSONNEL SHOULD:

- be regular and punctual in attendance.
- be prepared to perform their duties with appropriate materials and lesson plans.
- be respectful to all individuals and of all property.
- refrain from profane or inflammatory statements.
- conduct themselves in a safe and responsible manner.
- be clean, neat and appropriately dressed.
- abide by the rules and ethics set forth by the school and Board of Education.
- seek changes in an orderly and recognized manner.
- participate in continuous improvement or professional knowledge and skills.
- develop a positive, cooperative attitude toward parents and guardians, students, co-workers and the total school programs.
- strive to use a variety of informal disciplinary and guidance methods, prior to, during and after formal disciplinary action including:

1. Students' program adjustments.
2. Referral to guidance personnel for group or individual counseling with counselors, peer counseling, psychological evaluations and other services deemed appropriate.
3. Conferences and/or contacts among administrators, parents, guardians, teachers and students.
4. Referral to special education or inappropriate agencies for special problems.

JURISDICTION OF THE BOARD OF EDUCATION

Opp City Schools' students are subjected to the rules and regulations of the Opp City Board of Education during the school day, while in attendance at school-related activities, and while to and from school-related activities in school vehicles or in public or private vehicles which are being utilized at the time for the purposes of transporting students to and from school or school-related activities. In addition, students may be disciplined on those instances where conduct at other times and places is deemed to have a direct and immediate impact or effect on the health, safety, discipline or general welfare of the school community. Use or possession of controlled substances, weapons or contraband at any time or place is presumed by the Board of Education to have a direct and immediate impact or effect on the health, safety, discipline or general welfare of the school community.

PARENT'S RESPONSIBILITY FOR THEIR CHILD(REN)'S CONDUCT

The board hereby advises parents/guardians of their responsibility for their child(ren) based on Legislative Act 93-672 which amends Section 16-28-12, Code of Alabama. The act has important implications for parents and students of the school system.

Section I Title 16, Code of Alabama, 1975 is amended to read:

(A) Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or to have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, denominational school, or parochial school or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with a written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100) and may also be sentenced to hard labor for the county for not more than 90 days. The absence of a child without the consent of the principal teacher of the school he or she attends or should attend, or of the tutor who instructs or should instruct, shall be prima facie evidence of the violation of this section.

(B) Any parent or guardian, or other person having control or custody of any child enrolled in public school who fails to require the child to regularly attend in public school who fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with a written policy on school policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the Superintendent of education of the school system in which the suspected violation occurred. The Superintendent of Education or his or her designee shall report such suspected violations to the district attorney with in 10 days. Any principal or Superintendent of Education or his or her designee intentionally failing to report such a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in the public schools.

ALABAMA'S COMPULSORY ATTENDANCE LAW

Section 16-28-3, Code of Alabama, 1975.

"Every child between the ages of 7 and 17 shall be required to attend a public school, private school, church school or be instructed by a competent private tutor for the entire length of the school term in every scholastic year..."

Section 16-28-12, Code of Alabama, 1975.

Requires that any parent/guardian who enrolls a student in school be responsible for the student's regular attendance and proper conduct.

STUDENT ATTENDANCE POLICY

It is the belief of the Opp City Board of Education that regular school attendance is important to all students and to the school systems. It is further believed that course content and grading procedures should be structured in such a fashion that regular attendance is necessary in order to successfully complete course requirements. Subject to parental guidance, each student must be responsible for his/her own attendance. Administrators and teachers will make every effort to encourage regular attendance by students and to solicit assistance from parents and guardians in accomplishing this objective. An absence is defined as non-attendance (except for in school activities which are excused by school personnel) in a regularly scheduled class or activity, regardless of the reason for such nonattendance. A student shall be excused for absences from school for the following reasons:

- 1.** Illness;
- 2.** Inclement weather, which would be dangerous to the life of the pupil if he/she attended school;
- 3.** Legal quarantine, death in the immediate family, emergency condition as determined by Superintendent or principal;
- 4.** Prior permission of principal and consent of parent or legal guardian.

A note must be brought within two days of returning from an absence will be excused. Schoolwork missed due to excused absences may be made up and a grade shall be awarded. The teacher should remind students that they have make-up work, but it is the responsibility of the student to make arrangements to make up all work. Schoolwork missed due to an unexcused absence may not be made up and a grade of "zero" shall be awarded. (out-of-school suspensions are unexcused absences from school.) Any student enrolled in grades K-8 who accumulated 20 or more unexcused absences during the school year is subject to being retained in the same grade the succeeding year. Partial day absences will be cumulative in computing this total. Any student in grades 9-12 who accumulates 10 or more absences in any course or subject first or second term is subject to losing credit for the term's work in that course or subject. Note (term = 2 nine weeks) A student is suspended from school for disciplinary reasons for any number of days will have that number of days charged against the total number of absences allowed.

TARDINESS

A student is considered tardy when he/she is not in the assigned seat when the tardy bell rings. Students tardy three or more times will be subject to requirements of the tardy policy in the school handbook.

DRESS CODE

All students are expected to come to school dressed in a reasonable and appropriate manner. The Board recognizes that it is the responsibility of the parents to see that students arrive at school appropriately dressed.

- * Please follow the dress code policy located in the student handbook for each individual school.

- * For health and safety reasons it is mandatory that students wear shoes at all times.

- * School principals and assistant principals shall have the authority to send a student home, whose appearance is such that it will interfere with his/her school work or to distract other students from their work. The student shall be counted as absent until he/she returns to school with an acceptable appearance.

DISCIPLINE OF STUDENTS

The School Board recognizes the superintendent, principals and teachers to fully enforce regulations in accordance with board policy. Application of disciplinary measures shall be fair and reasonable. Due process shall be afforded students.

PARENTAL RESPONSIBILITY IN DISCIPLINE

The Code of Alabama Sections 16-28-2 and 16-28-12 require that the parent or other person having control of a child enrolled in school ensure that the child (1) enrolls in and regularly attends school and (2) engages in proper conduct while attendance in school. The Code of Alabama further requires the Superintendent to report to the District Attorney the name of any parent with children enrolled in Opp City Schools who:

- * Fails to require such child to regularly attend school; or

- * Fails to compel the child to properly conduct himself or herself in accordance with the Code of Conduct

Parents whose behavior fits either section as listed above may be subject to criminal liability and criminal sanctions. Either superintendent or the District Attorney may initiate prosecution of parents for the behavior of their child (children).

PHYSICAL RESTRAINT

The principal or designee has the authority to use reasonable physical force to restrain a student from abusing or attempting to abuse himself, other students, teachers, administrators, parents, guardians, or other staff members. This action may be taken when it is necessary to maintain discipline, enforce school rules, stop violent behavior, and to ensure to the extent possible with care, welfare, safety, and security of the students and staff members. This must be done in a reasonable manner to protect all parties involved. Law enforcement officials may be called to assist in the enforcement of this action.

CORPORAL PUNISHMENT

When disciplinary actions require the use of corporal punishment as a corrective technique, the student will be given the reason for the punishment and an opportunity to explain his/her actions prior to the administration of corporal punishment. If corporal punishment must be used, it must be administered by, or in the presence of, the principal or assistant principal and must be reasonably administered without anger or malice. A witness should be present during the administering of corporal punishment. The administrator will prepare a written report to be kept on file.

ADMINISTRATIVE PROBATION

Administrative probation is a period of time specified by the administrator or his/her designated person(s) during which a student must correct his/her behavior while abiding by all regulations that govern student behavior. The administrator or his/her designated person(s) has the authority to place a student on Administrative Probation for a reasonable and specified period of time. The staff members involved in the action will assist in monitoring the student's adjustment to the school environment.

IN SCHOOL SUSPENSION

In-school suspension is a structured disciplinary action in which a student is isolated or removed from regular classroom activities but is not dismissed from the school setting. The student is counted present and allowed to complete all class work. The principal or his/her designated person(s) has the authority to assign students to the in-school suspension program for a reasonable and specified period of time. The principal and their staff should determine the scope of in-school suspension in their respective school.

SUSPENSION OF STUDENTS

The school principal or his/her designated person(s) has the authority to suspend students from school. Prior to the suspension the student will be made aware of the charges and given an opportunity to respond to them. Written notice will be sent to the Superintendent or his/her designee and parent(s) or guardian stating the reason(s) such action was taken. Immediate suspension of the student is justified when the student's presence would threaten other students or himself/herself, endanger school property or seriously disrupt the orderly educational process. Principals are given the authority to have the law enforcement agency remove uncooperative students.

The suspension of a student is not to exceed ten (10) days except as follows:

- 1.** Any student that has been determined eligible for special education may be suspended, but all procedural safeguards must be adhered to as set forth in the Individuals with Disabilities Act and/or other federal and state regulations.

- 2.** If an incident or violation causes the principle or his/her designated person(s) to recommend the expulsion of a student, the suspension shall remain in effect until such time as the Board of Education has acted upon the recommendation of expulsion.

Suspensions are counted as unexcused absences, but will not be counted as truancy for reporting to the attendance officer. On unexcused absences, students are not permitted to make up work missed or take examinations missed during the period of suspensions. Students may not participate in any school curricular, co-curricular, extra-curricular activities, or be on the school campus during the period of suspension. When a student returns to school after suspension, the readmission must be preceded by a conference with the principal or his/her designated person(s). The conference should include parents unless otherwise approved by the principal.

EXPULSION OF STUDENTS

In accordance with the Alabama State Compulsory Attendance Law, the Opp City School Board makes the final disposition of any expulsion recommendation. A student may be expelled for any act that is classified as a Class II or Class III offense as defined later. The school principal is initially responsible for determining that an offense has been committed for which expulsion may be warranted. Any student who is the subject of any expulsion action shall be granted the following rights of due process; a hearing, the right to counsel, the right to hear alleged charge(s), the right to question all evidence in his/her own behalf.

The following steps of due process shall be observed in all expulsion actions:

- 1.** The local school principal shall consult with the Superintendent concerning the student's infraction(s).
- 2.** If the decision to recommend expulsion is made by the Superintendent, the parents/guardian shall be notified, by letter, of the time and place of the expulsion hearing before the Opp City School Board, and the student shall remain under suspension until the hearing is held. This notice shall be given minimum of five calendar days before the hearing is held.
- 3.** The student or the parent/guardian may request that the hearing be held in private. Failure of the student and/or the guardian to appear shall not nullify the process.
- 4.** If the decision to expel the student is made, the expulsion shall be for any length of time deemed appropriate by the Opp City School Board. The Superintendent shall, by letter, notify the parent/guardian of the Opp City School Board's decision within ten days after it is made.
- 5.** Any student who has been determined eligible for special education may be expelled, but all procedural safeguards must be adhered to as set forth under IDEA 97 and the Alabama Administrative Code.

TRUANCY

A student is truant when the student is absent without approval of the parent and/or is found to have lied about an excuse. Makeup work will not be allowed.

SCHOOL TRUANCY POLICY

I. Stages of Truancy

A. First Truancy

Teacher shall caution student about truancy and subsequent action to be taken by the school and Courts should 2nd, 3rd, and/or 4th truancy occur.

B. Second Truancy

Parents shall be notified by the school attendance clerk and/or principal that said student was truant and the dates of the truanancies. Students who have consecutive unexcused absences which make their total unexcused absences five or more, will receive a letter from the principal and a "NOTICE TO APPEAR" in the Early Warning Truancy Prevention Program at this time.

C. Third Truancy

The parent/guardian or person having control of said child shall participate in the Early Warning Truancy Prevention Program provided by the Juvenile Court. A suspension from school which occurs after a student has attended Early Warning will be coded unexcused and will result in a complaint being filed in Juvenile Court.

II. Other Truancies- Tenth "Questionable" Unexcused Absence

A. Tenth absence coded excused but not satisfactorily explained. Students who accumulate ten "questionable" excused absences which have not been satisfactorily explained may also be required to attend Early Warning. This action will require approval of the principal.

OR

Complaint/Petition will be filed against student or parent/guardian (parent/guardian and student will go to Court)

Students cannot represent the school in ANY activity on any school day unless they are in attendance at school on the day of such participation. This rule applies not only to home events but to events out of town of distances that would normally permit a student to attend class at least a part of the day. In the latter event, all participating students will report to school as usual and will be dismissed at a time designated and pre-arranged by proper authorities.

STUDENT SEARCHES AND SEIZURES

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

School officials (school principal or designee only) may make searches of a student's personal belongings if there is reasonable suspicion to believe that the student is carrying articles that may endanger other individuals in the school or that such articles possessed are contrary to law or regulations of the Board. If a student is searched, it shall be private, by a school official of the same sex, and with a certified staff member of the same sex present. Any such action shall not deliberately be intended to embarrass, harass, or intimidate the student.

STUDENTS AUTOMOBILES

Students are permitted to park automobiles in designated areas on the school campus. An automobile is subject to search by School Board employees when there is a reasonable suspicion to believe that such a vehicle contains items which are prohibited by law or which could be hazardous. Any automobile operated on a school campus by a student must be operated in a safe and legal manner. Cars must be registered in the office and have a corresponding decal displayed in the proper place.

STUDENT LOCKERS

Students are given the opportunity to use lockers provided by the Opp City Schools. These lockers are property of the Board of Education and are subject to be searched at any time when school officials consider it necessary and/or appropriate. Students are responsible for the contents of their lockers and should keep them locked at all times. Students may use only the locker assigned to them and may not swap lockers unless the principal or assistant principal gives approval.

SEXUAL HARASSMENT

It is the policy of Opp City Schools that racial, sexual, religious/ethnic harassment and violence will not be tolerated under any circumstances. We firmly believe that all persons are to be treated with respect and dignity. Harassment and violent incidents will be responded to in a manner that effectively deters future incidents.

Racial, sexual, religious/ethnic harassment and violence refers to unwelcome and unwanted behavior related to sex, race, religion, or ethnic group that makes the recipient feel afraid, embarrassed, helpless, angry, unsafe, or upsets the recipient to the point that he/she cannot learn, cannot teach, or be effective at school or at his/her job.

Harassment and violence is prohibited between staff members, between staff members and students, between students, and from members of the public directed, at students or staff on school property or at school-sponsored events. Some examples of harassment and violence may include, but not limited to: unwelcome patting, pinching or physical contact, obscene gesturing or calling someone gay, ethnic or racial slurs; or threats, insults, or assaults against someone due to their sex, race, religion, or ethnic group.

TOBACCO POLICY

In compliance with federal and state requirements, the Opp City School System prohibits all persons from using tobacco products on school property.

ELECTRONIC PAGERS OR COMMUNICATION DEVICES

The Opp City School System prohibits student use of all electronic devices, including cellular phones, pagers and beepers, at all schools during the day. This includes using cellular phones to make voice calls, to take photos, and to send or receive text messages.

- * Students are allowed to possess an electronic device, but it must be turned off when a student arrives on campus and must remain turned off until the end of the school day. Devices are not to be visible during the school day. Exceptions may be granted by the school principal or his or her designee.

- * Students involved in before or after school academic programs shall observe school hour rules during these programs.

- * Student use of cellular phones and other electronic devices is prohibited on school buses on regular routes before and after school.

- * Student use of cellular phones and other electronic devices for field trips, sporting events, extracurricular activities during school hours or before or after school hours will be at the discretion of the principal and event sponsor or coach.

- * Neither the school or school system will be responsible for the loss, damage, or theft of an electronic device brought to school or a school event.

Violation of this policy will result in the following sanctions:

1st Offense - The item will be secured by school administration until such time as the student's parent/guardian attends a conference with school administration.

2nd Offense - The item will be secured by school administration until the conclusion of the current school year. Subsequent offenses will be covered by the Opp City Schools Code of Conduct Section 2.01.

CLASSIFICATION OF OFFENSES

Violations of the Code of Conduct are grouped into three classes (Class I, Class II, Class III). Before determining the classifications of a violation, the principal or his/her designated person(s) will consult with the involved student(s) and school personnel. Once the classification of the violation is determined, the principal or his/her designated person(s) will implement the disciplinary procedure.

The classroom teacher may deal with classroom disruption by taking in-class disciplinary action: by making a personal call to the parent(s) or guardian when feasible, and/or by scheduling conferences with the parent(s) or guardian and other school staff. When the action taken by the teacher is ineffective, or the disruption is severe, the student should be referred to the principal or his/her designated person(s).

CLASS I VIOLATIONS

1.01 Excessive distraction of other students

Any conduct and/or behavior, which is disruptive to the orderly educational process in the classroom or any other instructional setting.

1.2 Sleeping in class

1.3 Excessive tardiness

1.4 Repeatedly reporting late to school or class

1.5 Intentional and/or non-directed use of profane, or obscene language

1.6 Non-conformity to dress code

1.7 Minor disruption on a school bus

1.8 Inappropriate public display of affection

1.9 Unauthorized absence from school/truant

1.10 Continued refusal and/or failure to complete assignments

1.11 Disrespect

Disrespect or repeated refusal to comply with directions of an Opp City Schools employee.

1.12 Unauthorized and/or inappropriate use of school or personal property

1.13 Littering on school property

1.14 Parking Violation

1.15 Any other violation that the principal may deem reasonable to fall within this category after consideration of extenuating circumstances.

DISCIPLINARY ACTIONS - CLASS I OFFENSES

FIRST OFFENSE

Actions may include in-school conference and parental contact when warranted. Circumstances may warrant disciplinary action as outlined under subsequent offenses, including but not limited to those listed in the next paragraph.

SUBSEQUENT OFFENSES

Actions may include in-school disciplinary action such as probation, detention, completion of extra academic assignments, work assignments before or after school, in-school suspension, alternative school assignment, corporal punishment or suspension or other reasonable disciplinary action at the discretion of the principal or his/her designated person(s). Special circumstances may warrant a recommendation to the Superintendent for an alternative educational program apart from the normal setting.

CLASS II VIOLATIONS

2.01 Electronic communication devices

The use, except for health or other reasons (and with prior approval by the principal) of a pocket pager, cellular phone or other electronic communication devices.

2.02 Defiance of Board of Education employee's authority

Any verbal or non-verbal refusal to comply with a lawful direction or order of a Board of Education employee.

2.03 Simple assault, harassment and/or intimidation

The intentional, threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and the performance of some act, which creates a well-founded fear in the other person that, such violence is imminent.

2.04 Vandalism/Criminal Mischief

Intentional and deliberate action resulting in injury or damages of less than \$200 to public property or the real or personal property of another.

2.05 Stealing-Larceny-Petty Theft

Taking and/or carrying away of property valued at less than \$100 belonging to or in lawful possession or custody of another.

2.06 Gambling/Possession of Gambling Device

The possession of any device or item which can be used to promote or facilitate gambling.

The intentional, unlawful participation in gambling activities involving amounts less than \$100

2.07 Possession of stolen property with the knowledge that it is stolen

2.08 Threats/Extortion

Verbally or by written or printed communication, threatening an injury to the person, property or reputation of another. This may include the intent to extort money or any pecuniary advantage, or with intent to compel the person so threatened, to do any act or refrain from doing any act against his/her will. Note: completion of the threat, either by the victim's complying with the demands or the carrying out of -the threats against the victim, constitutes a Class II offense.

2.09 Trespassing

Willfully entering or remaining in or on any structure, conveyance or property without being authorized, licensed or invited, or having initially been authorized, licensed or invited, having been warned by an authorized person to depart and refusing to do so. (unauthorized presence-entering or remaining on public school property or attending any school related activity while any kind of suspension ISS/Alternate School/Home/Expulsion).

2.10 Directing obscene, offensive or profane language to a Board of Education employee

Continued use, after warning, of obscene, offensive or profane manifestations (verbal, written, gesture) to an employee of the Opp City Schools or person(s) on official business will be considered a Class III offense.

2.11 Truancy or unauthorized leaving class/campus

2.12 Proposition of Sexual Acts

2.13 Possession and/or use of tobacco products on the person, in the locker, or in other effects of a student, and/or possession or use of lighting device to include matches or lighter

2.14 Cheating

Students shall not engage in any act of deception or falsification. This includes cheating by receiving any unauthorized aid or assistance or the actual giving or receiving of unfair advantage.

2.15 Intentionally providing false information to a school board employee, including but not limited to, student information data and the concealment of information directly related to school business.

2.16 Possession of obscene and/or offensive materials or use of obscene and/or offensive manifestations (verbal, written, or gesture) directed to another person.

2.17 Battery upon student

Intentionally touching or striking another student against his/her will and/or without his/her consent.

2.18 Inappropriate use of technology

Use of technology resource to:

- * Send, display, or download offensive messages or inflammatory language.
- * Harass, insult or attack others.
- * Use obscene, profane, discriminatory, threatening, or inflammatory language
- * Damage computers, computer systems. Software/programs, or computer networks (this includes changing workstation and printer configuration).
- * Violate copyright laws.
- * Use other users file folders, work, or password.
- * Intentionally waste limited resources.
- * Participate in on-line chat rooms without permission and/or supervision of an Opp City School employee.

2.19 Possession of and/or use of a laser light pointer or any device designed to emit a laser light

2.20 Soliciting, procuring, causing, encouraging, aiding, abetting or assisting another to commit any of the foregoing offenses

2.21 Any other violation that the principal may deem reasonable to fall within this category after consideration of extenuating circumstances.

DISCIPLINARY ACTIONS - CLASS II OFFENSES

FIRST OFFENSE

In-school suspension, Alternative School, and/or extended work assignments before or after school and/or suspension. Other reasonable disciplinary actions as deemed appropriate by the principal.

SUBSEQUENT OFFENSES

Assignment to Alternative School and/or suspensions for up to ten (10) school days and probation. Special circumstances may warrant a recommendation for expulsion. If so recommended, the expulsion procedures will be followed.

Note: Commission of Class II offenses may constitute a violation of criminal laws established by Local, State, and Federal government, and could be reported to the appropriate authorities.

CLASS III VIOLATIONS

Note: Commission of Class III offenses may constitute a violation of criminal laws established by Local, State, and Federal government, and must be reported to the appropriate authorities.

3.01 Drugs, imitation controlled substance, alcohol and/or intoxicating inhalants Admission of and/or being under the influence (**3.15**) of and/or the possession (**3.13**), transfer, distribution, use or sale (**3.14**) of drugs, imitation controlled substance, drug paraphernalia, alcoholic beverages (Possession (**3.01**) / Sale (**3.02**) / Use (**3.03**) and/or intoxicating inhalants (Refer to U.S. Code of Controlled Substances)

Communication of the intent or desire to buy, sell, or exchange drugs, imitation controlled substance, alcohol, and/or intoxicating inhalants.

Communication of the intent or desire to facilitate the sale or exchange of drugs, imitation controlled substance, alcohol, and/or intoxicating inhalants.

3.04 Arson

The willful and malicious burning of any part of School Board property.

3.05 Assault/Battery

The unlawful and intentional touching or striking or an attempt to touch or strike a School Board employee or student against his/her will or the intentional causing of bodily harm to the same.

3.06 Bomb threat

Any communication(s) concerning the Board of Education's property that has or could have the effect of interrupting the educational environment or process.

3.07 Burglary of school property

Entering or remaining in a building, enclosed area, structure motor vehicle or conveyance owned by the School Board with the intent to commit an offense therein during the hours the premises are closed to the public.

3.08 Criminal mischief

Willful and malicious injury or damages at or in excess of \$200 to public property or to real or personal property belonging to another.

3.09 Fleeing a School Board employee to elude contact or questioning.**3.10 Violation of the conditions of Administrative probation****3.12 Inciting or participating in a major student disorder**

Leading, encouraging or assisting in activities or disruptions, which result in destruction or damage of private or public property or personal injury, and/or the disruption of school business or educational process.

3.17 Fighting

The initiation of and/or participation in any physical conflict between individuals.

3.18 Fire alarm

Unjustified activation of a fire alarm system or fire extinguisher.

3.19 Gambling

The intentional, unlawful participation in gambling activities involving amounts of \$100 or more.

3.24 Stealing-Larceny-Grand Theft

The participation in and/or the intentional, unlawful taking and/or carrying away of money or other property valued at \$100 or more belonging to or in the lawful possession or custody of another.

3.27 Robbery

The taking of money or other property which may be the subject of larceny from the person or custody of another by force, violence, assault or instilling the fear of same.

3.28 Sexual battery (Acts)

Acts of sexual nature including but not limited to, battery, intercourse, attempted rape or rape.

3.29 Sexual harassment

Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature or any conduct of with sexual overtones that causes the student to feel threatened or uncomfortable.

3.31 Threats/Intimidation

The Verbal or written communication of a threat to kill or do serious bodily harm to another person.

3.37 Possession of firearms (Handgun, 3.37/Rifle, Shotgun, 3.40/ Other,3.49)

“Firearm is defined as any firearm (including starter gun/air gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive or air or spring, the component (Possession, 3.43/Sale, 3.44/Use, 3.45)(frame or receiver of any such weapon, any firearm muffler or firearm silencer,) any destructive device, any replica of any other instrument or object which may be used as a weapon, or Sale of the same(Handgun, 3.38/Rifle.

Shotgun,3.41/Other, 3.50)

3.39 Discharge of firearms

Discharging of any handgun (3.39), Rifle/Shotgun (3.42), other weapon (including air/spring) (3.41) or any other devices.

3.46 Explosives

Preparing/possessing (3.46), using/igniting (3.48), or selling (3.47) explosives on the Board of Education property.

3.52 Possession of weapons

A knife (Possession, 3.52/Sale, 3.54/Use 3.54), metallic knuckles, chemical weapon or device, or any other weapon, instrument, or object which may be used as a weapon.

3.58 Other offenses

Commission of any act that constitutes a criminal offense under the Cod of Alabama and which in the principal’s opinion warrants disciplinary action authorized for a Class III offense.

DISCIPLINARY ACTIONS - CLASS III OFFENSES

Disciplinary action for such offenses will be suspension and/or a recommendation of expulsion by the principal as authorized in the procedures previously stated pending final determination of the matter by the Board of Education.