



HOOVER
CITY SCHOOLS

HOOVER CITY SCHOOLS
CODE OF STUDENT CONDUCT

This document has been published for the 2018-2019 school year and supersedes all previous Code of Conduct information.

HOOVER CITY SCHOOL DISTRICT

CODE OF STUDENT CONDUCT

2018-2019

HOOVER CITY BOARD OF EDUCATION

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**Dr. Kathy L. Murphy, Superintendent
Dr. Tera Simmons, Assistant Superintendent for Administration
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Message from Superintendent Dr. Kathy L. Murphy

Dear Hoover City School Student,

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

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

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

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

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

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

Best Wishes for a Fantastic School Year,

Dr. Kathy Murphy

EQUAL EDUCATIONAL OPPORTUNITIES

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

Mrs. Claire Jones-Moore, IDEA Coordinator
Mrs. Marley Stephens, Section 504 Coordinator
Dr. Debra Smith, Federal Programs Director
Dr. Tera Simmons, Title IX Coordinator

Enrichment/Gifted Notice

Gifted/enrichment students are those who perform at or who have demonstrated the potential to perform at high levels in academic or creative fields when compared to others of their age, experience, or environment. These students require services not ordinarily provided by the regular school program. Students possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor.

Teachers, counselors, administrators, parents/guardians, peers, self, or any other individuals with knowledge of the student's abilities may refer a student. Additionally, all second grade students will be observed as potential gifted referrals using a gifted behavior checklist.

For each student referred, information is gathered in the areas of Aptitude, Characteristics, and Performance. The information is entered on a matrix where points are assigned according to established criteria. The total number of points earned determines if the student qualifies for gifted services.

To make a referral, contact the enrichment teacher at your child's school.

Address for Hoover City Schools

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

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STUDENT DISCIPLINE- CODE OF CONDUCT

INTRODUCTION

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

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

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

We want to reassure you that student safety is our first priority. As such, student behavior involving drugs, alcohol, weapons, or violence will be subject to serious disciplinary consequences and will be reported to the School Resource Officer or other law enforcement authorities if appropriate.

STUDENT RIGHTS AND RESPONSIBILITIES

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

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

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

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

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

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

DISCIPLINE PROCESSES

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

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

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

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

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

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

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

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

The Board expects all school personnel, including bus drivers, lunchroom personnel, custodians, office staff, and substitutes to be treated with respect and dignity. It is imperative that the teacher be in charge of the class; anything less would lead to a poor educational opportunity for all. All schools in the Hoover School System operate on a "closed campus" policy. This means students must stay in the school building or on the campus from the time they arrive, even if the daily schedule has not begun, until they are dismissed. All staff members are responsible for the supervision of students anywhere on school property as well as at any school activities away from school property and have the authority to require students to meet behavior expectations. Hoover City School students who fail to follow the discipline policy on all Hoover City School property, while riding on a Hoover City School bus, or participating/attending extracurricular activities on or off campus will be subject to the Code of Student Conduct.

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

Discipline Processes Follow Three Levels of Responses: Classroom, Office/Administrative, and Alternative Placement/Expulsion. This document organizes disciplinary infractions into these three categories with consequences for each category limited to the specific consequences.

Discipline Process: Classroom Management Level- Class I Violations

The greatest opportunity for students to demonstrate self-esteem, self-discipline, and respect for others occurs in the classroom under the direction of the classroom teacher. Teachers shall implement effective instructional strategies and best practices in classroom management. Continual teaching, combined with feedback of positive student behavior will decrease unnecessary discipline and promote a culture of productivity, safety, and learning.

When a student shows a lack of respect for established rules, teachers shall assist the student in recognizing the inappropriate actions, identifying the rule the student is breaking, and developing a plan for making more appropriate choices. Specific teacher management and consequence options for Class I violations include:

- Redirection and verbal warning
- Ask student to take a break to calm down
- De-escalation techniques
- Teacher/student conferences
- Teacher/parent/guardian conferences
- Teacher/student/parent/guardian conferences
- Counseling services
- Instructional support will be used as is appropriate in an attempt to redirect student behavior.
- Loss of privileges
- Tier 2 interventions with Problem Solving Team involvement

Classroom management will prioritize a learning environment that is safe and supportive for all students and faculty.

Teachers shall apply logical, appropriate consequences for student misbehavior, including, but not limited to, immediate intervention, student conferences, parent/guardian conferences, loss of free time, and before and after school detention. A Class I, classroom managed infraction must be reported to the parent before resulting in a Class 2 Violation.

Discipline Process: Administrative Level- Class II Violations

The principal is ultimately responsible for the orderly operation of the school program. The principal, with the assistance of his/her staff, will maintain an atmosphere or climate within each school that will support and allow for a strong teaching/learning environment. **Class II, office**

managed violations require students to be removed from the classroom and will be implemented consistently according to the outlined procedures. Additionally, repeated Class I violations may lead to a Class II violation under “2.25 Multiple or Continuous Class 1 Offenses” as listed below:

Grade	Number of Class 1 Offenses That Result in a Class 2 Infraction	Class 1 Violations are reset and the student starts with a zero balance when he/she goes the amount of time listed below without receiving a Class 1 violation
K-5	7	25 consecutive days
6-8	6	9 consecutive weeks
9-12	4	One semester

This process allows for instruction during disciplinary practices which take time. Students are able to demonstrate that they have learned to behave in a more positive manner. Consequences which require students to attend school during non-school hours will be assigned with adequate student/parent/guardian notification prior to the sanction, and transportation will be the responsibility of the parent/guardian.

Consequences for inappropriate conduct may include, but are not limited to, the following and should be matched to severity of infraction:

- Administrative Intervention
- Required parent conference
- Detention
- Restitution for damages of HCS property
- Tier 2 and referral to Problem Solving Team
- Counseling
- Bus Suspension
- Friday Night/Saturday School
- Intensive School Supervision (ISS)
- Long term ISS
- Loss of driving privileges
- Out of School Suspension (OSS)
- School Assigned Community Service
- Limit access to or revoke technology

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

Discipline Process: Possibly Alternative Placement or Expulsion

The assignment of all disciplinary consequences is the responsibility of the school administrator. Class III violations are sometimes unlawful behaviors which will be referred to SROs including, but not limited to drugs, weapons, alcohol and criminal threats.

Possible disciplinary consequences for Class III violations include:

- **Alternative School Placement (2C)- days must be earned according to established behavior system**
 - **1st offense: 45 days**
 - **2nd offense: 90 days**
 - **3rd offense: 180 days**
 - **Base school will coordinate transitional support with 2C.**
- **Recommendation for expulsion**
- **Notification of law enforcement officials as appropriate and as the law requires**
- **Permanent removal from school bus**
- **Restitution for HCS property**
- **Limit access to or revoke technology**

Special Role of School Resource Officer

The School Resource Officers assigned to Hoover City Schools assist school officials with school safety. Their role is to build relationships with students, teach them about the law, and serve as a positive role model. The day-to-day conversations and interactions between students and the School Resource Officer are not to be construed as “interviews” and do not require prior parent approval. For any violation of the Code of Conduct that is a crime or potentially a crime, the School Resource Officer will operate in his/her capacity as a law enforcement officer.

SAFE AND DRUG FREE SCHOOLS

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

APPEALS

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

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

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

COMPLAINTS, GRIEVANCES AND APPEALS FOR DISCIPLINARY CONSEQUENCES

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

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

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

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

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

Level Three – In the event that a principal recommends expulsion for a student and the Superintendent concurs that the recommendation is appropriate, the aggrieved person has the

right to appeal the recommendation for expulsion to the Board of Education. The Board will set a hearing date within a reasonable time. When the Board renders a decision on the appeal, the aggrieved person will be provided with a written response.

General Information

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

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

LIST OF VIOLATIONS AND CONSEQUENCES

CLASS I OFFENSES: CLASSROOM MANAGED

(Repeated violations constitute a Class II “2.25 Multiple or Continuous Class 1 Offenses” as outlined below)

Grade	Number of Class 1 Offenses That Result in a 2.25 Offense	Class 1 Violations are reset and the student starts with a zero balance when he/she goes the amount of time listed below without receiving a Class 1 violation
K-5	7	25 consecutive days
6-8	6	9 consecutive weeks
9-12	4	One semester

1.00 DISRUPTION OF THE LEARNING ENVIRONMENT OR UNCOOPERATIVE BEHAVIOR- Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom, or any similar grouping for instruction, which cannot be corrected by appropriate classroom management or refusal to comply with direction from an HCS employee or request to correct a misbehavior.

1.01 UNEXCUSED TARDIES – See the section on Tardies

1.02 BEHAVIOR INVOLVING VERBAL DISRESPECT OR INAPPROPRIATE LANGUAGE – Minor insults, name-calling, jeering, embarrassing statements, teasing, etc. (see bullying policy for definition of incidents rising to bullying and procedures for handling bullying)

- 1.03 **BEHAVIOR INVOLVING PHYSICAL DISRESPECT OR CONTACT** – Minor, not harmful physical poking, prodding, tripping, pulling, drawing on, horseplay, shoving, or other unwanted non-sexual physical contact
- 1.05 **INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION** – Single, minor incidents of consensual hugging, kissing, etc.
- 1.07 **FAILURE TO BRING MATERIALS TO CLASS** – Repeated incidents of not having required materials, not related to caregiver resources (e.g., parents not having funds available to purchase materials)
- 1.08 **UNAUTHORIZED POSSESSION OF AUDIO AND/OR VIDEO DEVICES OR OTHER TECHNOLOGY DEVICES/MATERIALS-** see Technology Use Policy
- 1.11 **NONCOMPLIANCE TO DRESS CODE** - See the section on Dress Code

DISPOSITION OPTIONS FOR CLASS I INFRACTIONS AS DEEMED APPROPRIATE BY THE ADMINISTRATION (must be matched to seriousness of problem behavior, presented in order of intensity):

- Redirection and verbal warning
- Ask student to take a break to calm down
- De-escalation techniques
- Teacher/student conferences
- Teacher/parent/guardian conferences
- Teacher/student/parent/guardian conferences
- Counseling services
- Instructional support will be used as is appropriate in an attempt to redirect student behavior.
- Loss of privileges
- Tier 2 interventions with Problem Solving Team involvement

CLASS II OFFENSES: OFFICE MANAGED

- 2.00 **DEFIANCE OF AUTHORITY** – Confrontational or derogatory response or non-compliant response to the corrective action taken by an adult.
- 2.01 **POSSESSION AND/OR USE OF TOBACCO PRODUCTS, INCLUDING LIGHTERS, MATCHES, ELECTRONIC CIGARETTES, VAPES, AND OTHER SIMILAR/RELATED PRODUCTS** – Unidentified substances intended to be used with electronic cigarettes and/or vapes may be classified as a drug and coded as a Class III.
- 2.02 **VERBAL ALTERCATION** – An argument between individuals which disrupts the learning environment or has the potential to create a violent situation.

- 2.03 VANDALISM** - Intentional and deliberate action resulting in or having the potential to result in damages less than \$200.00 to public property or the real estate or personal property of another. Restitution for HCS property will be required.
- 2.04 THEFT (amounts equal to or less than retail value of \$100)** - The intentional taking and/or carrying away of property belonging to someone else without that person's express permission. Restitution will be required for theft of HCS property.
- 2.05 POSSESSION OF STOLEN OR LOST PROPERTY** – Possession of any property that does not belong to the person in possession.
- 2.06 TRESPASSING** - Willfully entering or remaining in any Hoover City Board of Education structure, school bus, or school property without being authorized, licensed, or invited; or having been authorized, licensed, or invited, is warned by an authorized person to depart and refuses to do so or who remains in a HCS structure, school bus or on Hoover City School property without express permission of school authorities.
- 2.07 POSSESSION OF PROHIBITED ITEMS** - Including but not limited to items that are distractions to the educational process and/or certain types of foods, drinks, or items which can be harmful (i.e. a single dose of medication based upon product directions)
- 2.08 FAILURE TO SERVE SCHOOL-BASED DISCIPLINE ASSIGNMENT SUCH AS DETENTION, SATURDAY SCHOOL, ETC.**
- 2.09 USE OF PROFANE, OBSCENE, DEROGATORY, OR INFLAMMATORY LANGUAGE OR GESTURES TOWARD ANOTHER STUDENT OR AS A GENERAL CONVERSATION, OUTBURST, OR STATEMENT/GESTURE**
- 2.10 LEAVING SCHOOL BUILDING AND/OR GROUNDS WITHOUT PERMISSION**
- 2.12 FALSE INFORMATION** - Intentionally providing false information to a School Board employee including giving false student information or concealment of information directly relating to school business. Intentionally providing false or misleading information or withholding information regarding a school investigation. Submitting false/forged documents, including but not limited to absence excuses, tardy slips, excuse slips, report cards, hall passes, field trip forms, notes from parents or guardians, or any other material required by the school.
- 2.13 IDENTIFICATION WITH OR PARTICIPATION AT SCHOOL OR AT SCHOOL-SPONSORED ACTIVITIES IN AN UNAUTHORIZED ORGANIZATION OR GROUP** – Including but not limited to groups, gangs, or clubs which exhibit or promote drug use, violence, criminal or disruptive behavior. Prohibited activity shall also include, but not be limited to, wearing clothing or other attire which has an identifiable name or identifying sign or symbol of an unauthorized organization or group, the possession of writings or drawings that indicate affiliation with unauthorized organizations or groups, and the use

of gestures or signals which indicate affiliation with unauthorized organizations or groups.

- 2.14 THREAT, HARASSMENT, BULLYING, OR INTIMIDATION OF A STUDENT OR ADULT** Verbal or nonverbal behavior that causes physical and/or emotional harm to another or disrupts the learning environment. Such behavior may include, but is not limited to, teasing, taunting, threatening, hitting, stealing or destroying personal property.
- **Threat** includes causing another person to be fearful for his/her physical safety
 - **Harassing behavior** includes unwanted, unwelcome and uninvited behavior, including cyberbullying, that demeans, threatens or offends the victim and results in a hostile environment for the victim.
 - **Cyberbullying** includes, but is not limited to, the use of email, text messages, picture messaging, video messaging, instant messaging, social networking sites, and all other forms of electronic communication to spread rumors, harass, intimidate, or threaten another student.
 - **Bullying** behavior is when someone, or a group of people, upset or create a risk to another person's health and safety – either emotionally, psychologically, or physically – or their property, reputation or social acceptance on more than one occasion.
 - *Bullying* occurs when someone repeatedly and on purpose says or does mean or hurtful things to another person.
 - *Bullying* behavior that is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory handicap, or by any other distinguishing characteristic will not be tolerated.
 - **Intimidation** includes but is not limited to the use of threats, insults, or aggressive behavior to frighten, coerce, or force compliance.

Threat, Harassment, Bullying, or Intimidation are serious offenses that should be reported immediately. Administrators, counselors, parents, and others as appropriate, should collaborate on a written plan of action which includes documented follow-up review to address this behavior.

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

- 2.16 VIOLATION OF THE STUDENT NETWORK ACCESS AND ACCEPTABLE USE AGREEMENT OR VIOLATION OF ANY OF THE FOLLOWING:**
- Students must not access or intentionally attempt to circumvent the school's computer filtering or security system; the unauthorized use, misuse, and/or abuse of the school computer equipment or network.

- Students must not install or download a computer program from any source outside the school without authorization from the principal/instructor.
- Sending inappropriate messages and/or images via electronic communication devices or any other form of technology, whether personally owned or owned by the school district, at any time may result in serious school, personal, and/or civil or criminal legal consequences. There is an expectation of privacy in restrooms, locker rooms, and performance areas; therefore, cell phones or other recording devices are banned from use in these areas.
- Or any other offense in the use of technology the principal may deem falls in Class II

Technology Acceptable Use Agreement can be found on the Hoover City Schools website at www.hcseli.com

2.17 POSSESSION OR ACCESSING VIA THE USE OF SCHOOL RESOURCES TO INCLUDE EQUIPMENT AND/OR DISTRICT WI-FI OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL.

2.18 THE UNAUTHORIZED USE OF ELECTRONIC DEVICES (such as cell phones, computers, or wearable such as an i-watch). Students are not permitted to use wireless/electronic devices at school without express permission from the school principal or designee

2.19 ACADEMIC DISHONESTY - Copying or sharing another's work without the teacher's permission; using materials on quizzes/tests without the teacher's permission; and sharing of material through use of electronic devices without the teacher's permission are examples of academic dishonesty.

2.20 GAMBLING - Any participation in unauthorized games of chance or unauthorized possession of items used in games of chance

2.21 CLASS II BUS SAFETY INFRACTION

- All bus infractions are listed as Class II violations based on seriousness of safety issues that may arise
- Failing to follow proper procedures at bus stops, including but not limited to the failure to do any of the following:
 - Walk on the left, facing traffic, to the bus stop and stay off the roadway at all times while waiting for a bus.
 - Be at the bus stop ahead of the scheduled bus arrival time.
 - Wait until the bus comes to a **COMPLETE** stop before attempting to get on or off.

- Cross the roadway, if necessary, after leaving the bus in the following manner:
 - Make certain that the bus is stationary.
 - Upon exiting from the bus, stand on the side of the road at a point 10 feet in front of the bus and wait for the proper signal to cross.
 - Upon signal from the driver, look to both the right and left and proceed across the roadway in front of the bus; never cross behind the bus.
- Removing seat belts before coming to a complete stop on buses for exceptional education students
- Bringing prohibited items aboard the bus including, but not limited to gum, candy, drink, and most toys - Exceptions are made for medically documented conditions
- Moving from assigned seat - Seats may be assigned or be reassigned at any time. Students should remain seated facing forward with feet on the floor and legs out of the aisle from the time they board the bus until they arrive at their destination, and the bus door is opened.
- Yelling or speaking in a loud or disruptive manner
- Speaking when approaching or crossing railroad tracks
- Blocking, restricting, or otherwise placing objects on or in the aisles, steps, or emergency exits
- Failing to secure all items such as book bags, backpacks, and cases.
- Entering or exiting before the bus has come to a stop; or entering or exiting a bus through an emergency exit, window, or by any means other than the front door, except in the case of a bona fide emergency.
- Shoving, tripping, or striking another student or any other aggressive physical contact with another student.
- Bringing prohibited objects on the bus
- Throwing or dropping anything inside or outside the bus at any time.
- Failing to keep head, limbs, and/or hands inside the bus at all times.
- Entering or leaving the bus without the consent of the driver.
- Tampering with door handles and/or other safety equipment at any time unless directed to do so by the driver or the aide.
- Cutting, scratching, writing on, or otherwise defacing any part of the bus. Restitution will be required.
- Changing seats or standing while the bus is in motion.
- Any other violation which the principal may reasonably deem falls in this class.

2.23 INTENTIONAL PHYSICAL AGGRESSION- Incident of physical aggression including hitting, kicking, tripping, pushing that causes physical harm.

2.24 BEING TRUANT FROM CLASS OR SCHOOL – Not being in the scheduled location at the scheduled time for the scheduled duration, i.e. “Skipping”

2.25 Multiple or Continuous Class 1 Offenses – Documented, repeated Class I violations as outlined below.

Grade	Number of Class 1 Offenses That Result in a 2.25 Offense	Class 1 Violations are reset and the student starts with a zero balance when he/she goes the amount of time listed below without receiving a Class 1 violation
K-5	7	25 consecutive days
6-8	6	9 consecutive weeks
9-12	4	One semester

2.26 INCITING, PROMOTING, PUBLICIZING, OR PARTICIPATING IN A STUDENT DISORDER – Leading, encouraging, or assisting in disruptions to the school environment that do not result in damage of private or public property or personal injury to participants or others.

2.27 CONSENSUAL EXCESSIVE OR REPEATED INAPPROPRIATE DISPLAY OF AFFECTION OR INAPPROPRIATE PHYSICAL CONTACT- Excessive or repeated hugging, touching, or kissing

2.29 PROVIDING FALSE INFORMATION OR WITHHOLDING INFORMATION THAT SERIOUSLY COMPROMISES A SCHOOL INVESTIGATION AND/OR HAS THE POTENTIAL TO COMPROMISE THE SAFETY OF ANOTHER INDIVIDUAL

2.30 UNJUSTIFIED ACTIVATION OF A FIRE ALARM SYSTEM

AFTER A STUDENT RECEIVES TWO (2) CLASS II VIOLATIONS, HE OR SHE MAY BE REFERRED TO TIER 2 - PROBLEM SOLVING TEAM FOR INTERVENTION.

DISPOSITION OPTIONS FOR CLASS II INFRACTIONS AS DEEMED APPROPRIATE BY THE ADMINISTRATION WITH REQUIRED PARENT NOTIFICATION. (should be matched to seriousness of infraction and are presented in order of intensity):

- ADMINISTRATIVE INTERVENTION
- PARENT CONFERENCE
- SUPERVISED PLAN FOR CORRECTION OF MISBEHAVIOR
- COUNSELING
- TIER 2, PROBLEM SOLVING INTERVENTIONS
- DETENTION
- INTENSIVE SCHOOL SUPERVISION (ISS): SHORT OR LONG TERM
- EXTENDED OR PERMANENT BUS SUSPENSION
- FRIDAY NIGHT/SATURDAY SCHOOL
- LOSS OF DRIVING PRIVILEGES
- OUT OF SCHOOL SUSPENSION (OSS)
- RESTITUTION FOR HCS PROPERTY
- SUPERVISED SCHOOL ASSIGNED COMMUNITY SERVICE
- LIMITED ACCESS TO OR REVOKE TECHNOLOGY

CLASS III OFFENSES: ALTERNATIVE PLACEMENT OR EXPULSION UNLAWFUL CONDUCT

Misconduct that violates local, state, or federal laws and which occurs at school, on a school bus, or at a school-sponsored activity may result in notification of the appropriate law enforcement agency. The Board reserves the right to file charges and to prosecute students engaged in conduct which violates local, state, or federal laws. If a student is arrested and charged with a felony or with a drug, alcohol, or weapons related misdemeanor, the school's disciplinary procedure, up to and including expulsion, may be implemented.

Unless otherwise modified in connection with Alabama Code 16-1-24.3, the Superintendent will recommend expulsion of students, for a period of one year, who are determined to have brought to school or have in their possession a firearm in a school building, on school grounds, on school buses, or at other school-sponsored functions.

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

IT'S THE LAW!

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

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

Each parent/guardian or other person having control or custody of a child required to attend school who fails to require the child to enroll, to regularly attend school, or to compel the child to properly conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of misdemeanor (may be fined up to \$100 and may be sentenced to hard labor for up to 90 days).

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

A person commits the crime of assault in the second degree (Class C felony) if the person assaults with intent to cause serious physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his or her duty.

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

A person who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage or both suffered by a third person caused by or resulting from the use of the

controlled substance by the minor if the sale, furnishing, or giving of the controlled substance is the proximate cause of the injury or damage.

Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (Act 94-784) (Ala. Code § 16-1-24.1)

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

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

No person shall knowingly with intent to do bodily harm carry or possess a weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony. (Note: The term “deadly weapon” means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury, and such term includes, but is not limited to, a bazooka, hand grenade, missile, or explosive or incendiary device; a pistol, rifle, or shotgun, or a switch-blade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, blackjack, bludgeon, or metal knuckles.)

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

All City and County Boards of Education shall develop and implement local policies and procedures requiring the expulsion of students, for a period of one year, who are determined to have brought to school or have in their possession a firearm in a school building, on school grounds, on school buses, or at other school-sponsored functions.

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

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

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

Any person over the age of 14 who is convicted of the crime of possession of a pistol on the premises of a public school, or a public school bus, shall be denied issuance of a driver’s permit or license to operate a motor vehicle for 180 days from the date the person is eligible and applies for a permit or license. If a person over age 14 possesses a driver’s license on the date of conviction, the driver’s license will be suspended for 180 days.

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

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

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

Theft of lost property – Definition

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

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

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

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

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

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

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

Mandatory Reporting of Suspected Child Abuse or Neglect (Code of Ala. § 26-14-3(f))

According to Alabama laws, all ... nurses, school teachers and officials, peace officers, law enforcement officials, social workers, day care workers or employees, mental health professionals, as defined in Rule 505 of the Alabama Rules of Evidence, or any other person called upon to render aid or medical assistance to any child shall report or cause to report incidents where a child below the age of 18 is known or suspected to be a victim of child abuse or neglect.

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

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

3.02 ARSON – The burning of any part of a building or its contents and/or other school property or the property of a person on school grounds or school buses.

- 3.03 ASSAULT UPON A SCHOOL BOARD EMPLOYEE**– The intentional physical aggression, touching or striking of a school board employee against his/her will or the intentional causing of bodily harm to a school board employee.
- 3.04 ROBBERY** – Taking money or other property from a person by force and/or intimidation
- 3.05 THEFT/LARCENY (amounts EXCEEDING retail value of \$100)** – The intentional taking and/or carrying away of property belonging to or in the lawful possession or custody of another. Restitution will be required for theft/larceny of HCS property.
- 3.06 AGGRAVATED MISCHIEF** – Willful and malicious injury or serious damage to public property, or to real or personal property belonging to another. Restitution will be required for HCS property.
- 3.07 ILLEGAL SCHOOL ENTRY** – Breaking, entering or remaining in a Hoover School structure or school vehicles without permission or justification during the hours the premises are closed to the public.
- 3.08 POSSESSION OF FIREARMS** – Discharge, possession, transfer, or sale of any gun or any firearm or any device which will, or is designed to, or may readily be converted to expel a projectile; any similar destructive device. **Using a firearms facsimile in a manner which is perceived as threatening or capable of inflicting physical harm.** A firearm is any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapons, any firearm muffler, or firearm silencer, any destructive device; or any machine gun. A destructive device is any bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage. Includes firearms of any kind (loaded or unloaded). Includes, but is not limited to, handgun, zip gun, pistol, rifle, shotgun, starter gun, or flare gun.
- AL Code 16-1-24.3 – All City and County Boards of Education shall develop and implement local policies and procedures requiring the expulsion of students, for a period of one year, who are determined to have brought to school or have in their possession a firearm in a school building, on school grounds, on school buses, or at other school-sponsored functions...***
- 3.09 POSSESSION OR USE OF A KNIFE** - Possession of a knife including but not limited to: pocket knives, switchblades, hunting knives, razor blades, or box cutters. Reported or discovered possession of any knife or other object which can be used in a threatening manner and is capable of inflicting physical harm.
- 3.10 POSSESSION OR USE OF PROHIBITED OBJECTS** - Possession or use of a gun, other than a firearm (including, but not limited to, “BB” gun, pellet gun, paintball gun/marker, or airsoft gun), metallic knuckles, tear gas gun, chemical weapon or device, martial arts weapon, projectile device including, but not limited to, slingshot, crossbow,

taser, or any other similar object; possession or use of any other object that can be used as a weapon or dangerous instrument. Possession of an unidentified or unidentifiable substance.

- 3.11 BOMB THREATS** – Any such communication(s) which has the effect of interrupting the educational environment.
- 3.12 EXPLOSIVES** – Preparing, possessing, or igniting on School Board property, explosives (including live projectiles) which have the potential to cause bodily injury or property damage.
- 3.13 POSSESSION OF FIREARMS FACSIMILES** - Discharge, possession, transfer, or sale of any facsimile or toy-type replica of a firearm or any other item resembling a firearm.
- 3.14 SEXUAL OR LEWD ACTS** – Acts of a sexual or lewd nature including, but not limited to, battery, intercourse, attempted rape, rape, or indecent exposure.
- 3.15 ASSAULT UPON STUDENT OR OTHER PERSON** – Intentionally striking another student or other person against that person’s will.
- 3.16 AGGRAVATED ASSAULT** – Intentionally causing bodily harm, disability, or permanent disfigurement; use of a weapon or other instrument causing physical harm.
- 3.17 ANY OTHER OFFENSE WHICH IS REASONABLY LIKELY TO CAUSE HARM TO PERSON OR PROPERTY OR SERIOUSLY DISRUPT THE EDUCATIONAL PROCESS.**
- 3.18 AGGRAVATED THREAT, HARASSMENT, BULLYING OR INTIMIDATION OF A STUDENT OR ADULT-** A threat to do bodily harm or violence to another student by word or act; a threat to kill, maim or inflict bodily harm; a threat to inflict harm involving the use of any weapon, explosive, firearm, knife, prohibited object, or other object which is capable of inflicting bodily harm;
- **Violation of the Anti-Harassment Policy** - policy required by Alabama’s anti-bullying law (See the section on Anti-Harassment Policy)
 - **Aggravated Threat** stated or written intent to do harm to another person
 - **Aggravated Harassment** includes repeated, unwanted, unwelcome and uninvited behavior, including cyberbullying, that threatens the victim and results in the victim feeling fear for his/her physical safety.
 - **Aggravated Cyberbullying**; any threat in the form of a “hit list,” writing, statement, or communication evidencing a plan or intent to do violence to another. Cyberbullying includes, but is not limited to, the use of email, text messages, picture messaging, video messaging, instant messaging, social networking sites, and all other forms of electronic communication to spread rumors, harass, intimidate, or threaten another student.

- **Aggravated Bullying** behavior is when someone, or a group of people, create a risk to another person's health and safety, either emotionally, psychologically, or physically, or their property, on more than one occasion.
 - *Bullying* occurs when someone repeatedly and on purpose does mean or hurtful things to another person.
 - *Bullying* behavior that is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory handicap, or by any other distinguishing characteristic will not be tolerated.
- **Aggravated Intimidation** includes but is not limited to the use of threats or aggressive behavior to frighten, coerce, or force compliance.

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

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

- 3.19 THREATS TO EXTORT** - Any communication maliciously threatening an injury to the person, property or reputation of another, with the intent to extort money or any monetary advantage whatsoever; or with the intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against his/her will.
- 3.20 EXTORTION** – Compelling someone by threat or physical injury to pay money or otherwise do an act or refrain from doing an act against his/her will.
- 3.21 INCITING, PROMOTING, PUBLICIZING, OR PARTICIPATING IN A MAJOR STUDENT DISORDER** – Leading, encouraging, or assisting in disruptions which result in destruction or damage of private or public property or personal injury to participants or others.
- 3.22 UNAUTHORIZED USE OF A COMPUTER OR COMPUTER SYSTEM WHICH RESULTS IN, BUT IS NOT LIMITED TO, THE FOLLOWING:**
- Students must not use or possess, on or off school property, a computer program capable of modifying or destroying other school programs or school data. Prohibited programs include but are not limited to "Virus," "Trojan Horse," and the like.
 - Students must not use or possess, on or off school property, a computer program designed to access, read, or modify the security system installed on the information networks of Hoover City Schools.

- Students must not modify or attempt to modify any program or data belonging to Hoover City Schools.
- Students must not delete or attempt to delete any program or data other than their own.
- Students must not attempt to disrupt the networks through vandalism. Vandalism includes the destruction and/or theft of hardware, software, data, or files of another user.
- Malicious attempts to harm, modify, or destroy technology resources could result in suspension, expulsion, legal action, restitution, and prosecution by authorities.
- Students must not use the school network or personal technology to break laws involving theft, identity theft, and distribution of stolen and/or illegal items.
- Other computer violations the principal may deem falls in Class III

Technology Acceptable Use Agreement can be found on the Hoover City Schools website at www.hcseli.com

3.23 POSSESSION/USE/LIGHTING OR OTHERWISE DISCHARGING OF FIREWORKS, FIRECRACKERS, STINK BOMBS, BULLETS, OR OTHER SIMILAR DEVICES -
Possession or use of any device/object that can cause injury or creates a situation of panic, fear, threat, or other potentially unsafe environment

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

3.25 HAZING AT SCHOOL OR AT SCHOOL SANCTIONED EVENTS, WHICH IS DEFINED AS FOLLOWS:

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

- 3.26 DISPLAY OR DISTRIBUTION OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL** – Including having this material visible where others can intentionally or unintentionally see it
- 3.27 IMITATION CONTROLLED SUBSTANCES** – Unauthorized possession, transfer, use or sale of a substance other than a drug, which, by dosage unit, appearance (including color, size, shape, and markings), and/or by representations made, would lead a reasonable person to believe that the substance is a controlled substance.
- 3.28 CLASS 3 BUS SAFETY INFRACTION** – Any act on a school bus that has the potential to cause harm to the passengers, driver, or property surrounding the bus, as well as, any Class III infraction occurring on a bus or at a bus stop
- 3.30 SEXUAL HARASSMENT INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: OFFENSIVE TOUCHING WITH SEXUAL CONNOTATIONS, WRITTEN OR VERBAL PROPOSITIONS, ENGAGEMENT IN SEXUAL ACTS, USE OF OBSCENE MANIFESTATIONS (VERBAL, WRITTEN, GESTURE) TOWARD ANOTHER PERSON**
- Unwanted verbal, non-verbal, and/or physical contact of a sexual nature that occurs on multiple occasions or multiple times on one occasion or is of such a serious nature that it creates an environment of sexual harassment for another person or group of people
- 3.31 CONTINUED ACTIVITIES THAT INDICATE GANG INVOLVEMENT AND WHICH CAUSE DISRUPTION ON THE SCHOOL CAMPUS, THE SCHOOL BUS, AND/OR SCHOOL-SPONSORED ACTIVITIES**
- 3.32 FIGHTING** - 2 or more students in physical conflict; potential/actual injury; potential/actual escalation involving other students; potential/actual major disruption
- 3.33 THREAT OF OR ACT OF TERRORISM** - Notification of law enforcement is required.
- 3.34 ANY OTHER VIOLATION WHICH THE PRINCIPAL MAY REASONABLY DEEM FALLS IN THIS CLASS**

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

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

- **ALTERNATIVE SCHOOL PLACEMENT (2C)- Days must be earned according to behavior system**
 - **1ST OFFENSE: 45 DAYS**
 - **2ND OFFENSE: 90 days**
 - **3RD OFFENSE: 180 days**
 - **MAY EXTEND IF STUDENT IS NONCOMPLIANT**
- **RECOMMENDATION FOR EXPULSION**

- NOTIFICATION OF LAW ENFORCEMENT OFFICIALS AS APPROPRIATE AND AS THE LAW REQUIRES (see It's the Law)
- PERMANENT REMOVAL FROM SCHOOL BUS
- RESTITUTION FOR HCS PROPERTY - in addition to other consequence(s)
- REVOKE TECHNOLOGY

DISCIPLINE AND STUDENTS WITH DISABILITIES

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

THREAT ASSESSMENT PROTOCOL

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

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

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

1. Any student, parent or guardian, or school staff member, upon receiving information that a person is threatening to commit an act of violence, shall:
 - ◆ Assume the threat is serious;
 - ◆ Immediately report the threat to a school administrator or law enforcement officer;
 - ◆ Take measures to preserve the evidence;
 - ◆ Be available and cooperative in providing a statement of information, with the understanding that the information source will remain anonymous to the greatest extent possible.

2. Any school administrator, upon receiving information that a person is threatening to commit an act of violence, shall:
 - ◆ Assume the threat is serious
 - ◆ Arrange for threat assessment interviews to be conducted

3. The SRO/police officer, upon receiving information that a person is threatening to commit an act of violence or upon notification from a school administrator that a threat to commit an act of violence has occurred, shall:
 - ◆ Assume the threat is serious;

- ◆ Immediately notify a school administrator and provide complete information;
- ◆ Work with the school administrator to make arrangements for the threat assessment interviews to be completed.

Threat Assessment Interviews

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

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

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

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

RESTRAINT & SECLUSION NOTIFICATION AND PROCEDURES

Procedures for Implementing Seclusion and Restraint of All Students

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

1. Definitions from Alabama Administrative Code:

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

Physical Restraint is direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical

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

Physical Restraint that restricts the flow of air to the student's lungs, including any method (face-down, face-up, or on your side) of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs, is prohibited in Alabama public schools and educational programs.

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

Seclusion, a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others, is prohibited. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student, time-out as defined below, in-school suspension, detention, or a student-requested break in a different location in the room or in a separate room.

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

2. Requirements of the Seclusion and Restraint Rule:

- The use of physical restraint is prohibited in Alabama public schools and educational programs **except** in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Notwithstanding the foregoing, physical restraint is prohibited in Alabama public schools and educational programs when used as a form of discipline or punishment or as a means to obtain compliance.

- All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress.

SEARCHES

Search of Property

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

Search of a Student's Person

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

DISCIPLINE CONSEQUENCES: Enrollment and Transfer Implications

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

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

DRESS CODE

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

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

1. Any clothing, appearance, or personal hygiene and grooming practices that draw an inordinate amount of attention to the individual student are considered inappropriate for school. The dress and/or grooming style of any student must not interfere with the educational process of any Hoover City School.
2. Clothing should not reveal the body in an inappropriate manner. Clothing which is too tight, exposes the bust line, sides, back, or midriff area is prohibited.
3. Legging/Jeggings/Tights are not considered pants and must be worn with a long dress or skirt (see length requirements on #7)
4. Undergarments to include cami, bra, or underwear should not be visible.
5. Excessively large clothing is not allowed.
6. Pants and skirts with holes above the knee are not allowed.
7. Shorts, dresses, and skirts must be hemmed and not shorter than mid-thigh when student is seated. Shorts that are torn, in disrepair, or spandex are not allowed
8. Students are not to wear jewelry, ornaments, or accessories which distract from the learning environment or may pose a safety risk/hazard (ex. excessively large, noisy jewelry and/or belts). No decorative dental appliances (whether permanent or temporary) or distracting contact lenses will be allowed.
9. T-shirts or any other type clothing or personal item bearing a reference to alcoholic beverages, tobacco products, drugs, drug-related slogans, and/or any other wording, drawing, pictures, etc., which in any way can be interpreted as being "off-color," suggestive, obscene, or offensive, or relating to, death, the occult, etc. are not permitted.

10. Clothing and/or accessories which are disruptive or distracting to the learning environment or which identify a student as being a member of a gang, unauthorized organization, or any subversive or unlawful organization will not be allowed.
11. During the school day, students are not to wear or carry caps, hats, bandannas, sunglasses, or other inappropriate headwear (ex. Hoodie pulled up over head, ski hat, etc.).
12. Hair design or style that can be associated with unauthorized organizations is not allowed.
13. Extreme facial make-up, face painting, masks, etc. that obscures the student's face or causes a disruption to the learning process is not acceptable.
14. Students are not to wear heavy metal chains, metal spiked apparel, or accessories, etc.
15. Students are required to wear shoes to school at all times. Boots with chains, steel toes, or other metal reinforcement or decorations are not allowed.
16. Clothing & accessories designed to conceal illicit objects are prohibited.

NOTES:

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

CROWDFUNDING

Students may not use crowdfunding (such as Go Fund Me or like means) to raise money for a school fundraiser.

SCHOOL BUS BEHAVIOR EXPECTATIONS

Responsibilities of Students Transported on Buses

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

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

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

Students and parents/guardians should note the following information:

1. Transportation services are a privilege and inappropriate conduct can result in a loss of that privilege.
2. Bus drivers are in charge of their buses at all times. Students will respectfully follow the directions of the bus driver and behave in a responsible manner which demonstrates respect for property and consideration for others while riding the bus.
3. Transportation is available to all Hoover City students who live beyond the legally prescribed two (2) mile walking distance from their zoned school or those students with authorized exception; therefore, only students authorized to ride the bus should do so. Students found to be riding the bus without authorization are in defiance of authority and will be disciplined accordingly.
4. Students are assigned to a particular school bus by the appropriate transportation personnel. Students are not permitted to ride any bus other than their regularly assigned bus. Students found to be riding the bus without authorization are in defiance of authority and will be disciplined accordingly.
5. There will be no transportation provided for students wishing to go to another address other than their assigned bus stop.
6. The location of all bus stops will be determined at the discretion of the Transportation Department. All requests for a new/change bus stop location must be made to the Transportation Department.
7. Only students living along a bus route will be assigned to the bus serving that route.
8. Transportation is not provided for in-district or out-of-district transfer students.
9. Video cameras are placed on all school buses as a tool for school personnel to monitor behavior, and shall not limit the bus driver's authority or the discretion of school officials in implementing and enforcing the provisions of the Code of Student Conduct.
10. Any carry-on equipment (e.g., book bags, band instruments or uniforms, sports equipment or bags, science projects, school fundraiser items, personal items, etc.) must be held by the student owner or safely placed under the student's seat and must not interfere with either the seating or the safety of other students on the bus (i.e., block any emergency exits).

DISCIPLINARY INFRACTIONS PERTAINING TO STUDENTS TRANSPORTED ON BUSES

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

Expectations for Student Behavior on Hoover School Buses

- Always follow the bus driver's/aide's instructions.
- Show respect for everyone.
- Remain seated in your assigned seat, facing forward.
- Keep your head and arms inside the bus.
- Keep your feet and backpacks out of the aisle.
- Keep your hands, feet, books, pencils, etc. to yourself.
- Keep voice at a low volume (inside voice) so that the driver is not distracted and can hear traffic warnings or other danger alerts.
- No eating or drinking on the bus. (Administrator may approve for documented medical reasons.)
- Students may use their cell phone on the bus. Music on electronic devices should be played through ear buds not a speaker. If cell phone behavior becomes an issue for the bus driver, the privilege to use the phone may be removed by the administrator (see infractions for inappropriate usage of technology).

Student Substance Abuse Intervention Program

HOOVER CITY SCHOOLS POLICY MANUAL - Substance Abuse

6.19 *Student Parking Privileges – Substance Abuse*

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

6.20 *Student Competitive Extracurricular Activity Substance Abuse Policy*

In order to promote the safety and welfare of students who participate in competitive extracurricular activities, to insure that such participation is neither impaired nor any risk of injury exacerbated, to provide incentives to students to maintain safe and healthful

practices, and to promote a school environment that is free of alcohol and illegal drugs or controlled substances, the Board reserves the right to require any student who participates in extracurricular competitive programs or activities to submit to sobriety tests or screening for illegal drugs or controlled substances prior to, during, or following a competitive event, practice, competition, or at any other time while the student is under the supervision of the school system. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws, and procedures that are developed by the Superintendent.

HOOVER CITY SCHOOLS POLICY MANUAL - Student Searches

6.13 *Searches (Students)*

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

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

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

HOOVER CITY SCHOOLS CODE OF STUDENT CONDUCT - Drugs and Alcohol

3.01 DRUGS/DRUG PARAPHERNALIA – Unauthorized possession, transfer, use or sale of drugs or drug paraphernalia; intent to use, buy, or sell drugs/drug paraphernalia; being

under the influence of drugs. "Drugs" also includes all illegal controlled substances, synthetic drugs, prescription drugs, more than a single dose based on product directions of over-the-counter medications, and over-the-counter medications that must be released for purchase by a pharmacist or the sale of which is restricted based on the purchaser's age. Possession of any other substance which might create a hazard to the user's health or safety or the health or safety of another is prohibited.

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

GOALS OF STUDENT SUBSTANCE ABUSE PREVENTION PROGRAM

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

STUDENT DRUG SCREENING

STUDENT POPULATIONS ELIGIBLE TO BE DRUG TESTED

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

FORMAT FOR RANDOM DRUG TESTING

Names of students eligible for random testing will be submitted to 3rd Party Testing Agency, the district contracted third-party testing agent.

1. At various times during the year, a third party testing agency will provide school administrators a list of students to be tested based on a random selection by the third-party testing agency's computer program.
2. Upon receiving the list of students, school administrators will partner with the third party testing agency to conduct the drug screening process.
3. Drug screenings will be conducted randomly throughout the school year.

4. Students selected for drug testing and their parent/guardian will not receive notice prior to the screening, but the parent/guardian will be notified afterward that the student was tested.
5. Positive results will be reported to parent/guardian by the third party testing agency and to school administrators by the third party testing agency. The principal will initiate an intervention and consequence plan for students who test positive for drug use.

INTERVENTION & CONSEQUENCES FOR POSITIVE RESULTS

Intervention Plan

Principal will notify school social worker interventionist of positive results, and interventionist will contact parent to set up meeting with parent or legal guardian and student.

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

Consequence Plan for Activity Students Who Test Positive for Drugs

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

- **1st Positive Result**
 - Suspension from all competition for 30 calendar days.
 - At the end of 15 calendar days, a drug test administered by a 3rd Party Testing Agency at the expense of the parent/guardian must produce negative results.
 - If the results of the drug test are negative, the activity student may resume practice activities but cannot compete in extracurricular contests to include games, matches, tournaments etc. until the completion of the total 30 calendar days.
- **2nd Positive Result**
 - Suspension from all competition for 45 calendar days.
 - At the end of 23 calendar days, a drug test administered by a 3rd Party Testing Agency at the expense of the parent/guardian must produce negative results.
 - If the results of the drug test are negative, the activity student may resume practice activities but cannot compete in extracurricular contests to include games, matches, tournaments etc. until the completion of the total 45 calendar days.
- **3rd Positive Result**
 - Suspension from all competition for 90 calendar days.

- At the end of 45 calendar days, a drug test administered by a 3rd Party Testing Agency at the expense of the parent/guardian must produce negative results.
- If the results of the drug test are negative, the activity student may resume practice activities but cannot compete in extracurricular contests to include games, matches, tournaments etc. until the completion of the total 90 calendar days.
- **Additional Positive Results**
 - Suspension from all extracurricular activities for one calendar year.

Consequence Plan for Student Drivers Who Test Positive for Drugs

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

- **1st Positive Result**
 - Suspension of driving privileges for 30 calendar days.
 - At the end of 30 calendar days, a drug test administered by a 3rd Party Testing Agency at the expense of the parent/guardian must produce negative results.
 - If the results of the drug test are negative, the student may resume driving privileges.
- **2nd Positive Result**
 - Suspension of driving privileges for 45 calendar days.
 - At the end of 45 calendar days, a drug test administered by a 3rd Party Testing Agency at the expense of the parent/guardian must produce negative results.
 - If the results of the drug test are negative, the student may resume driving privileges.
- **3rd Positive Result**
 - Suspension of driving privileges for 90 calendar days.
 - At the end of 90 calendar days, a drug test administered by a 3rd Party Testing Agency at the expense of the parent/guardian must produce negative results.
 - If the results of the drug test are negative, the student may resume driving privileges.
- **Additional Positive Results**
 - Suspension of driving privileges for one calendar year.

Students who refuse to be tested will lose driving privileges and the opportunity to participate in activities until they take a drug test.

STUDENT ALCOHOL ABUSE

The abuse of alcohol by underage individuals is a significant national problem. Our school administrators and school resource officers believe it is important to send a strong message to

students and parents about alcohol abuse as well as address intervention and discipline in a consistent manner.

STUDENT POPULATION ACCOUNTABLE

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

SCOPE OF CONSIDERATION

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

INTERVENTION & DISCIPLINE

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

SEXUAL HARASSMENT

Prohibited Conduct

Students shall not engage in conduct constituting sexual harassment as defined hereafter. Sexual harassment, whether between students or between a student and an employee, is illegal and will not be tolerated. Administrators will investigate all allegations of sexual harassment and take appropriate action against students who engage in

sexual harassment. Sanctions against students for violation of this policy may include verbal or written warning, suspension, or expulsion.

Definition

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

Complaint Procedure

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

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

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

Protection of Complainant

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

ANTI-HARASSMENT POLICY FOR HOOVER CITY SCHOOLS

Harassment, Violence, and Threats of Violence Prohibited

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

Definitions

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

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

Description of Behavior Expected of Students

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

- race;
- sex;
- religion;
- national origin; or
- disability

Consequences for Violations

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

Reporting, Investigation, and Complaint Resolution Procedures

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

Promulgation of Policy and Related Procedures, Rules, and Forms

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

Construction of Policy

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

Reporting Forms

Forms to report bullying, harassment, or intimidation are available at the school.

ATTENDANCE/ABSENCES/EXCUSES/TARDIES

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

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

Excused Absences

Absences are excused for the following reasons:

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

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

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

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

A form for anticipated absences can be found on the school's website.

Unexcused Absences

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

Absences are unexcused for the following:

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

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

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

Excessive Absences

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

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

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

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

Tardies

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

Checkouts

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

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

What to Expect for Excessive Absences and Tardies

- A warning letter will be sent from the student's school.
- A School Administrative Meeting will be held.
- A home visit may be made by a School Resources Officer-Hoover Police Department and/or Student Services Representative.
- Continued excessive absences and/or tardies will require a parent/legal custodian to attend a district attendance intervention/meeting.
- Continued excessive absences and/or tardies will require a parent/legal custodian, along with the student if over 10 years old, to attend Early Warning Court in that school's jurisdiction.
- After attending Early Warning Court, if excessive absences and/or tardies continue, a petition for Educational Neglect and/or Truancy will be issued to the courts.

Educational Neglect /Violation of Parents Responsibility Act (VOPRA)/Violation of Alabama Compulsory School Attendance Law (VACSAL)

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

- Warrant issued for parent/legal custodian's arrest

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

Truancy Case

Age 12 and up - The student may be prosecuted.

Possible Consequences –

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

USE OF DIGITAL DEVICE DURING THE ADMINISTRATION OF STATE TEST

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

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

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

COMPUTER ACCESS AND USE BY STUDENTS

Hoover City Schools uses instructional technology as one way of enhancing the mission to prepare and inspire all students for lifelong success by teaching the skills, knowledge and behaviors students will need as responsible citizens in the global community. Excellence in education requires that technology is seamlessly integrated throughout the education program. In an effort to increase access to those 21st century skills, HCS has made it a goal to offer students 24/7 accessibility to their learning through this "Engaged Learning Initiative" (ELI). The individual use of technology is a way to empower students to maximize their full potential and to

prepare them for college and the workplace. All students in grades 3-12 have the option to receive a district-issued device for their use.

Students may be required to pay for any repair and replacement damages, including labor costs. In addition, the student's privilege to bring personal technology to school and/or use district-issued technology while on school property may be revoked.

Summer use of technology is a privilege and could be revoked for inappropriate use.

ENGAGED LEARNING INITIATIVE Agreement

www.hcseli.com.

It is the responsibility of each HCS student and parent to read and abide by the Engaged Learning Initiative Agreement during registration each year.

Technology Acceptable Use Agreement

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

www.hcseli.com.

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

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

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

The Family Educational Rights and Privacy Act (**FERPA**), a Federal law, requires that Hoover City Schools obtain written consent from parent/legal guardian prior to the disclosure of personally identifiable information about a child's education records. However, Hoover City Schools may disclose appropriately designated "directory information" without written consent, unless the parent/legal guardian has advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow Hoover City Schools to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy, can also be disclosed to outside organizations without parent/legal guardian written consent. Outside organizations include, but are not limited to, companies that

manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Acts of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses, and telephone listings for students – unless parent/legal guardian has advised the LEA that they do not want the student’s information disclosed without prior written consent.

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

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

For more information, contact your school principal or visit the FERPA Web Site at: www.FERPA@ED.Gov.

NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS

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

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

Family Policy Compliance Office
U. S. Department of Education

Transfer Court Order

On December 14, 2017, the Court entered an order giving final approval to the Hoover City Board of Education's rezoning plan. (Doc. 91). In that order, the Court instructed the Board to work with the plaintiff parties to develop and propose a revised transfer policy that includes racial desegregation transfers. (Doc. 91, p. 5). The parties have conferred and presented to the Court a proposed transfer policy.

¹ On February 3, 2016, for administrative purposes, the Court directed the Clerk of Court to create a miscellaneous case number to allow the parties, the public, and the Court easier access to docket entries relating to the Hoover school district in *Stout v. Jefferson County Bd. of Educ.*, Case No. 2:65-cv-396-MHH. The miscellaneous case number is 2:16-mc-199-MHH. The Court did not sever the Hoover system from the original Jefferson County school desegregation action. Unless otherwise noted, in this opinion, the Court cites to documents contained in miscellaneous case number, 2:16-mc-199-MHH.

The Board has asked the Court to approve the amended policy. (Doc. 101).

The transfer policy that the parties proposed has a spring deadline for transfer applications. To enable eligible families to apply for transfers for the 2018-19 school year, the transfer provisions in this order shall govern transfers for the 2018-19 school year. The substantive provisions of this order will become the district's official transfer policy for future academic years.

For the 2018-19 school year:

Students may apply to transfer to a school other than the school for which they are zoned. Transfers are limited to the following categories and are subject to the following requirements:

- a. Racial Desegregation Transfers. A racial desegregation transfer will be permitted between eligible schools within the Hoover district if there is space available and if the transfer will have the effect of moving the racial composition of both the sending and receiving schools closer to the district-wide racial composition. For purposes of racial desegregation transfers, eligible schools are (i) those schools for which the racial composition of zoned African American students in the school is outside a range of 5 percentage points higher or 5 percentage points lower than the district-wide racial composition for African American students, (ii) Simmons Middle School, and (iii) Bumpus Middle School. By **May 30, 2018**, the Board must identify and publicize the names of the "eligible schools" for the 2018-19 school year.

Racial desegregation transfer applications that are approved for the

2018-19 school year shall also be approved for each succeeding school year until the student moves up to a different school serving grade levels different from the school to which the transfer was first granted.

b. Substantial Hardship Transfers. The district may approve a substantial hardship transfer for the 2018-19 school year if a student or a student's family demonstrates a substantial, extraordinary, and compelling hardship; the hardship is unique to the student or his/her family; and the hardship necessitates the assignment to a school other than the school to which the student is zoned. Each hardship transfer application must be supported by detailed documentation, and the district must use that documentation to evaluate the transfer request. When evaluating a substantial hardship transfer application, the district must consider (i) the validity of the stated hardship; (ii) whether the receiving school is best able to address or alleviate the stated hardship; (iii) whether other students with similar hardships have been granted hardship transfers; and (iv) whether transferring similarly situated students to such receiving schools proved beneficial. Hardship transfers are valid only for the school year for which they are approved. Transfer students who wish to remain at the school to which they transfer for the 2018-19 school year must re-apply for a hardship transfer each year and submit to the Board current information documenting the stated hardship and the necessity of the transfer.

The following are examples of the types of situations that may warrant the granting of a hardship transfer: incarceration of a parent; terminal illness of a parent; natural disaster; and medical or health problems suffered by the student that make it necessary for the student to attend a specific school.

A hardship transfer must be based on unique circumstances, and the Board's designee must evaluate each application independently to determine if the application identifies a legitimate and unique hardship. The Board will provide an appeals procedure to prevent an abuse of discretion in the application process.

With respect to documentation, parents must provide a detailed description of the stated hardship and attach to the student's transfer application supporting documents such as letters of support from doctors or authorities who can (i) confirm the hardship, (ii) describe the condition that causes the hardship; (iii) explain why the stated hardship requires transfer of the student to another school, and (iv) state how the condition will be accommodated by the new school.

c. Employee Transfers. The district may approve an employee transfer for a student if (i) the Board employs the student's parent or guardian on a

full-time basis, (ii) the student resides with the employee parent or guardian, (iii) the employee parent or guardian has custody of the student, (iv) space is available at the school to which the transfer is sought, (v) the school to which the transfer is sought is within the high school feeder pattern to which the employee is assigned, and (vi) the student meets established attendance, academic, and behavioral criteria. If an employee is not assigned within a feeder pattern, then the district may approve a transfer to a school in either high school feeder pattern, but any such transfer must also meet the criteria for Racial Desegregation Transfers.

d. Transportation. The Board will provide transportation for racial desegregation transfer students from the student's zoned school to and from the eligible school to which a transfer is approved. The Board may elect to provide transportation from a student's home to the school to which the transfer is approved or from such school to the student's home, or both, if in the Board's discretion, it would be more efficient and in the best interest of the school district and the student to do so.

The availability of transportation under this provision will be determined by application of the customary guidelines and procedures applicable to other students assigned to the student's zoned school. If a student would not be eligible for transportation to his or her zoned school – as a result of the two-mile rule, for example – then the student still is not eligible for transportation to the zoned school under this provision, but the student would be eligible for transportation from the student's zoned school to the transfer school. In that scenario, the parents/guardians are responsible for transportation to the zoned school where the student may meet the bus to ride to the transfer school.

e. Capacity. If, because of school capacity, space is available in a particular school to accommodate some but not all of the students who apply to transfer to that school, then the Board shall allocate available spaces based on the following priority system:

1. Substantial hardship transfers;
2. Employee transfers and new racial desegregation transfers. The Board must provide an equal number of spaces for racial desegregation transfers and employee transfers.

If space is not available to accommodate all applicants within the transfer categories using the priority system, then the Board must use

a lottery system to identify students who may transfer.

If the number of transfer applications for a particular school exceeds the number of slots available at that school, then the Board shall create a waiting list. If a student who receives a transfer elects not to use the transfer, then the Board shall offer the slot to the first student on the waiting list. The Board shall fill available slots for transfer in this manner until all eligible transfer applicants receive a transfer or all available slots at the subject school are filled.

For purposes of this policy, a school will be deemed to have capacity to accommodate transfers if the school does not exceed 95% utilization, based on the Board's building capacity formula. To calculate capacity, the average current class size will be multiplied by 85% to calculate the typical number of students per instructional space. The 85% factor allows for small groups that meet in instructional spaces during the day for special education, enrichment, second language, speech language, and intervention. The total number of instructional spaces will then be multiplied by 16 (for elementary schools) or 21 (for middle or high schools) to get the building's student capacity. A capacity of 95% or above indicates that a building may be close to being over-utilized.

f. Behavior, Attendance and Academic Criteria. Substantial hardship and employee transfers shall be subject to the following criteria and may be revoked or denied if all criteria are not met:

1. Regular attendance – Student must not be enrolled in the District Truancy Program.
2. Satisfactory grades - Student must not receive a “D” or an “F” for the school year in any class.
3. Satisfactory behavior - Student must not be determined to have committed a “Class III” offense (See Code of Student Conduct).

g. Administrative Assignments. The following categories of students may attend a school other than the school to which they are assigned without requesting a transfer:

1. Students receiving exceptional education services or accommodations under 504 or IDEA may be assigned to a school outside of their attendance zone, if necessary, to meet the Board's obligations under state and federal law.

2. Students attending the IB program, a curriculum offering Available only at a specific school, or other curricular programs or options unique to a particular school.
3. Students who are administratively assigned to a different school by the superintendent as a result of safety concerns, for disciplinary reasons or other reasons determined to be necessary for the health, safety, and well-being of the individual student, other students, or the school system.

h. Change of Residence. A student who moves to another address within the district during the school year may continue to attend the school he or she started in that school year until the end of the school year, provided that the student moved after the completion of the first four weeks of school, the parents or guardians complete the appropriate form updating their address and submit it to the school where the student attends within 7 days of establishing the new residence, and the student meets attendance, academic and behavior criteria. Students who move during their 11th grade year to another address within the district shall be permitted to attend the school attending in the 11th grade during their 12th grade year as well.

When a student moves to another address within the district during the school year, a parent/guardian must complete an appropriate form updating the student's address within 7 days of establishing the new residence. The form will include a statement acknowledging that the student no longer is zoned for the school the student attends and that he/she must attend the zoned school the following academic year. This provision applies to students who move at least four weeks into the school year; it does not apply to families who move during the summer.

i. Application Deadlines.

For the 2018-19 school year, on or before **June 1, 2018**, through its website, social media accounts, and Rapid Notification System, the Board must begin advertising the availability of transfer applications and the deadline for submission of those applications. On or before **June 1, 2018**, the Board shall post a copy of this order on its website and on its social media accounts, and the Board shall publish in those places the language in this order that describes the categories of transfer applicants: racial desegregation transfers, substantial hardship transfers, and employee transfers.

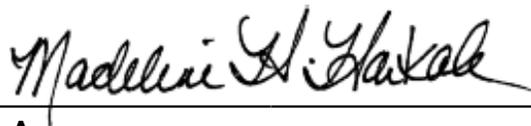
On or before **June 1, 2018**, the Board must make an electronic transfer application form available on the school website and must

make paper forms available at all schools in the district. A parent/guardian must submit a transfer application so that the district's Department of Student Services receives the application on or before **June 18, 2018**.

The Board may consider untimely applications only in the following situations:

1. Substantial hardship which arises after the deadline for submission.
 2. Employees hired after the application deadline; however, a transfer application for an employee's child must be submitted and received by the district's Department of Student Services within two weeks of the effective date of hire.
 3. Students who move into the district from outside of the district after the application deadline, provided that a transfer application is received by the district's Department of Student Services within two weeks of the date that the new residence is established.
- j. Appeals. Denied applications may be appealed in writing to the superintendent or designee for review. The written appeal shall state all grounds upon which the appeal is based. The decision of the superintendent or designee is non-appealable and shall be final.

DONE and **ORDERED** this May 22, 2018.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE

Glossary of Terms

Administrative Intervention

A conference will be held between the administrator and the student to address the inappropriate behavior. This will provide an opportunity for discussing possible alternatives available for the student to correct the misbehavior.

Administrative referral to other school personnel

The administrator may refer students to the counselor, interventionist, or other support personnel in an effort to support a change in the student's behavior.

Bus Suspension

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

Detention

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

Driving Privileges

Driving a vehicle to school by students is considered a privilege, and this privilege may be revoked at the discretion of the administrator.

Friday Night/Saturday School

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

Intensive School Supervision (ISS)

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

Long-Term ISS

Long-term ISS is designed for students whose behavior warrants removal from the regular school program for an extended period of time (typically from 10 - 25 days). Students will be prohibited from attending or participating in any school district activities during the time assigned to long-term ISS. Students will receive credit for all work completed during the assigned long-term ISS placement.

Out of School Suspension (OSS)

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

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

Procedural due process

The student is afforded the opportunity to share his/her account of what occurred with an administrator.

Recommendation for Expulsion

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

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

Required Parent Conference

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

Restitution for Damages

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

Second Chance Alternative School Placement (2C)

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

Second Chance (2C) is a program designed for students who commit Class III offenses, transfer to Hoover City Schools with an unserved alternative placement pending, or have been arrested for a felony that has not completed adjudication through the judicial system. Parents/guardians of all students placed in the Second Chance Program will be given written information and rules for the program at the required Intake Conference with designated Alternative School personnel. The student and a parent or legal guardian, as determined by school records, must be present together for the Intake Conference. While assigned to the program, students are not allowed to return to their base school or any Hoover City school, nor are they allowed to participate in any extracurricular activities. While attending 2C, students are required to wear a designated school uniform. Transportation to 2C is the sole responsibility of the parent/guardian who must identify in writing a transportation provider who is 21 years of age or older. Students assigned to 2C may not transport themselves to school. Continued Code of Conduct violations by a student while assigned to 2C may warrant a recommendation for expulsion.

School Assigned Community Service

A student may be assigned community service for disciplinary purposes and will be supervised by a certified Hoover City Schools staff member assigned by an administrator.

Supervised Plan for Correction of Misbehavior

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

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

Student (print) _____

Parent/Legal Guardian (print) _____

School (print) _____

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

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

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

Student (signature) _____

Parent/Legal Guardian (signature) _____

Parent/Legal Guardian (signature) _____

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

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