



HOOVER  
CITY SCHOOLS

# **HOOVER CITY SCHOOLS**

**2021-2022**

# **CODE OF STUDENT CONDUCT**

**Board Approved 6/14/2021**

**This document has been published for the 2021-2022 school year and supersedes all previous Code of Conduct information.**

# **HOOVER CITY SCHOOL DISTRICT**

## ***CODE OF STUDENT CONDUCT***

**2021-2022**

### **HOOVER CITY BOARD OF EDUCATION**

**Mrs. Amy Tosney, President  
Mrs. Amy Mudano, Vice President  
Mr. Craig P. Kelley  
Mr. Kermit Kendrick  
Mr. Alan Paquette**

**Dr. Dee Fowler, Superintendent  
Dr. Ron Dodson, Assistant Superintendent of Instruction  
Dr. Tera Simmons, Assistant Superintendent for Administration**

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## **EQUAL EDUCATIONAL OPPORTUNITIES**

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(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 – 205-439-1050  
Mrs. Anna Whitney, Section 504 Coordinator - 205-439-1017  
Dr. Debra Smith, Federal Programs Director – 205-439-1085  
Dr. Tera Simmons, Title IX Coordinator – 205-439-1028 - TITLEIX@hoover.k12.al.us

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### **Enrichment/Gifted Notice**

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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 and any conduct or activity occurring off-campus that threatens or results in substantial disruption of or material interference with the educational process or school activities.

**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. 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.

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. 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 have the authority to require students to meet behavior expectations.

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-2	7	10 consecutive school days
3-5	7	20 consecutive school days
6-8	6	Every 9 weeks
9-12	4	Every 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)
- Loss of driving privileges
- Meet with the Intervention Counselor
- Out of School Suspension (OSS)
- Parent Notified
- Restorative Justice Practices
- School Assigned Community Service
- Limit access to or revoke technology
- Prohibition of attending extracurricular activities (excluding graduation if a senior)

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.

### **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.

### **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 may be convened prior to the student returning to classes and will include the student, a parent/ guardian, an administrator, and other appropriate persons. Students who enroll from another school must complete their OSS days assigned prior to attending regular classes in HCS.

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.

### **Discipline Process: Possibly Crossroads (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 Crossroads)- days must be earned according to established behavior system**
  - **Base school will coordinate transitional support with Crossroads.**
  - **1<sup>st</sup> offense: 30 days**
  - **2<sup>nd</sup> offense: 60 days**
  - **3<sup>rd</sup> offense: 90 days**
  - **4<sup>th</sup> offense: 120 days**
  - **5<sup>th</sup> offense: 150 days**

**Reset of future 2C placements will occur if a student goes 2 years from the date of the last Class 3 infraction without committing another Class 3 Offense.**

- **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**

### **Crossroads Alternative School Placement (2C)**

Under certain conditions, the Board authorizes the placement of students in the Hoover City Schools alternative school program, called Crossroads (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 three (3) days during which a required Intake Conference must occur before the student begins the 2C placement. During the three (3) day suspension, the student must complete the intake at 2C. The students are to enroll and begin 2C immediately. Students are to follow these procedures even if appealing. The attendance will be coded as unexcused for students who do not begin 2C during the designated time. If students are on senior release or in co-op and are on-track to graduate with their cohort, the number of hours attended at 2C would be consistent with the number of hours at the student's base school. The arrival time would be consistent with all other students at 2C. If students receive a Class 3 consequence, they lose eligibility to attend RC3 for the remainder of the year; however, the student may reapply for RC3 the following school year.

Crossroads (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 Crossroads 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.

### **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 as required by law.

## **DISCIPLINE 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 -"Class 3 Discipline 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. Students assigned to 2C are suspended for 3 days. During the three (3) day suspension, students must complete the 2C intake. During the appeal process, students are to attend 2C.

## **CLASS 3 DISCIPLINE APPEALS**

### **Crossroads (2C) Appeal**

Parents/Guardians may file an appeal of a principal's decision to place a student at Crossroads (2C) by using the following procedures:

1. The parent or custodian must submit an appeal form to the Assistant Superintendent of Administration.

2. Unless there are extenuating circumstances, within ten (10) school days from receipt of the appeal, the Superintendent or designee shall arrange an appeal conference with the aggrieved person.

3. Participants at the appeal will include: the superintendent or designee, administrator from the student's school, the student, and the parent or custodian. Ordinarily, no attorney will be present in an advisory capacity at the appeal. If the student's parent chooses to have an attorney present, the school district will have an attorney present in an advisory capacity. The student's parent must give 48-hour notice prior to the hearing of the decision to have an attorney. Failure to do so may result in the rescheduling of the hearing, and, if the student's parent fails to provide notice after a hearing has been rescheduled the participation of the attorney in the appeal may be denied.

4. At the appeal, the school administrator shall present information from the investigation that resulted in the recommendation for placement at 2C

5. The student will be given an opportunity to admit or deny the allegations.

6. The superintendent or designee will make a final determination regarding the 2C placement and a copy of the decision will be sent to the following individuals:

- a. The student's parent (by certified mail)
- b. The Principal at the respective school and at 2C
- c. The Instructional Support Department (for special education students)
- d. The Superintendent
- e. The Assistant Superintendent of Administration

### **Expulsion Hearings**

1. The school administrator is initially responsible for determining that an offense has been committed for which expulsion may be warranted.
2. The Superintendent or designee will review a principal's recommendation for expulsion to determine whether or not to submit the recommendation for expulsion to the Board. As part of that review, the Superintendent or his/her designee may (1) hold a due process hearing with the student and the parent/guardian, which will also include the principal and any other individuals that may be needed to determine whether the recommendation from the principal shall be upheld; (2) review the written records submitted by the principal in support of the recommendation; or (3) take any other such action that is deemed necessary to make a determination regarding the recommendation. If the Superintendent or his/her designee holds a due process hearing to determine whether the recommendation from the principal shall be upheld, the Superintendent or his/her designee shall, by letter, notify the parents/guardians of the hearing.
3. If the recommendation for expulsion is upheld, the Superintendent will present the recommendation to the Board and the parents/guardian and the student shall be notified, by letter, of the time and place of an expulsion hearing before the Board. In order to comply with applicable student privacy laws, the hearing will be closed to the public.

4. Any student who is the subject of an expulsion hearing shall have the right to a hearing before the school board, the right to be accompanied by counsel, the right to be informed of the alleged charge(s), the right to cross-examine witnesses, and the right to speak and offer evidence in his/her own behalf. The student's parent must give the Board notice, at least 48 hours prior to the hearing, of the decision to have an attorney. Failure to do so may result in the rescheduling of the appeal hearing, and, if the student's parent fails to provide notice after a hearing has been rescheduled, the Board may deny the participation of the attorney in the hearing.
5. The Board will make the final decision as to whether the student will be expelled after the hearing. If the decision to expel the student is made, the Superintendent or his/her designee shall, by letter, notify the following individuals of the Board's decision in writing:
  - a. The student's parent/custodian (by certified mail)
  - b. The Principal at the student's school and/or at 2C
  - c. The Superintendent
  - d. The Assistant Superintendent of Administration
  - e. The Lead SRO Officers
  - f. If applicable, the Special Education Department
6. The student shall remain under suspension until the hearing is held.
7. Any student, who has been determined eligible for services or accommodations under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 may be expelled provided that all procedural and other requirements of applicable law are observed.

## **K-5 -- LIST OF VIOLATIONS AND CONSEQUENCES**

### **K-5 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-2	7	10 consecutive school days
3-5	7	20 consecutive school days

- **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
- **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)
- **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. Disruption does not include occasional or insolated interferences with instruction.
- **INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION** – Single, minor incidents of consensual hugging, kissing, holding hands in an affectionate way, etc.
- **NONCOMPLIANCE TO DRESS CODE** - See the section on Dress Code
- **UNAUTHORIZED POSSESSION OF AUDIO AND/OR VIDEO DEVICES OR OTHER TECHNOLOGY DEVICES/MATERIALS**- see Technology Use Policy
- **UNEXCUSED TARDIES** – See the section on Tardies



**DISPOSITION OPTIONS FOR CLASS I INFRACTIONS AS DEEMED APPROPRIATE BY THE TEACHER (must be matched to seriousness of problem behavior):**

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

**K-5 CLASS II OFFENSES: OFFICE MANAGED**

- **ACADEMIC DISHONESTY** - Includes plagiarism, copying another's work; altering records and cheating by providing, receiving, or viewing answers to quiz or test items or independent assignments, using texts, documents, notes, or notebooks during tests without permission from a staff member.
- **BEING TRUANT FROM CLASS OR SCHOOL** – Not being in the scheduled location at the scheduled time for the scheduled duration, leaving the school building, class, and/or grounds without permission i.e. "Skipping"
- **CLASS II BUS SAFETY INFRACTION**
  - All bus infractions are listed as Class II violations based on the 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.
  - 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.
- **CONSENSUAL EXCESSIVE OR REPEATED INAPPROPRIATE DISPLAY OF AFFECTION OR INAPPROPRIATE PHYSICAL CONTACT-** Excessive or repeated hugging, touching, or kissing
  - **DEFIANCE**— Confrontational or derogatory response or non-compliant response to the directive given by an adult. Refusing to follow a reasonable request of an HCS employee.
  - **DISORDERLY CONDUCT** - 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.
  - **FAILURE TO SERVE SCHOOL-BASED DISCIPLINE ASSIGNMENT SUCH AS DETENTION, SATURDAY SCHOOL, ETC.**

- **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.
- **FIRE ALARM ABUSE/TAMPERING** – Unjustified activation of a fire alarm system
- **GAMBLING** - Any participation in unauthorized games of chance or unauthorized possession of items used in games of chance
- **HARASSED/BULLYING ON THE BASIS OF SEXUAL ORIENTATION, RELIGION, DISABILITY, SEX OR OTHER** - 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. **(Refer to Board Policy 6.22 Jamari Terrell Williams Student Bullying Prevention Act)**

“Threat” means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.

“Threat of violence” means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.

“Bullying” means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to: cyberbullying or written, electronic, verbal, or physical actions 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 categories of personal characteristics contained in this policy. To constitute bullying, 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 whether the conduct occurs on or off school property, online, or electronically;

- ✓ Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function; or
- ✓ Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

“Hostile environment” means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.

“Intimidation” means an unjustified threat or other action that is intended to cause fear or apprehension in a student.

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.

**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.

- **Multiple or Continuous Class 1 Offenses** – Documented, repeated Class 1 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-2	7	10 consecutive school days
3-5	7	20 consecutive school days

- **PHYSICAL AGGRESSION-** Incident of physical aggression including hitting, kicking, tripping, pushing that causes harm.
- **SEXUALLY EXPLICIT MATERIAL – Possession or accessing of obscene, pornographic, or sexually explicit material.**
- **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 (Examples include but are not limited to: a single dose of medication, counterfeit money)

- **POSSESSION OF STOLEN OR LOST PROPERTY** – Possession of any property that does not belong to the person in possession.
- **PROFANITY/VULGARITY** – Use of profane, obscene, derogatory, or inflammatory language or gestures toward another student or as a general conversation, outburst, or statement/gesture
- **PROVIDING FALSE INFORMATION OR WITHHOLDING INFORMATION THAT SERIOUSLY COMPROMISES A SCHOOL INVESTIGATION AND/OR HAS THE POTENTIAL TO COMPROMISE THE SAFETY OF ANOTHER INDIVIDUAL**
- **TECHNOLOGY, INAPPROPRIATE USE - 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](http://www.hcseli.com) or a copy may be requested at the school.

- **THEFT/LARCENY** - 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.
- **TOBACCO – POSSESSION; TOBACCO – USE; TOBACCO – SALE**– Possession, use, and/or sale of tobacco products or CDC 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.

- **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 an HCS structure, school bus or on Hoover City School property without express permission of school authorities.
- **UNAUTHORIZED COMMUNICATION DEVICE - (such as cell phones, cell phone accessories including earbuds and headphones, computers, or wearable).** Students are not permitted to use wireless/electronic devices at school without express permission from the school principal or designee. **(devices include but are not limited to cell phones, cell phone accessories including earbuds and headphones, computers, or wearable)**
- **VANDALISM** - Intentional and deliberate action resulting in or having the potential to result in damages to public property or the real estate or personal property of another. Restitution for HCS property will be required.
- **VERBAL ALTERCATION** – An argument between individuals which disrupts the learning environment or has the potential to create a violent situation.

**DISPOSITION OPTIONS FOR CLASS II INFRACTIONS AS DEEMED APPROPRIATE BY THE ADMINISTRATION WITH REQUIRED PARENT NOTIFICATION. (should be matched to seriousness of infraction):**

- ADMINISTRATIVE INTERVENTION
- COUNSELING
- DETENTION/TIME OUT
- EXTENDED OR PERMANENT BUS SUSPENSION
- INTENSIVE SCHOOL SUPERVISION (ISS)
- LIMITED ACCESS TO OR REVOKE TECHNOLOGY
- MEET WITH THE INTERVENTION COUNSELOR
- OUT OF SCHOOL SUSPENSION (OSS)
- PARENT CONFERENCE
- PARENT NOTIFIED
- RESTITUTION FOR HCS PROPERTY
- RESTORATIVE JUSTICE PRACTICES
- SUPERVISED PLAN FOR CORRECTION OF MISBEHAVIOR
- SUPERVISED SCHOOL ASSIGNED COMMUNITY SERVICE
- TIER 2, PROBLEM SOLVING INTERVENTIONS

## K-5 CLASS III OFFENSES: ALTERNATIVE PLACEMENT OR EXPULSION

Misconduct that violates local, state, or federal laws and which occurs at school, on a school bus, at a school-sponsored activity or such misconduct occurring off-campus that threatens or results in substantial disruption of or material interference with school activities 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.

- **ALCOHOL - POSSESSION, SALE, AND/OR USE** – Possession, use or sale of alcoholic beverages; intent to use, buy, or sell alcoholic beverages or any substance with alcohol content; being under the influence of alcoholic beverages or any substance with alcohol content.
- **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.
- **ANY OTHER VIOLATION WHICH THE PRINCIPAL MAY REASONABLY DEEM FALLS IN THIS CLASS**
- **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.

- **ASSAULT**– Physical aggression towards or the intentional touching or striking of a school board employee or student/other person against their will or the intentional causing of bodily harm to a school board employee student/other person. Or, intentionally causing bodily harm, disability, or permanent disfigurement; use of a weapon or other instrument causing physical harm.
- **BOMB THREATS** – Any such communication(s) which has the effect of interrupting the educational environment.
- **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
- **CONTINUED ACTIVITIES THAT INDICATE GANG INVOLVEMENT AND WHICH CAUSE DISRUPTION ON THE SCHOOL CAMPUS, THE SCHOOL BUS, AND/OR SCHOOL SPONSORED ACTIVITIES**
- **DIRECTING OBSCENE OR PROFANE LANGUAGE OR GESTURES TOWARD A SCHOOL BOARD EMPLOYEE OR ANY OTHER ADULT AT THE SCHOOL.**
- **DISPLAY OR DISTRIBUTION OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL** – Including having this material visible where others can intentionally or unintentionally see it.
- **DISRUPTIVE** – Any other offense which is reasonably likely to cause harm to person or property or seriously disrupt the educational process.
- **DRUGS - POSSESSION, USE, AND/OR SALE**–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.
- **EXPLOSIVES** – Preparing, possessing, or igniting on School Board property, explosives (including live projectiles) which have the potential to cause bodily injury or property damage.
- **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.
- **FIGHTING** - 2 or more students in physical conflict; potential/actual injury; potential/actual escalation involving other students; potential/actual major disruption



- **HARASSING/BULLYING ON THE BASIS OF SEXUAL ORIENTATION, RELIGION, DISABILITY, SEX OR OTHER** - 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;
  - ✓ **Refer to Policy 6.22 Jamari Terrell Williams Student Bullying Prevention Act Policy**

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.

- **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.
- **INCITING A DISTURBANCE** -- Leading, encouraging, or assisting in disruptions and/or pranks which result in destruction or damage of private or public property or personal injury to participants or others. (includes but not limited to inciting, promoting, publicizing, or participating in a major student disorder).
- **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.
- **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.
- **POSSESSION, SALE, AND/OR USE 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. 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...***

- **POSSESSION, SALE, AND/OR USE OF A KNIFE** – Possession or use of a knife including but not limited to: pocket knives, switchblades, hunting knives, razor blades, or box cutters.
- **POSSESSION, SALE, AND/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), metal knuckles, tear gas gun, chemical weapon or device, mace or any type tactical spray/weapon, 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, 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
- **ROBBERY** – Taking money or other property from a person by force and/or intimidation
- **SEXUAL HARASSMENT** - 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 (including, but not limited to offensive touching with sexual connotations, written or verbal propositions, engagement in sexual acts, use of obscene manifestations (verbal, written, gestures) toward another person) (**Refer to HCS Sexual Harassment Procedures**)
- **SEXUAL OFFENSE, OTHER**– Acts of a sexual or lewd nature including, but not limited to, battery, intercourse, attempted rape, rape, or indecent exposure. (**Refer to HCS Sexual Harassment Procedures**)
- **THREAT/INTIMIDATION**– the act or threat to commit a crime of violence or the act or threat to cause bodily injury to another person and terrorization as the result of the proscribed conduct. Notification of law enforcement is required.

- **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.
  
- **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 electronic device and/or network violations the principal may deem falls in Class III

Technology Acceptable Use Agreement can be found on the Hoover City Schools website at [www.hcse.li.com](http://www.hcse.li.com) or a copy may be requested at the school.

**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:**

- **OUT OF SCHOOL SUSPENSION**
- **PERMANENT REMOVAL FROM SCHOOL BUS**
- **PROHIBITION FROM ATTENDING SCHOOL ORGANIZED ACTIVITIES (E.G., EXTRACURRICULAR ACTIVITIES)**
- **RESTITUTION FOR HCS PROPERTY - in addition to other consequence(s)**
- **REVOKE TECHNOLOGY**
- **ALTERNATIVE SCHOOL PLACEMENT (2C)- Days must be earned according to behavior system**
  - **1<sup>st</sup> offense: 30 days**
  - **2<sup>nd</sup> offense: 60 days**
  - **3<sup>rd</sup> offense: 90 days**
  - **4<sup>th</sup> offense: 120 days**
  - **5<sup>th</sup> offense: 150 days**
  - **MAY EXTEND IF STUDENT IS NONCOMPLIANT**

**Reset of future 2C placements will occur if a student goes 2 years from the date of the last Class 3 infraction without committing another Class 3 Offense.**

- **NOTIFICATION OF LAW ENFORCEMENT OFFICIALS AS APPROPRIATE AND AS THE LAW REQUIRES (see section titled “It’s the Law”)**

# **GRADES 6-12 LIST OF VIOLATIONS AND CONSEQUENCES**

## **Grades 6-12 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 as follow:
6-8	6	Each 9 weeks
9-12	4	Each semester

- **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.
- **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).
- **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.
- **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).
- **INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION** – Single, minor incidents of consensual hugging, kissing, etc.
- **NONCOMPLIANCE TO DRESS CODE** - See the section on Dress Code
- **UNAUTHORIZED POSSESSION OF AUDIO AND/OR VIDEO DEVICES OR OTHER TECHNOLOGY DEVICES/MATERIALS**- see Technology Use Policy
- **UNEXCUSED TARDIES** – See the section on Tardies

**DISPOSITION OPTIONS FOR CLASS I INFRACTIONS AS DEEMED APPROPRIATE BY THE TEACHER (must be matched to seriousness of problem behavior):**

- Ask student to take a break to calm down

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

## **Grades 6-12 CLASS II OFFENSES: OFFICE MANAGED**

- **ACADEMIC DISHONESTY** – Copying, sharing, and/or using 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.
- **ANY OTHER VIOLATION** – Any other violation which the principal may reasonable deems falls in this Class.
- **BEING TRUANT FROM CLASS OR SCHOOL** – Not being in the scheduled location at the scheduled time for the scheduled duration, i.e. “Skipping.”
- **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.
  - 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.
- **CONSENSUAL EXCESSIVE OR REPEATED INAPPROPRIATE DISPLAY OF AFFECTION OR INAPPROPRIATE PHYSICAL CONTACT-** Excessive or repeated hugging, touching, or kissing
  - **DEFIANCE**– Confrontational or derogatory response or non-compliant response to the directive given by an adult. Refusing to follow a reasonable request of an HCS employee.
  - **FAILURE TO SERVE SCHOOL-BASED DISCIPLINE ASSIGNMENT SUCH AS DETENTION, SATURDAY SCHOOL, ETC.**
  - **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.
  - **FIRE ALARM ABUSE/TAMPERING – Unjustified activation of a fire alarm system**
  - **GAMBLING** - Any participation in unauthorized games of chance or unauthorized possession of items used in games of chance.
  - **HARASSING OR BULLYING ON BASES OF SEXUAL ORIENTATION, RELIGION, DISABILITY, SEX, OR OTHER** - 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. **(Refer to Board Policy 6.22 Jamari Terrell Williams Student Bullying Prevention Act)**

\*Threat” means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.

“Threat of violence” means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.

“Bullying” means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to: cyberbullying or written, electronic, verbal, or physical actions 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 categories of personal characteristics contained in this policy. To constitute bullying, 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 whether the conduct occurs on or off school property, online, or electronically;
- Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function; or
- Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

“Hostile environment” means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.

“Intimidation” means an unjustified threat or other action that is intended to cause fear or apprehension in a student.

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.

- **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.
- **INCITING DISRUPTION**– 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. (can include inciting, promoting, publicizing, or participating in student disorder)
- **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
6-8	6	Every 9 weeks
9-12	4	Every semester

- **Multiple or Continuous Tardies**
- **Multiple or Continuous Dress Code Violations**
- **PARKING VIOLATIONS** – Not following parking guidelines and regulations.
- **PHYSICAL AGGRESSION**- Incident of physical aggression including hitting, kicking, tripping, pushing that causes harm.
- **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, Counterfeit money).

- **POSSESSION OF STOLEN OR LOST PROPERTY (amounts equal to or less than retail value of \$250)** – Possession of any property that does not belong to the person in possession.
- **PROFANITY/VULGARITY** – Use of profane, obscene, derogatory or inflammatory language or gestures toward another student or as a general conversation, outburst, or statement/gesture
- **PROVIDING FALSE INFORMATION** – Providing false information or withholding information that seriously compromises a school investigation and/or has the potential to compromise the safety of another individual.
- **SEXUALLY EXPLICIT MATERIAL** – Possessing or accessing via the use of school resources to include equipment and/or district wi-fi of obscene, pornographic or sexually explicit material.
- **TECHNOLOGY, INAPPROPRIATE USE - 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.
  - ✓ 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](http://www.hcseli.com) or a paper copy may be requested at the school.

- **THEFT (amounts equal to or less than retail value of \$250)** - 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.

- **TOBACCO – POSSESSION, SALE, AND/OR USE** – Unidentified substances intended to be used with electronic cigarettes and/or vapes may be classified as a drug and coded as a Class III. (**POSSESSION AND/OR USE OF TOBACCO OR CBD PRODUCTS, INCLUDING LIGHTERS, MATCHES, ELECTRONIC CIGARETTES, VAPES, AND OTHER SIMILAR/RELATED PRODUCTS**)
- **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 an HCS structure, school bus or on Hoover City School property without express permission of school authorities.
- **UNAUTHORIZED COMMUNICATION DEVICE (such as cell phones, cell phone accessories including earbuds and headphones, computers, or wearable).** Students are not permitted to use wireless/electronic devices at school without express permission from the school principal or designee.
- **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.
- **VERBAL ALTERCATION** – An argument between individuals which disrupts the learning environment or has the potential to create a violent situation.

**DISPOSITION OPTIONS FOR CLASS II INFRACTIONS AS DEEMED APPROPRIATE BY THE ADMINISTRATION WITH REQUIRED PARENT NOTIFICATION. (should be matched to seriousness of infraction):**

- ADMINISTRATIVE INTERVENTION
- COUNSELING
- DETENTION
- EXTENDED OR PERMANENT BUS SUSPENSION
- FRIDAY NIGHT/SATURDAY SCHOOL
- INTENSIVE SCHOOL SUPERVISION (ISS)
- LIMITED ACCESS TO OR REVOKE TECHNOLOGY
- LOSS OF DRIVING PRIVILEGES
- MEET WITH THE INTERVENTION COUNSELOR
- OUT OF SCHOOL SUSPENSION (OSS)
- PARENT CONFERENCE
- PARENT NOTIFIED
- PROHIBITION OF ATTENDING EXTRACURRICULAR ACTIVITIES (EXCLUDING GRADUATION IF A SENIOR)
- RESTITUTION FOR HCS PROPERTY
- RESTORATIVE JUSTICE PRACTICES

- SUPERVISED SCHOOL ASSIGNED COMMUNITY SERVICE
- SUPERVISED PLAN FOR CORRECTION OF MISBEHAVIOR
- TIER 2, PROBLEM SOLVING INTERVENTIONS

## **GRADES 6-12 CLASS III OFFENSES: ALTERNATIVE PLACEMENT OR EXPULSION**

Misconduct that violates local, state, or federal laws and which occurs at school, on a school bus, at a school-sponsored activity or such misconduct occurring off-campus that threatens or results in substantial disruption of or material interference with school activities 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.

- **ALCOHOL POSSESSION, SALE, AND/OR USE**– Unauthorized possession, transfer, use or sale of alcoholic beverages **or any substance with alcohol content**; intent to use, buy, or sell alcoholic beverages **or any substance with alcohol content**; being under the influence of alcoholic beverages **or any substance with alcohol content**.
- **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

- **ANY OTHER VIOLATION WHICH THE PRINCIPAL MAY REASONABLY DEEM FALLS IN THIS CLASS**
- **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.
- **ASSAULT**– Physical aggression towards or the intentional touching or striking of a school board employee, student or other person against his/her will or the intentional causing of bodily harm to a school board employee, student or other person. Or, intentionally causing bodily harm, disability, or permanent disfigurement; use of a weapon or other instrument causing physical harm
- **BOMB THREATS** – Any such communication(s) which has the effect of interrupting the educational environment.
- **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.
- **CONTINUED ACTIVITIES THAT INDICATE GANG INVOLVEMENT AND WHICH CAUSE DISRUPTION ON THE SCHOOL CAMPUS, THE SCHOOL BUS, AND/OR SCHOOL-SPONSORED ACTIVITIES**
- **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
- **DIRECTING OBSCENE OR PROFANE LANGUAGE OR GESTURES TOWARD A SCHOOL BOARD EMPLOYEE OR ANY OTHER ADULT AT THE SCHOOL**
- **DISORDERLY CONDUCT** – Any other offense which is reasonably likely to cause harm to person or property or seriously disrupt the educational process.
- **DISPLAY OR DISTRIBUTION OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL** – Including having this material visible where others can intentionally or unintentionally see it.
- **DRUG – POSSESSION, SALE, AND/OR USE**–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.

- **EXPLOSIVES** – Preparing, possessing, or igniting on School Board property, explosives (including live projectiles) which have the potential to cause bodily injury or property damage.
- **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.
- **FIGHTING** - 2 or more students in physical conflict; potential/actual injury; potential/actual escalation involving other students; potential/actual major disruption.
- **HARASSING OR BULLYING ON BASIS OF SEXUAL ORIENTATION, RELIGION, DISABILITY, SEX, OR OTHER** - 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;
  - ✓ **Refer to Policy 6.22 Jamari Terrell Williams Student Bullying Prevention Act Policy**

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.

- **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.
- **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.
- **INCITING A DISTURBANCE**– Leading, encouraging, or assisting in disruptions and/or pranks which result in destruction or damage of private or public property or personal injury to participants or others (includes but not limited to inciting, promoting, publicizing, or participating in a major student disorder).

- **MULTIPLE OR CONTINUOUS CLASS 2 OFFENSES** – Documented, repeated Class 2 violations as outlined below.

Grade	Number of Class 2 Offenses (excluding parking violations, tardies, and dress code) That Result in a 3.38 Infraction	Resets occur as outlined below:
6-8	5	Every 9 weeks
9-12	8	Every semester

- **POSSESSION, SALE, AND/OR USE 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...***

- **POSSESSION, SALE, AND/OR USE 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.
- **POSSESSION, SALE, AND/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.
- **POSSESSION, SALE, AND/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), metal knuckles, tear gas gun, chemical weapon, mace or any type tactical spray/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.

- **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.
- **REFUSING MULTIPLE DIRECTIVES OR REASONABLE REQUESTS OF ADMINISTRATORS AND THREATENING THE SAFETY OF THE SCHOOL AND/OR STUDENT(S).**
- **ROBBERY –** Taking money or other property from a person by force and/or intimidation.
- **SEXUAL HARASSMENT -** 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. (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) **(Refer to HCS Sexual Harassment Procedures)**
- **SEXUAL OFFENSE–** Acts of a sexual or lewd nature including, but not limited to, battery, intercourse, attempted rape, rape, or indecent exposure. **(Refer to HCS Sexual Harassment Procedures)**
- **THREAT/INTIMIDATION -** 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. Or, the act or threat to commit a crime of violence or the act or threat to cause bodily injury to another person and terrorization as the result of the proscribed conduct (Notification of law enforcement is required).
- **THEFT/LARCENY (amounts EXCEEDING retail value of \$250) –** 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.
- **TRESPASSING -** 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.
- **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 electronic device and/or network 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](http://www.hcseli.com) or a copy may be requested at the school.

## **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**
  - **1<sup>st</sup> offense: 30 days**
  - **2<sup>nd</sup> offense: 60 days**
  - **3<sup>rd</sup> offense: 90 days**
  - **4<sup>th</sup> offense: 120 days**
  - **5<sup>th</sup> offense: 150 days**
  - **MAY EXTEND IF STUDENT IS NONCOMPLIANT**

**Reset of future 2C placements will occur if a student goes 2 years from the date of the last Class 3 infraction without committing another Class 3 Offense.**

- **NOTIFICATION OF LAW ENFORCEMENT OFFICIALS AS APPROPRIATE AND AS THE LAW REQUIRES (see section titled “It’s the Law”)**
- **PERMANENT REMOVAL FROM SCHOOL BUS**
- **PROHIBITION OF ATTENDING SCHOOL ORGANIZED ACTIVITIES (I.E. EXTRACURRICULAR ACTIVITIES, GRADUATION)**
- **RECOMMENDATION FOR EXPULSION**
- **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 requirements as determined by the Individuals with Disabilities Education Act (IDEA) 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. Use of chemical restraint is prohibited.

**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, in reasonable physical proximity and in line of sight of 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 Restraint Rule:

- The use of seclusion is prohibited.
- The use of any method of physical restraint that restricts the flow of air to a student's lungs is prohibited.
- The use of mechanical restraint is prohibited.
- The use of chemical restraint is prohibited.
- 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.
- 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**

### *School system property:*

All school system property, facilities, equipment, and grounds may be entered, inspected, and searched for any lawful purpose by school administrators or their designees at any time, without prior notice and to the fullest extent permitted by law. The right to enter, inspect, and search includes and extends to (but is not limited to) Board owned or controlled offices, desks, file cabinets, lockers, computers, files, documents, data, and devices however and wherever kept, stored, or maintained.

### *Personal property:*

A student's personal property, including but not limited to vehicles, purses, wallets, gym bags, book bags, cell phones, computers and personal electronic 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 or significantly disruptive to the overall discipline of the school or is evidence of a crime or violation of this code, provided that the nature and extent of the search shall be reasonably related and limited to the suspected violation.

## **Search of a Student's Person**

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. The search 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. However, a law enforcement officer may be called to conduct the search in the presence of a school administrator.

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.

## **Confiscated Items**

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.).

## **Refusal**

Refusal to submit to a search or to cooperate in a search may be grounds for disciplinary action.

## **Law enforcement searches**

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.

## **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 suspension or expulsion from another school system or a private, parochial, or other school will not be permitted to enroll until the student has satisfied the conditions for readmission set by the expelling or suspending board or authority in addition to generally applicable admission requirements established by the Board which may include temporary attendance at Crossroads.



# 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. If any aspect of the Dress Code becomes a consistent problem, appropriate adjustments will be made by the administration to address the situation.

Unless an exemption is authorized by a school administrator, 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 and/or loss of privileges.

- 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.
- 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. Excessive large/baggy clothing is not allowed. Clothing must cover students' undergarment (e.g., bra, cami, bra straps, bralettes, briefs/boxers/underwear, stringer tank tops.) Halter and spaghetti straps are not allowed unless worn underneath clothing that complies with Dress Code.
- All yoga pants, tights, leggings, or jeggings must cover the student's hips, bottom, and undergarments and must be covered by shorts, skirts, shirts or dresses that completely cover the student's hips and bottom. *\*This does not apply to K-2.*
- Pajamas and leisure pants are not allowed.
- Legs may not be exposed any higher than the tip of the students' fingers while their arms are resting at their side.
- 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.
- 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.

- 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.
- Students are not to wear or carry caps, hats, visors, bandannas, sunglasses, or other inappropriate headwear (ex. Hoodie pulled up over head, ski hat, etc.).
- Hair design or style that can be associated with unauthorized organizations or offensive images that are derogatory or gang related is not allowed.
- Extreme facial make-up, face painting, unauthorized masks, etc. that obscures the student's face or causes a disruption to the learning process is not acceptable.
- Students are not to wear heavy metal chains, metal spiked apparel, or accessories, etc.
- 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.
- Clothing & accessories designed to conceal illicit objects are prohibited.

## **CROWDFUNDING**

Students may not use crowdfunding (such as Go Fund Me or like means) to raise money in the name of or on behalf of Hoover City Schools.

## **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 amount of 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 electronic devices on the bus. Music on electronic devices should be played through ear buds not a speaker. If behavior due to electronic devices becomes an issue for the bus driver, the privilege to use the device 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**

### **6.20 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.

6.21 *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 CODE OF STUDENT CONDUCT - Drugs and Alcohol**

- **DRUG – POSSESSION; DRUG – SALE; DRUG – USE**—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.
  
- **ALCOHOL – POSSESSION; ALCOHOL – SALE; ALCOHOL - USE** – Unauthorized possession, transfer, use or sale of alcoholic beverages **or any substance with alcohol content**; intent to use, buy, or sell alcoholic beverages **or any substance with alcohol content**; being under the influence of alcoholic beverages **or any substance with alcohol content**.

**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.

- 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.
- Upon receiving the list of students, school administrators will partner with the third party testing agency to conduct the drug screening process.
- Drug screenings will be conducted randomly throughout the school year.
- 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.
- 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.

### 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.

#### **1<sup>st</sup> Positive Result**

- Suspension from all extracurricular contests to include games, matches, tournaments etc. for 30 calendar days.

- At the end of 15 calendar days, a student will be allowed to resume practice activities if they submit a negative drug test administered by a 3<sup>rd</sup> Party Testing Agency at the expense of the parent/guardian.

**2<sup>nd</sup> Positive Result**

- Suspension from all extracurricular contests to include games, matches, tournaments etc. for 45 calendar days.
- At the end of 23 calendar days, a student will be allowed to resume practice activities if they submit a negative drug test administered by a 3<sup>rd</sup> Party Testing Agency at the expense of the parent/guardian.

**3<sup>rd</sup> Positive Result**

- Suspension from all extracurricular contests to include games, matches, tournaments etc. for 90 calendar days.
- At the end of 45 calendar days, a student will be allowed to resume practice activities if they submit a negative drug test administered by a 3<sup>rd</sup> Party Testing Agency at the expense of the parent/guardian.

**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.

**1<sup>st</sup> Positive Result**

- Suspension of driving privileges for 30 calendar days.
- At the end of 30 calendar days, a drug test administered by a 3<sup>rd</sup> 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.

**2<sup>nd</sup> Positive Result**

- Suspension of driving privileges for 45 calendar days.
- At the end of 45 calendar days, a drug test administered by a 3<sup>rd</sup> 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.

**3<sup>rd</sup> Positive Result**

- Suspension of driving privileges for 90 calendar days.
- At the end of 90 calendar days, a drug test administered by a 3<sup>rd</sup> 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. If a parent refuses to meet with the administrator, student will forfeit their parking privilege or opportunity to participate in activities until the meeting occurs.

## **INTERVENTION & CONSEQUENCES FOR POSITIVE RESULTS**

### **Intervention Plan**

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

The meeting will be held at school or central office and is required to reinstate privileges.

- 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 regarding the specific drugs for which the student tested positive;
  - recommended follow-up meetings with interventionist/student.

## **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 - Disciplinary Consequences
  - *1st incident*
    - Alternative placement as per HCS Student Code of Conduct
    - Intervention counseling specific to alcohol abuse



- o *2nd incident*
  - Alternative placement as per HCS Student Code of Conduct
  - Additional intervention counseling specific to alcohol abuse
- o *3rd incident*
  - Recommendation for expulsion as per HCS Student Code of Conduct

Students who are in violation of the law may be referred to law enforcement.

- PART TWO - Intervention Plan
  - o 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.
      -

## **SUMMARY OF TITLE IX COMPLAINT PROCESS AND PROCEDURE**

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Title IX of the Education Amendments Act of 1972 (“Title IX”) provides that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” This means that our students and employees are entitled to be free from sex-based discrimination in our educational programs or activities. This includes discrimination based on gender, gender identity, pregnancy status, parental status, and sexual harassment as defined by law.

Title IX defines “sexual harassment” as “conduct on the basis of sex” that satisfies one or more of the following:

- (1) An employee of the school system conditioning the provision of aid, benefit, or service of the school system on an individual’s participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an educational program or activity of the school system; or
- (3) Sexual assault, dating violence, domestic violence, or stalking as defined under various federal statutes.

The filing of a Formal Title IX Complaint initiates the Title IX Complaint Process and Procedure, which includes a full investigation. Complainants and Respondents are entitled to have an advisor of their choice to assist them during this process. That may be a parent/guardian, trusted third-party, or attorney. If you have any questions or to file a Title IX Complaint, please contact the Title IX Coordinator Dr. Tera Simmons at TITLEIX@hoover.k1.al.us.

**The school district must establish whether the alleged conduct occurred by a “preponderance of the evidence.”** This means that once the evidence has been collected, it is more likely than not that the alleged misconduct happened.

**Summary of the Grievance Procedure:**

1. After a Formal Complaint is received from the Complainant by the Title IX Coordinator, the Respondent may submit a written statement in response to the allegations within **seven (7) calendar days**.
  - a. A Respondent is not required to participate in the investigative process, but the investigation will continue unless a Complainant provides written notice of their desire to withdraw the Formal Complaint; or unless the Complaint is required to be dismissed.
2. The Title IX Coordinator will assign a faculty/staff member who has been trained as a Title IX Investigator as to investigate the allegations.
  - a. This may include witness or party interviews – whether written or in person.
  - b. The investigator has the authority and discretion to conduct the investigation as he or she sees fit, so long as it follows the procedure and is free from bias.
  - c. The investigator has the authority and discretion to determine relevance and credibility of witnesses and evidence.
  - d. It is a violation of section 2.18 of the Student Code of Conduct to intentionally provide false information to an investigator. To do so will subject the person offering the false information to discipline.
3. The investigator will provide a written preliminary investigative report.
  - a. This will include an opportunity for both the Complainant and Respondent to review all evidence directly related to the allegations of the Complaint.
  - b. The parties will have **ten (10) calendar days** to review this report and submit additional evidence to the investigator. Parties are not required to respond.
4. At the conclusion of the investigation, the investigator will prepare a final report.
  - a. The final report will be sent to both parties, who will have **ten (10) calendar days** to review and respond to it in writing. Parties are not required to respond.
  - b. The final report will not make a responsibility determination. It merely summarizes relevant evidence and indicates issues such as credibility based on factors such as consistency and corroboration.
  - c. The final report, along with any written responses received from the parties, will be sent to the Title IX Coordinator and the decisionmaker.

5. A separate decisionmaker who has been trained as a Title IX Decisionmaker will be assigned to the case by the Title IX Coordinator.
  - a. This person will review the final investigative report, follow up with the investigator if necessary, and make a decision regarding responsibility.
  - b. The parties will be given an opportunity to submit written, relevant questions to the decisionmaker to be asked of any party or witness. Parties and witnesses will have **three (3) calendar days** in which to respond to any questions asked of them.
    - This may not include questions unrelated to the allegations or seeking confidential information (such as about a party's sexual history).
  - c. The decisionmaker will update the parties with responses to these questions as soon as possible following receipt of the responses. Parties will then have **three (3) additional calendar days** to submit limited follow up information or questions, with **two (2) calendar days** in which to respond.
  - d. The decisionmaker will issue a decision within a reasonable time period following receipt of the parties' final responses to written questions.
  - e. If the Respondent is found responsible by a preponderance of the evidence, discipline will be imposed.
6. Any appeal of the decision must be submitted in writing to the Title IX Coordinator within **five (5) calendar days** of the final decision, and must be based on one of the following:
  - a. Procedural irregularity that affected the outcome of the matter.
  - b. Conflict of interest or bias of the Title IX Coordinator, the investigator, or the decisionmaker.
  - c. Newly discovered evidence that could affect the outcome. That evidence must be provided at the time of the appeal. Speculation about the potential of additional evidence is not a basis for appeal.

Appeals will not be permitted for any other reason. Please note that the School District cannot guarantee that a complaint will be kept confidential because it is required to share certain information with all parties involved. Title IX requires that the Respondent be informed of who is making the allegations, as well as the nature of the allegations, the date and time the alleged events took place, in order to adequately respond to the allegations. Therefore, anonymous complaints are not permitted. The District nevertheless will make reasonable efforts to avoid sharing information regarding formal complaints beyond those required to receive such information.

For more information, please see the District's Title IX Policy, which is available online at [www.hoovercityschools.net](http://www.hoovercityschools.net). The Title IX Coordinator may be reached by contacting:

Dr. Tera Simmons  
2810 Metropolitan Way  
Hoover, AL 35243  
TITLEIX@hoover.k12.al.us

# Jamari Terrell Williams Student Bullying Prevention Act Policy

**6.22.1 Bullying, Intimidation, Violence, and Threats of Violence Prohibited** No student shall engage in nor should any be subjected to bullying, violence, threats of violence or intimidation by any other student that is based on any of the specific characteristics set forth in this policy. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the Student Code of Conduct and applicable law, subject to the investigating school administrator's authority and decision.

## **6.22.2 Definitions**

**In this policy, these terms shall have the following meanings:**

"Bullying" means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to: cyberbullying or written, electronic, verbal, or physical actions 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 categories of personal characteristics contained in this policy. To constitute bullying, 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 whether the conduct occurs on or off school property, online, or electronically;
- Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function; or
- Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

"Hostile environment" means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.

"Violence" means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

"Threat" means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an

electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.

“Threat of violence” means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.

“Intimidation” means an unjustified threat or other action that is intended to cause fear or apprehension in a student.

“Student” as used in this policy means a person who is enrolled in the Hoover City school system.

### **6.22.3 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 bullying, 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. Bullying, intimidation, violence, or threats of violence are prohibited and will be subject to appropriate disciplinary consequences and/or 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 student:
  - Disability
  - Gender Identity
  - National origin
  - Race
  - Religion
  - Sex
  - Socioeconomics

**6.22.4 Consequences for Violations** A series of graduated consequences for any violation of this policy will be those outlined in the Code of Student Conduct or any rule or standard adopted under authority of this policy.

### **6.22.5 Reporting, Investigation, and Complaint Resolution Procedures**

- a. Complaints alleging violations of this policy may be made on a Board-approved complaint form available in the handbook, on the website, or at the school's office. The complaint must be delivered to the principal or the principal's designee either by mail or personal delivery. Incidental or minor violations of the policy may be presented and resolved informally.
- b. 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 is authorized to inform the student's parent or guardian of the report unless at the discretion of the school principal or the principal's designee the apparent cause of the threat of suicide is child abuse or other significant harm from a parent or guardian.
- c. Upon receipt of the complaint, the principal or the principal's designee will 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 a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions may be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violations(s) may also be imposed by the principal or the school system.
- d. 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 may 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 may be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

#### **6.22.6 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 on the website of each local board of education and school, shall be available at each school office, and shall be included in the student handbook that is distributed to each student at the beginning of each school year.

**6.22.7 Construction of Policy** This policy is supplemental to other Board policies and procedures and does not repeal, replace, or supersede any other prohibition on bullying, 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 bullying, 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 bullying, violence, threats of violence or intimidation not specifically listed herein. Students who engage in bullying, 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. [Reference: Ala. Code §16-28B-1, *et seq.* (1975)]

# 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. Regular school attendance and arriving 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 check ins/check outs. Nine (9) excused absences per year and nine (9) excused check ins/check outs per semester 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:

- a. 1. A written statement from the parent or doctor stating the reason for the absence A doctor's note must:
  - i. Be submitted on official practice letterhead/excuse or similar document from their CURRENT employing practice.
  - ii. Be signed by the physician or authorized practice employee.
  - iii. List the date of treatment/exam, address and telephone number of the practice.
  - iv. Days requested to be excused while under the doctor's care.
  - v. Excused days must reflect doctors direction not parent request.
  - vi. Student must be a "Patient on Record."

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**

### **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 for the purposes of making up work; 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 Crossroads 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. Tardy is defined as:

**Elementary** – Students that have not entered through the front door when the morning bell rings are considered tardy. Students that are tardy need to be “checked in” by the adult transporting the student. Students that leave (check out) before the school day is fully completed are considered tardy. Check ins and check outs are recorded on the attendance profile as subsections of tardy.

**Middle and High** – Students not in their classroom when the bell rings are considered tardy. Students that are tardy should be checked in before going to class. Students that leave (check out) before the school day is fully completed (based on individual’s class schedule) are considered tardy. A student that accumulates an unexcused tardy, missing an entire period, would be treated as unexcused absence. The student may only be permitted to receive credit for makeup work for major tests/assignments. Check ins and check outs are recorded on the attendance profile as subsections of tardy.

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.

## **Check outs**

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.

**Truancy Case**

Age 12 and up - The student may be prosecuted.

## **Virtual Learning/Platform**

HCS virtual students are subject to the Code of Student Conduct. All discipline consequences must be served before returning to the traditional learning environment. Students assigned a Class 3 consequence must complete their Crossroads placement before returning to the school campus for any activity or event.

## **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 this 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](http://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. You may request a paper copy at the school.

By signing the Code of Student Conduct you are agreeing to the terms of the Engaged Learning Initiative Agreement.

It is the responsibility of each HCS student and parent to read and abide by the Engaged Learning Initiative 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 registrar at the child's school in writing prior to the end of July 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](http://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 who are 18 years of age or older ("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 within 45 days after the day the Hoover City Schools receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal [or appropriate school official] a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the [School] to amend their child's or their education record should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] 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  
400 Maryland Avenue, SW  
Washington, DC 20202

## Transfers

The following policy has been approved by the federal court and governs the ability of a student to transfer to a school other than the school for which the student is zoned.

### **Transfer Policy Approval Order**

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:

### **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 **January 15** of each school year, the Board must identify and publicize the names of the “eligible schools” for the following school year.

**Substantial Hardship Transfers.** The district may approve a substantial hardship transfer 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 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.

**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.

**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.

**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:

Substantial hardship transfers;

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.

**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:

Regular attendance – Student must not be enrolled in the District Truancy Program.

Satisfactory grades - Student must not receive a "D" or an "F" for the school year in any class.

Satisfactory behavior - Student must not be determined to have committed a "Class III" offense (See Code of Student Conduct).

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

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.

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.



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.

**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 11<sup>th</sup> grade year to another address within the district shall be permitted to attend the school attended in the 11<sup>th</sup> grade during their 12<sup>th</sup> 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.

### **Application Deadlines.**

On or before **January 15** of each school year, through its website, social media accounts, and Rapid Notification System, the Board shall advertise the availability of transfer applications and the deadline for submission of those applications. On or before **January 15** of each school year, 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 **January 15** of each school year, 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 **April 15** of each school year.

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

Substantial hardship which arises after the deadline for submission.

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.

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.

**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.

## 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.

**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, school buses or other school-owned vehicles, and any conduct or activity occurring off-campus that threatens or results in substantial disruption of or material interference with the educational process or school activities.

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.**



HOOVER  
CITY SCHOOLS

## Form for Reporting a Complaint of Bullying, Intimidation, Violence, and Threats of Violence

This form may be used by a student or a student's parent or guardian to submit a complaint regarding Bullying, Intimidation, Violence, and Threats of Violence as defined by state law and school system policy (Board Policy 6.22 [Jamari Terrell Williams Student Bullying Act Policy]).

**This form should be delivered to the principal or the principal's designee either by mail or personal delivery.**

Student's Name: \_\_\_\_\_ School: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Email address: \_\_\_\_\_

Home Address: \_\_\_\_\_

Preferred method of contact (provide address, e-mail, or phone number):

Describe the conduct/circumstances leading to the complaint, including all pertinent facts supporting the complaint.

\_\_\_\_\_

\_\_\_\_\_  
(Attach additional paper, if needed.)

When did this happen (over what time period if continuing or more than once):

\_\_\_\_\_

\_\_\_\_\_  
(Attach additional paper, if needed.)

Where did this happen:

\_\_\_\_\_

\_\_\_\_\_  
(Attach additional paper, if needed.)

Identify the person(s) whose actions led to the filing of the complaint.

\_\_\_\_\_  
(Attach additional paper, if needed.)

Identify all witnesses or other persons having information that is relevant to the complaint.

\_\_\_\_\_  
\_\_\_\_\_

Do you have suggestions for resolving this situation? If so, list them here:

\_\_\_\_\_  
\_\_\_\_\_

(Attach additional paper, if needed.)

**OTHER INFORMATION:**

- I believe the incident in question was motivated by the following characteristic(s) (Check All That Apply):
  - \_\_\_ Disability
  - \_\_\_ Gender Identity
  - \_\_\_ National Origin
  - \_\_\_ Race
  - \_\_\_ Religion
  - \_\_\_ Sex
  - \_\_\_ Socioeconomics
  - \_\_\_ Other \_\_\_\_\_
- The incident resulted in a threat of suicide by the victim: \_\_\_ Yes \_\_\_ No

**Attach copies of documents or other evidence that is relevant to the complaint.**

I affirm that to the best of my knowledge, the foregoing information is true, accurate, and complete.

Student:

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

OR

Parent/Guardian:

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_