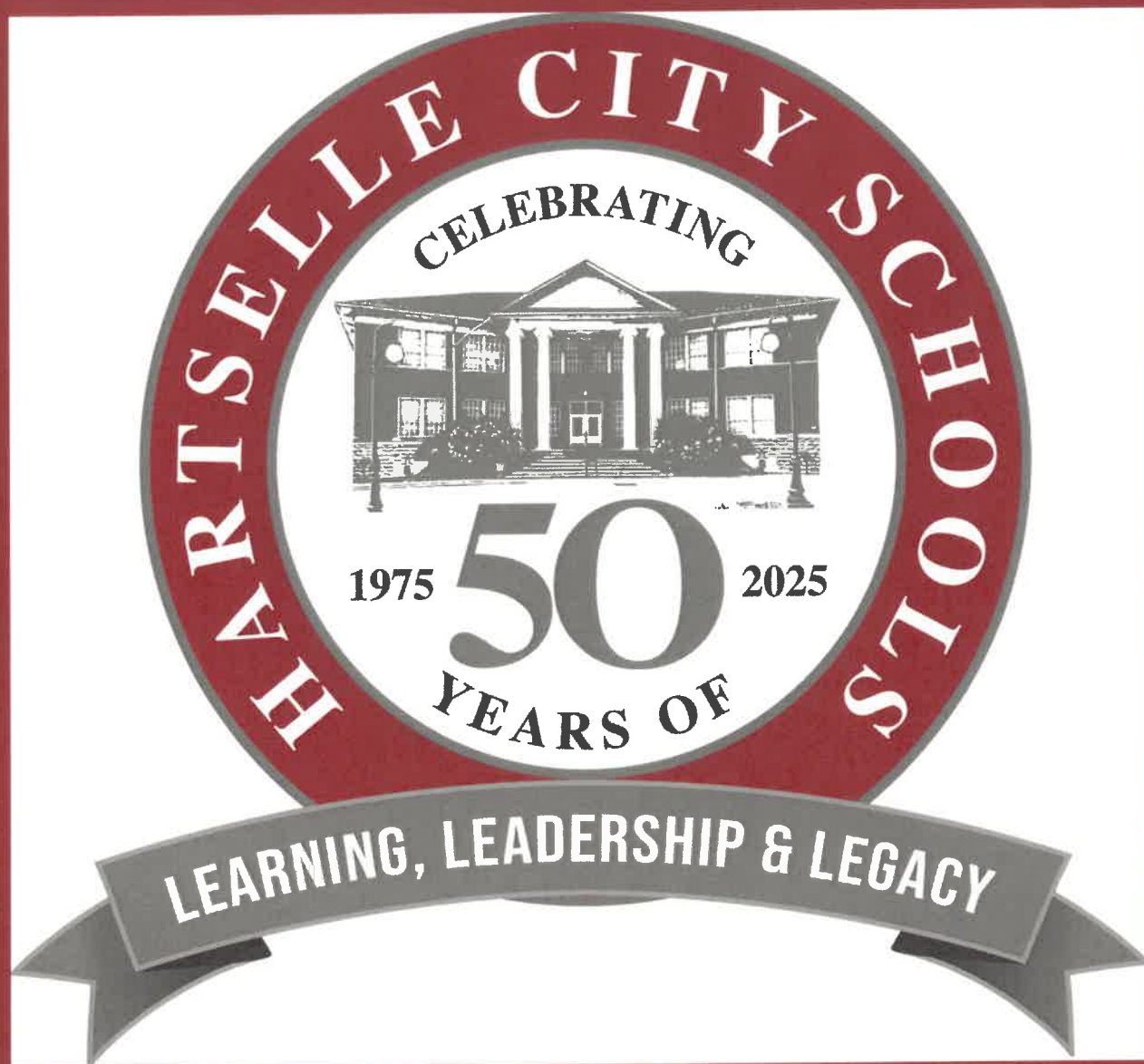




CODE OF CONDUCT

STUDENT HANDBOOK



STUDENT HANDBOOK & CODE OF STUDENT CONDUCT

Welcome to an exciting year at Hartselle City Schools!

You are part of a school system that has a rich tradition of excellence in the educational programs that we offer. The parents and community of Hartselle supports our students like no other and we appreciate their efforts in doing their part to help each child succeed.

With everyone's active involvement and support, we will continue to strive to establish ourselves as a premier school district by leading the way on a local, state, and national level – academically, artistically, and athletically.

Our mission – Inspiring and preparing ALL students for learning, leadership, and life.

Dr. Brian Clayton
Superintendent

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Introduction

The Hartselle City Board of Education believes that a uniform code of conduct for students is vital to the pursuit of academic excellence in order that its students may have meaningful learning experiences. This can only be accomplished in schools where the environment is free from distraction caused by disruptive behavior.

Creating such an environment requires the cooperation of the parents/guardians, students, board of education, and all employees of the school system. It is important that each person connected with the school understands the importance of a consistent set of behavior standards in order that a positive environment be established and maintained.

As students progress in public schools, it is reasonable to assume that an increase in age and maturity will result in the students' assuming greater responsibility for their actions. It is recognized that differences in age and maturity require different types of disciplinary action; however, the procedure identified shall apply to all students in Grades PreK-12.

It shall be the policy of the Hartselle City Board of Education that the School System shall provide, on a nondiscriminatory basis, educational opportunities for children. No person shall be denied the benefits of any education program or activity on the basis of race, color, disability, creed, national origin, age, or sex. Pursuant to the *McKinney-Vento Homeless Assistance Act*, all homeless children, migrants, and English language learners must have equal access to the same free appropriate public education provided to other children and youth. All programs offered by schools within the School System shall be open to all students in compliance with statutory and judicial requirements.

Inquiries or complaints regarding compliance with Federal Regulations may be directed to:

Elisa Harris, Federal Programs Coordinator, Homeless Liaison
Elisa Harris, Title IX Coordinator
Katie Black, 504/ Special Education Coordinator
305 College Street NE, Hartselle, AL 35640, 256-773-5419



Jurisdiction of the School Board

Students enrolled in the Hartselle City School System are subject to the policies of the Hartselle City Board of Education and to the rules and regulations of the schools. This authority applies to all school-sponsored activities including but not necessarily limited to the following:

- 🐾 regular school activities;
- 🐾 transportation on school buses;
- 🐾 field trips;
- 🐾 athletic functions;
- 🐾 activities where appropriate school personnel have jurisdiction over students.

All school regulations and prohibitions pertain to automobiles driven or parked on school property. In addition to the foregoing, jurisdictional control over the student may be extended to the immediate vicinity of the school when the conduct of the student is deemed to have a detrimental effect on the health, safety, and welfare of the school. The authority of the Hartselle City Board of Education also applies to the conduct of students at any facility owned, operated or under the control of the Hartselle City Board of Education, including school buildings, athletic facilities, and other school facilities.

Equal Educational Opportunities

The Board shall provide educational opportunities for students on a nondiscriminatory basis. No person shall be denied benefits of any education program or activity on the basis of race, color, disability, religion, national origin, or sex. Students will not be denied enrollment on the basis of homeless, migrant, immigrant status, or English speaking ability. Programs offered by schools within the school district shall be open to all students in compliance with statutory and judicial requirements.

Any student who believes he/she has been discriminated against, denied a benefit, or excluded from participation in any programs or activities on the basis of sex may file a complaint in accordance with the Discrimination/Harassment Grievance Procedure appearing in this handbook.

Due Process

The policy of the Hartselle City Board of Education is to adhere to and observe the essential elements of due process when carrying out the procedures contained with the **Code of Student Conduct** handbook. Principals will be responsible for assuring that their staff appropriately observes the due process procedures and that staff members are provided access to the electronic version or hard copy (upon request) of this handbook. The consensus of the Board of Education is that the regulations in this handbook are designed to ensure the efficient operations of the schools.



Roles of Parents, Students, School and School Personnel

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

Parents and Guardians should:

- Keep in regular communication with school authorities concerning their child's progress and conduct.
- Ensure that their child is in daily attendance and promptly report and explain an absence or tardiness to school officials.
- Provide their child with the resources needed to complete class work.
- Assist their child in being healthy, neat, and clean.
- Bring to the attention of school authorities any problem or condition that may materially affect their child or other children.
- Discuss report cards and work assignments with their child.
- Maintain up-to-date home, work, and emergency telephone numbers at the school, including doctor, hospital preferences, and an emergency health care form.
- Attend scheduled parent-teacher conferences.
- Promptly report any change of address.
- Report directly to the school office when visiting a school.
- Sign and return acknowledgment form for receipt of Code of Student Conduct.

Students should:

- Attend all classes daily and be punctual in attendance.
- Come to class with appropriate working materials.
- Be respectful to all individuals and of all property.
- Refrain from profane or inflammatory statements.
- Conduct themselves in a safe and responsible manner.
- Be clean, neat and appropriately dressed.
- Be responsible for their own work.
- Respect the classroom and school.
- Show a positive, cooperative attitude toward school.
- Promptly report any change of address.

Schools should:

- Maintain an atmosphere conducive to good behavior.
- Exhibit an attitude of respect for students.
- Plan a flexible curriculum to meet the needs of all students.
- Promote effective discipline based upon fair and impartial treatment of all students.
- Welcome and encourage participation by parents and guardians in school affairs.
- Encourage the school staff, parents, guardians, and students to use the services of community agencies.
- Encourage parents and guardians to keep in regular communication with the school.
- Endeavor to involve the entire community in order to improve the quality of life within the community.

School Personnel should:

- Be regular in attendance and punctual.
- Be prepared to perform their duties with appropriate materials and lesson plans.
- Be respectful to all individuals and of all property.
- Refrain from profane or inflammatory statements.
- Conduct themselves in a safe and responsible manner.



- Be clean, neat and appropriately dressed.
- Abide by the rules and regulations set forth by the school and Board of Education.
- Seek changes in an orderly and recognized manner.
- Participate in continuous improvement of professional knowledge and skills.
- Develop a positive, cooperative attitude toward parents and guardians, students, co-workers and the total school program.
- Refer students who may need additional services to the appropriate staff.

Student Rights and Responsibilities



It is the intent of this section that students understand that individual rights involve associated responsibilities, and that individual rights must be viewed in relation to the health, safety, and welfare of the majority of students within each school. The principal shall assume administrative responsibility and instructional leadership under the supervision of the Superintendent in accordance with rules and regulations of the School Board for planning, management, and operation of

the school to which he/she is assigned. The faculty and staff shall assist in the orderly operation of the school and assure the rights of students.

Students enrolled in Hartselle City Schools are subject to the policies and procedures of the Hartselle City Board of Education and to the rules and regulations of the schools. This authority applies to all school-sponsored activities including but not necessarily limited to the following: regular school activities; transportation on school buses; field trips; athletic functions; and activities where appropriate school personnel have jurisdiction over students.

All school regulations and prohibitions pertain to automobiles driven or parked on school property. In addition to the foregoing, jurisdictional control over the student may be extended to the immediate vicinity of the school when the conduct of the student is deemed to have a detrimental effect on the health, safety, and welfare of the school.

For additional parent/student rights, refer to the *Code of Student Conduct Index* to read *The Family Education Rights and Privacy Act (FERPA)* and the *Protection of Pupil Rights Amendment (PPRA)*, which follow this section of the *Code of Student Conduct*

Free Speech and Expression

Citizens in our democracy are guaranteed self-expression under the First and Fourteenth Amendments of the United States Constitution; therefore, in a democratic society, one of the basic purposes of education is to prepare students for responsible self-expression.

Student Responsibilities

- To respect the rights of other individuals, to express disagreements in a manner which does not infringe upon the rights of others and does not interfere with the orderly educational process
- To act in a manner which preserves the dignity of patriotic observances
- To respect the religious beliefs of others
- To plan for, seek approval of, and conduct activities which are consistent with the educational objectives of the school

Student Rights

- To form and express viewpoints through speaking and writing in a manner which is not obscene, slanderous, or libelous
- To affirm their identity with American ideals (i.e., pledging allegiance to the American Flag)
- To refrain from any activity which violates the precepts of their religion.



Enrollment

Annual Enrollment

Parents and guardians will be required to show proof of residence via a current utility bill annually. The utility bill (or copy) should be presented to the office of each student attending Hartselle City Schools at the beginning of each school year.

Elementary Transfer Within Hartselle City Schools

Student requests for transfer from one Hartselle City elementary school to another shall be submitted in writing and shall be received each year in the Superintendent's office by **May 1**. Approval of transfer requests from nonresident students is contingent upon adequate space and personnel at the requested school. Transfer request forms are available in each elementary school and at the Hartselle City Board of Education, 305 College Street NE, Hartselle, Alabama 35640.



Student Enrolling From Another District

Assuming that the student is otherwise eligible to enroll in Hartselle City Schools, the student must be in good standing and must have no disciplinary action or sanction for disciplinary action pending against him/her in any school he/she attended during the preceding school year. Any student enrolling with a current juvenile probation status may be required to provide a copy of court records prior to enrollment. A student may be denied enrollment due to circumstances that would adversely affect the health, welfare and/or safety of other students and/or staff.

Custodial Issues

Hartselle City Schools abides by the most recent legal custodial document provided to the school office (birth certificate, custody papers, etc). It is imperative that current paperwork regarding custodial issues is on file for each student.

Visitation of Students

Hartselle City Schools does not facilitate supervised visitation of students related to custody issues or court outlined visitation schedules. Visitation with students during the school day is highly discouraged. Individuals wishing to visit or conference with students during the school hours should confer with the custodial parent and such individuals should be listed on the student's registration form with the ability to check-in and check-out the student. Such individuals may be required to provide appropriate photo identification.

Withdrawal of Students

No student of compulsory attendance age will be permitted to withdraw from school except in accordance with the state law. Parent/guardian withdrawing students from the system should:

- Go to students' school and complete withdrawal form at the school.
- Return all books or other materials belonging to a Hartselle City School.
- Pay any fees, fines, or charges owed the school or system.

Out-Of-District Students

The Hartselle City Board of Education may permit pupils whose parent(s) are not legal residents within jurisdiction of the Hartselle City School System to attend schools within the school system. The Board, however, shall have the prerogative of denying the admission of any nonresident pupil or of entering into mutually acceptable agreements with other agencies that would permit the attendance of nonresident pupils. Hartselle City Schools is only obligated to provide services, which are already included in its special education program and other school programs.



Except as herein otherwise provided, it is the general policy of the Hartselle City School System to admit school age children who are not bona fide residents of and living within the corporate limits of Hartselle ("nonresidents") to the extent that there is adequate space and personnel to accommodate and teach such children within the accreditation standards to which the system is subject and to the extent that the admission of such child does not violate any law, regulation or court order otherwise restricting the admission of such child. Notwithstanding the foregoing, it is not the general policy of the system to admit nonresidents who have been expelled or suspended or who have withdrawn from schools in other systems on account of disciplinary, truancy or academic problems.

All children who have one or more parents or legal guardians who are employed by the Hartselle City School System shall be entitled to admission to the school of their choice one time. If the employee withdraws his/her child from Hartselle City Schools, the child will be treated as other nonresidents if he/she seeks readmission.

The Superintendent is authorized by the Board of Education to collect tuition from nonresident students enrolled or enrolling in Hartselle City Schools. Said tuition shall be due annually ten days before the new school year and shall be paid at the office of the Superintendent of Education. Parents shall be allowed to make two payments – half of the tuition will be due by June 15th (or the following business day) and the remaining balance shall be due ten days before the start of school. A ten percent discount shall be given if the tuition amount is paid in full by June 15th. The tuition is nonrefundable under any and all circumstances.

As a general rule, children shall be deemed to be bona fide residents of the place where the parents, primary custodial parent, or legal guardian having legal custody or control of such child permanently resides. Where it appears that a child is living in Hartselle for the sole or primary purpose of establishing residency for school admission purposes, such child shall not generally be considered a bona fide resident of Hartselle. Where the family of a child has heretofore resided in a permanent home outside the city of Hartselle and the child and one or more, but less than all, members of the family obtain a dwelling within the city but the remainder of the family remains in the same permanent home outside the city, such child shall generally not be considered a bona fide resident of Hartselle except in those cases where there has been a divorce or legal separation and the child is in the legal custody of a parent who established residency in Hartselle as a result of the divorce or legal separation. It is the intent of these regulations to deny resident status to those who are living in the city solely for purposes of establishing residency for school purposes.

The Superintendent shall have authority to administer the policy herein stated and to make all decisions, including determinations of bona fide residency and other facts, relevant to the entitlement of nonresidents to attend the Hartselle public schools. In making such decisions and determinations, the Superintendent shall follow the foregoing guidelines and general policy statements. In the event an applicant shall disagree with the determination made by the Superintendent, the applicant or his or her parents, primary custodial parent, or legal guardians may appeal said decision to the Board which shall consider each case on its own merits and may grant relief from the provisions of this policy in cases where a literal application of the policy would result in undue hardship to the applicant and in other exceptional circumstances.

Admission of nonresidents shall be conditioned upon the payment of such tuition and other charges as the Board shall from time to time establish. Tuition shall be non refundable in the event the child does not attend the entire term covered by said tuition payment.

The following three conditions shall prevail for nonresident students:

1. Children of employees of the Hartselle City School System who reside outside the City of Hartselle shall be given first priority for enrollment over other nonresident children;
2. That adequate space and facilities are available;
3. Any non-resident student that violates Hartselle City Schools' discipline Code of Conduct will be subject to removal from the school system at the end of the current scholastic school year. If the offense is such in nature, the non-resident student could be dismissed from Hartselle City Schools immediately and tuition would be refunded on a prorated basis.



4. Students may be denied renewal of enrollment due to poor academic performance, disciplinary infraction(s), or excessive unexcused tardies and/or absences, as determined by the principal.

In the event there should be inadequate space or personnel to accommodate all nonresident applicants for admission, such applicants shall be admitted (by lottery) or, if inadequate space or personnel are then available, placed on a waiting list for later admission by July 15th for the upcoming school year.

In the event, for any reason, it becomes necessary in the Board's opinion to reduce the student population at a particular school or within a particular class or classroom within a particular school, the Board reserves the right to reassign or require nonresidents to withdraw from said school, class or classroom. If the nonresident child is withdrawn from the Hartselle public schools on account of such decision, the Board will refund tuition and charges heretofore paid on a pro rata basis according to the number of days in the school term that have elapsed as of the date of withdrawal. Where nonresidents are requested to withdraw pursuant to this paragraph, such will be done, to the extent practical, on a "last admitted – first out" basis within the particular school, class, or classroom where such withdrawal becomes necessary.

Resident students moving outside the city limits of Hartselle, during the school year, will be charged a prorated tuition from the date of the move, contingent that there is no disciplinary, truancy, or academic problems. Parents will have to submit a *Request to Renew Enrollment* form, and after approval, pay tuition before their child will be enrolled for the following school year.

Non resident students must adhere to the bylaws of the Alabama High School Athletic Association in regards to transfer rules and eligibility.

Nonresident student requests for transfer from one Hartselle City elementary school to another shall be submitted in writing and shall be received each year in the Superintendent's office by May 1. Approval of transfer requests from nonresident students is contingent upon adequate space and personnel to accommodate and teach such children.

Parental Responsibility Law

Student Attendance and Conduct

The Legislature of Alabama has enacted a law, herein called "the parental responsibility law," which places duties on parents, guardians, and persons having charge of school-age children to



- ensure that such children are properly enrolled in school and regularly attend school; and,
- ensure that the child conducts himself/herself properly while attending school. This law is found in Sections 16-18-2.1, 16-28-2.2, and 16-28-12, Code of Alabama 1975.

If a child does not regularly attend school, or engages in conduct that could result in the child's suspension from school, those facts and circumstances will be reported to the District Attorney of Morgan County and could result in the commencement of a criminal prosecution against the child's parent.

Also, a parent of a school-age child who fails to have the child properly enrolled in school is subject to criminal prosecution.

Parents should discuss with the teachers or the principals the obligations, which the parental responsibility law places upon them.

Attendance and Absences

Any student enrolled in the Hartselle City School System is required to attend school regularly and to be on time for classes. School administrators have an obligation under Alabama State Law to enforce



compulsory school attendance laws. The school system reserves the right to set up attendance requirements for any virtual course. A student must be in attendance for over one-half of the instructional day (51%) to be counted present for the day, otherwise the student is counted absent. It is the responsibility of the parent to contact the school to see what portion of the day constitutes one-half day of instruction (cut-off times, etc).



Student Responsibilities

- To take advantage of their educational opportunity by attending all classes daily and on time.
- To provide the school with an adequate explanation with appropriate documentation indicating the reasons for an absence within **three days of returning to school**.
- To request and receive make-up assignments from teachers upon return to school, and to complete this work within the assigned length of time when there is an excused absence.

Student Rights

- To be informed of School Board policies and individual school rules regarding absenteeism and tardiness.
- To appeal a decision pertaining to an absence.

Excused Absences

All students' absences shall be designated as **unexcused until a written excuse is provided**. Excuses should be turned into the school within three days of the student returning to school. No more than a total of five (5) days of parental excuses will be accepted each semester. Excused absences will be permitted for the following reasons:

1. Personal Illness
2. Hospitalization
3. Emergencies approved by the principal
4. Death in the immediate family
5. Court Subpoena
6. Religious Holidays
7. Absences with **prior** approval by the principal

Written Excuses

In accordance with State Law, parents/guardians must explain the cause of any absence of students under their control or charge. Every student, upon return to school, must bring a written excuse from home, signed by the student's parent/guardian, for each absence and submit it to the designated school official unless otherwise approved by the principal. Notes must contain the following to be considered.

1. Date
2. Student's Name
3. Reason for Absence
4. Signature of parent/guardian
5. Daytime telephone number
6. Email address, if available.

Email excuses to:

Barkley Bridge Office Email: heather.olejnik@hartselletigers.org
Crestline Elementary Office Email: Kathryn.tyler@hartselletigers.org
FE Burleson Office Email: kim.crowe@hartselletigers.org
Hartselle Intermediate Office Email: kelly.smith@hartselletigers.org
Hartselle Junior High Office Email: hjhs.attendance@hartselletigers.org
Hartselle High School Office Email: HHSoffice@hartselletigers.org



School Participation Absences

Students who are away from school because of participation in school-sponsored activities shall be marked present and allowed to make up missed school work.

Check-Ins and Check-Outs

Any student who arrives to class after school has begun must go to the office and check-in. **Checking in after the bell rings or checking out before the bell rings will be marked as a "TARDY".**

Students who have a valid need to leave school before the dismissal bell shall be checked out at the office. Such students must be signed out by the parent or guardian. Telephone calls shall not be accepted for purposes of checkout of a student without the approval of the principal. Students who check out ill and miss over ½ of the school day will need to provide a written excuse upon returning to school, **even if sent home by recommendation of the school nurse.** The principal has the responsibility of making decisions relating to checkouts. Such decisions shall be made in the best interest of the student.

Make-up Work

Students who are absent are required to make up work missed in each class. It is the student's responsibility to obtain all make-up work from his/her teacher(s) immediately upon return to school. Only in extreme cases of prolonged absences will more than one week be allowed for work to be made up. Grades will be held in the event make-up work is not turned in and will lead to failure if the situation is not remedied immediately. Long term assignments such as research papers, special projects, etc., are due on or before the due date even if the student is absent on the date the assignment is due.

Unexcused Absences

Absence for reasons other than those defined above as "excused" shall be considered unexcused (including out of school suspension). Students with unexcused absences will make up work for partial credit – grade will be calculated equal to 70% of the earned score on make-up work (except for long term assignments given prior to suspension; for example, exams, book reports, term papers, etc.).

On a student's fifth unexcused absence, a referral to the next session of Early Warning Court will be made for the first occurrence within the child's current academic school year.

Appeal

By providing a written request to the Superintendent, the student and/or the parent/guardian may appeal to the school board following the decision of the school.

The school board shall hear the appeal at its first school board meeting, which occurs following receipt of the written appeal. The decision of the school board is final.

Early Warning Program

The Early Warning Program is a joint effort between the Hartselle City Board of Education and the Juvenile Court. It is designed to reduce truancy and the number of student dropouts. The format of the program consists of a group session held approximately bi-weekly in the Morgan County Courthouse in Decatur. The student and his/her parent/guardian will be required to attend one of these sessions. The purpose of the Early Warning Program is to share information concerning the legal requirements and school board policies pertaining to attendance.



Early Warning petitions will be filed only one time per student per school year. Parent(s) or guardian(s) must provide a written explanation of the reasons for each absence.

Any student who is absent in excess of five days per semester must have a medical or judicial excuse in order for the absence to be excused; or, have the absence excused by the principal as an exceptional circumstance. This will include check-in/check-outs and absences from specific period classes. The



student may request a hearing involving the principal and/or the problem solving team. Both the parent/guardian and the student must attend the hearing.

Truancy

Unexcused absences accumulated after a child has been referred to Early Warning Court (minimum of seven unexcused absences), will result in Truancy charges on the parent or student with the Juvenile Court. The Board shall not tolerate truancy or the habitual and unlawful absence from school. A parent, guardian, or other person having charge of any child officially enrolled in Hartselle City Schools (1-12) shall explain in writing the cause of any and every absence of the child within three (3) days following return to school. A failure to furnish such explanation shall be evidence of the child being truant each day he/she is absent. The child shall also be deemed truant for any absence determined by the principal to be unexcused based on the State Department of Education's current School Attendance Manual.

If a student under 17 years of age becomes a truant, the parent or legal guardian of said student may be guilty of a misdemeanor and subject to punishment by law. Hartselle City Board Policy 6.1.5 shall be followed for reporting truancy to the Juvenile Court.

If the parent or guardian files a written statement in court to the effect that he/she is unable to control such student, the student may then be subject to action of the juvenile court which will determine whether said student is a dependent, neglected, or delinquent child.

Alabama Laws concerning school attendance are as follows:

Section 16-28-3 - Every child between the ages of six(6) and seventeen(17) years (amended in 2009 Legislative session) shall be required to attend a public school, private school, church school, or be instructed by a competent private tutor for the entire length of the school term in every scholastic year except that every child attending a church school as defined in Section 16-28-1 is exempt from the requirements of this section, provided such child complies with enrollment and reporting procedures specified in Section 16-28-7. Admission to public school shall be on an individual basis on the application of the parents, legal custodian or guardian of the child to the local board of education at the beginning of each school year, under such rules and regulations as the board may prescribe.

Section 16-28-12 - Requires that any parent/guardian who enrolls a student in schools to be responsible for the student's regular attendance and proper conduct.

Section 12-15-33 - Provides that a parent may be fined \$500.00 and receive up to one year of hard labor if convicted of parental neglect; contributing to the delinquency of a minor; or if the child is found to be child IN NEED OF SUPERVISION. They may also be required to pay restitution to the Board of Education.

In accordance with Act No. 93-368, the Superintendent or his/her designee is required to notify the Alabama Department of Public Safety when a student who has a driver's license or a learner's permit accumulates 15 total or 10 consecutive unexcused absences. School attendance for persons between the ages of 15-19 is mandatory for those who wish to retain a driver's license or learner's permit. Failure to attend school regularly will result in the forfeiture of the driver's license or learner's permit. School attendance standards are met by enrollment in a school or General Educational Development (GED) program or job training program approved by the State Department of Education.

Students who wish to obtain a driver's license or learner's permit must have certification from their principal that they are in school and in regular attendance.

Notification and Reporting of Absences

Parents will be notified of absences via the following processes:



1. Automated phone call and email notifications of absences, other than school sponsored events, sent daily.
2. After the third unexcused absence, parents / guardians will be notified via letter of the accumulated absences and pending early warning referral (5 unexcused absences) and truancy referral (7 unexcused absences). Consideration will be given for extended illness, extenuating circumstances, etc.
3. At the principal's discretion, home visits and / or the use of the SRO may be utilized.
4. Records of attendance will also be printed on school report cards sent home at the end of grading periods. Absences due to school sponsored events or field trips will not be recorded.

Parents and guardians also can view attendance information via the online portal at any time. Please contact the school office for user access / password.

Students missing from class but present in an alternative setting (alternative school) will not be counted absent. Students absent from the alternative setting may have their placement extended for absences and missed time.

The number of absences from a class or school will also be reported on the report card for the particular grading period. The figure includes absences from class for all reasons except school related functions. For example, absences from class or school for illness, legal matters or other reasons are shown. Absences shown here may be excused or unexcused.

Absences for school related purposes will not be shown. Examples of school related absences could include athletic trips, band or choral trips, academic competitions, and other similar functions. Absences for school related activities will not appear on the student's cumulative record.

Students out of class for attendance in an alternative setting will be counted as present. Example of alternative placement would be a student attending Alternative School.

Excessive Absences Denial of Credit / Retention

Any student enrolled in grades k-12 who accumulates more than 7 unexcused absences or 20 total absences (excluding school sponsored trips / events) during the school year is subject to being retained in the same grade the next school year and recommended for credit recovery and / or summer school. Students in grades 9-12 who accumulate more than 7 unexcused absences in any course may be denied credit for the course and recommended for credit recovery and / or summer school. Students that are retained or denied credit due to absence will be notified in writing at the conclusion of the school year. Parents or guardians of students that are retained or denied credit due to excessive absence will have the opportunity to ask for an appeal in writing within 5 days of the notification. Failure to ask for an appeal will result in the loss of credit or retention and recommendation for credit recovery and / or summer school.



Student Records

A well-developed student record file contains information needed for making appropriate educational decisions for the students. Student records are to be treated confidentially and should contain information that is relevant, accurate, and appropriate. **Student records, including suspension or expulsion records, will be forwarded to other schools that request the records and in which the student seeks or intends to enroll.**

Cumulative Record

All personal data shall be completed when the student initially enrolls in the School System and shall be updated annually. All data shall be recorded on the cumulative record in accordance with administrative procedures established by the Board of Education. Since information on the cumulative record cards is confidential, the card shall not be removed from the file room except as authorized.

Student/Parent/Guardian Responsibilities

To inform the school of any information that may be useful in making appropriate educational decisions

*To authorize release of pertinent information to those individuals or agencies who are working actively and constructively for the benefit of the student.

Student/Parent/Guardian Rights

To inspect, review, and challenge the information contained in records directly relating to the student. (Refer to *Review of Student Records by the Parent* for procedure.)

To be protected by legal provisions which prohibit the release of personal identifiable information to anyone other than legally authorized persons without the consent of the parent, guardian, or eligible student. (Eligible students are those 18 years of age or over.)

*Release of records of students 18 years of age or younger who attend an elementary or secondary school requires the signature of the parent or guardian, except when requested from another public school district.

Provisions for the protection of student privacy are found in *Public Law 93-380 (HR 69)*. Refer to the *Code of Conduct Index* to read the provisions of the *Family Educational and Privacy Act of 1974 (Buckley Amendment)* and *Student Rights and Responsibilities*.

Review of Records

Schools shall provide for the review of student records by parents or guardians (and eligible students over 18 years of age) within 45 calendar days of a parent or eligible student request to inspect and review education records. A parent or guardian who desires to review his/her child's record should submit to the school principal or appropriate school official a written request that identifies the record(s) 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 records may be inspected. The conference shall be scheduled as soon as possible. The disclosure record shall be completed at the time of the conference. Prior to the conference, the principal shall review the record for accuracy and completeness. The record shall be examined by the parent in the presence of the principal or a designated professional person.

The principal or his/her designee attending the review shall:

- (1) Explain the record keeping system of the school, noting the types of records and why they are kept.
- (2) Provide the parent or guardian the opportunity to examine each record. Records which shall be included are:
 - a. Cumulative academic record
 - b. Application for admission
 - c. Immunization records, if applicable
 - d. Attendance record



- e. Class grade record
 - f. Any other records maintained for that student by the school system
- (3) The principal or a designated professional person shall provide the parent an opportunity to raise questions regarding information in the records.
- (4) A record of the review shall be made on the disclosure record.

To Challenge Information in Student's Folder

If the parent or guardian requests a hearing to challenge information contained in the student's folder, a written request for the hearing shall be made and a hearing scheduled for a date not less than three (3) days or more than two (2) weeks from the date of request. The hearing shall be held with the principal and the parent or guardian at the scheduled time.

If the parent or guardian is not satisfied with the principal, he/she shall have the opportunity to appeal the decision to a review panel at the Central Office level. The parent or guardian shall request the appeal in writing to the Superintendent of Education. Upon receipt of said request, the Superintendent shall schedule a review panel meeting within ten (10) days following receipt of the parent's request. The date, time, and place of the review panel hearing shall be sent to the parent or guardian by United States registered or certified mail, return receipt requested.

The student record appeals review panel shall be composed of three professional representatives of the Central Office staff. At the meeting the Superintendent of Education or his/her designee will preside. The parent or guardian and the principal shall be present. The student shall be present if requested by the parent or guardian or school official. The decision of the review panel shall be communicated in writing to the school and parent or guardian within ten (10) days. The parent shall have the right to file a dissenting statement following the hearing; such statement shall become part of the student's cumulative folder.

Parents or eligible students who wish to ask the school to amend a record should write the school principal or appropriate school official and 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 advise them of their right to a hearing regarding the request for amendment.

Definitions:

"Education Records" means records which (1) are directly related to a student; (2) are maintained by the education agency or school by a party acting for the agency or school; (3) are records on a student receiving services under Part B of the Individuals with Disabilities Education Act; and (4) are medical or health records.

"School Official" means Superintendent of Schools or principal or their designee.

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.



Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA)



Students of Hartselle City Schools and their parents will annually be informed, at the beginning of the school year, of their rights by receiving a *Code of Student Conduct and Handbook*. They will also be advised of substantial changes in Board policies as changes occur. The rights under PPRA transfer from the parent(s) to a student who is 18 years old or an emancipated minor under State law.

Enrollment

All homeless, migrant, and limited English proficient children must have equal access to the same free appropriate public education provided other children and youth and shall not be denied due to any of the following barriers: lack of birth certificate; lack of school records or transcripts; lack of immunization records; lack of proof of residency; lack of transportation; unaccompanied, no guardian.

PPRA Notice and Consent/Opt-out for Specific Activities

To comply with the PPRA, the school system must notify parents and obtain consent or allow parents to opt their children out of participating in certain school activities: student survey, analysis, or evaluation that concerns one or more of the following “eight protected areas” (protected information surveys), and

To comply with the PPRA, if a survey is funded in whole or in part by federal funds and/or a program of the U.S. Department of Education, the School System must obtain prior written consent from parents before students are required to submit to a survey which contains one or more of the ***PPRA’s eight protected areas: (1.) Political affiliations or beliefs of the student or the student’s parent; (2.) Mental or psychological problems of the student or the student’s family; (3.) Sex behavior or attitudes; (4.) Illegal, anti-social, self-incriminating, or demeaning behavior; (5.) Critical appraisals of other individuals with whom respondents have close family relationships; (6.) Legally recognized privileged or analogous relationships, such as those of lawyers, doctors, or ministers; (7.) Religious practices, affiliations, or beliefs of the student or student’s parent; or (8.) Income, other than that required by law to determine program eligibility.***

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings.

Parents will be notified annually at the beginning of the school year of the specific or approximate dates during the school year when a survey will be administered for a survey that contains one or more of the “eight protected areas.” Parents will be provided an opportunity to opt his/her children out of participation.

Inspection

Parents have the right to inspect, upon written request, a survey created by a third party before administration or distribution of a survey and any instructional material used in connection with any survey that concerns one or more of the “eight protected areas,” and any instructional material used as part of the educational curriculum for the student.

A parent who desires to inspect any instructional material used as part of his/her child’s educational curriculum must contact the school principal or designated school official.

Upon request from a parent, the school system will make arrangements to protect student privacy in the event of the administration of a survey to students containing one or more of the “eight protected areas” (including the right of parents to inspect, upon request, a survey that concerns one or more of the “eight protected areas.”



The School System must annually offer parents an opportunity to “opt-out” his or her child of participating in the following activities:

1. Any protected information survey, regardless of funding.
2. Activities involving the collection, disclosure, or use of personal information (including items such as a student's or parent's first and last name, address, telephone number, or social security number) collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose. Arrangements must be made by the school system to protect student privacy in the event of the administration of a survey to students containing one or more of the *eight* protected items of information noted above (including the right of parents to inspect, upon request, a survey that concerns one or more of the *eight* protected items of information).
Upon request, the school system must provide a parent an opportunity to inspect any instrument used in the collection of personal information.
3. Any non-emergency, invasive physical examination or screening that is:
 - a. required as a condition of attendance;
 - b. administered by the school or its agent and scheduled by the school in advance except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law;
 - c. not necessary to protect the immediate health and safety of the student, or of other students.
4. The administration of any survey containing one or more of the eight protected areas that is not funded in whole or in part by federal funds. The School System must obtain active consent, and may not use an opt-out procedure, if the survey is funded in whole or in part with federal funds.

The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following: (1.) College or other postsecondary education recruitment, or military recruitment; (2.) Book clubs, magazines, and programs providing access to low-cost literary products; (3.) Curriculum and instructional materials used by elementary schools and secondary schools; (4.) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students; (5.) The sale by students of products or services to raise funds for school-related or education-related activities; and (6.) Student recognition programs.

Disclosure of Directory Information

"Directory information" may be made available at the discretion of the principal without the prior consent of the parent.

If a parent does not want the school system to disclose directory information from a child's educational record without prior written consent, the parent must notify the school system in writing by September 1. A parent request to “opt-out” of disclosing one or more areas of “directory information” for a child will result in nondisclosure of ALL areas defined as “directory information.”

The primary purpose of directory information is to allow Hartselle City Schools to include this type of information from student's education records in certain school publications. Examples include:

- playbill, showing a student's role in a drama production;
- the annual yearbook;
- honor roll or other recognition lists;
- graduation programs;
- sports activity sheets.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior 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 Education Agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses, and telephone listings – unless parents have advised the LEA that they do not want their children's information disclosed without their prior written consent.

Hartselle City Schools has designated the following information as directory information:

- student's name
- address
- telephone number
- electronic mail address
- date and place of birth
- photographs
- grade level
- participation in officially recognized activities and sports
- field of study
- weight and height of athletes
- enrollment status (full-time, part-time, undergraduate, graduate)
- degrees and awards received
- dates of attendance
- most previous school attended
- honors and awards received



Directory information cannot include student identification numbers or social security numbers.

The following individuals or agencies may be granted access to student record information without the written consent of the parent or without an entry being made in the disclosure record:

Teachers and other school officials within the School System who have a "legitimate educational interest:" That interest that requires regular access for purposes of adding material, periodic review, filing new student data and/or removing inadequate, ambiguous, no longer relevant data; that interest having the educational well-being of the student in mind for purposes of continuing, improving, or changing the education of the student and that interest in which the individual has a legitimate need to know.

The stated education agency is required to make reports concerning the education program.

The following individuals or agencies may be granted access to student record information, without the written consent of the parent, by completing the disclosure record:

- Authorized representative of the Comptroller General of the United States;
- Authorized representative of the Secretary of U.S. Department of Education;
- Authorized representative of the State Education authorities;
- Authorized representative of appropriate community agencies involved in handling students' health and safety;
- Agencies requiring information in connection with a student's application for or receipt of financial aid;
- Courts on the issuance of proper orders or subpoenas. Reasonable efforts shall be made to notify the parents of the order or subpoena.

Directory information and personally identifiable information shall be released without parental consent to a school to which the student has transferred. Suspension and expulsion records will be included with education records forwarded to other schools that request the records and in which the student seeks or intends to enroll.

Principals shall require written approval of a parent or eligible student in order to grant access to others not specifically authorized by this policy.



Information to Military Recruiters

The school system ***must*** provide students' names, addresses, and telephone listings, when requested by military recruiters, unless a student's parent has elected to "opt-out" of disclosing the information under the *Protection of Pupil Rights Amendment*.

Complaints

Parents have the right to file a complaint with the Student Privacy Policy Office in the United States Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5920. The FPCO's Web site is <https://studentprivacy.ed.gov/?src=ft>.

Definitions of some terms used in PPRA

- "**Education Records**" - records which (1) are directly related to a student; (2) records maintained by the education agency or school by a party acting for the agency or school; (3) records on a student receiving services under Part B of the Individuals with Disabilities Education Act; and (4) medical or health records.
- "**Parent**" - parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.
- "**Instructional Material**" - instructional material that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet); the term does not include academic tests or academic assessments.
- "**Invasive Physical Examination**" - any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- "**Personal Information**" - individually identifiable information including:
 - a student's or parent's first and last name;
 - a home or other physical address (including a street name and the name of a city or town)
 - a telephone number; or
 - a social security number.
- "**School Official**" - Superintendent or principal or their designee

Curriculum and Instruction

Hartselle City Schools follows the State of Alabama College and Career Readiness Standards.

Student Information System (SIS)

PowerSchool is a web-based attendance and grading system for teachers, parents, and students. Keep track of your child's grades and attendance records all in one convenient location. You may access this information from anywhere with internet access. Additional information about the PowerSchool access can be found under the "For Parents" tab at Hartsetlletigers.org.

Textbooks

Each student is responsible for every textbook and other education materials issued to him/her. The parent or guardian of any student to whom textbooks or other materials are issued shall be held liable for any loss, abuse, or damage in excess of that which would result from the normal use of such material.



School Grading System for Grades 2 - 12

<u>Grade</u>	<u>Range</u>
A	90-100
B	80-89
C	70-79
D	60-69
F	Below 60
I	Incomplete

The letters S (satisfactory), NI (needs improvement), and U (unsatisfactory) shall be used for grading handwriting in elementary grades. The letters S (satisfactory), NI (needs improvement), and U (unsatisfactory) shall be used for grading science/health at the first and second grade level. The letters S (satisfactory), NI (needs improvement), and U (unsatisfactory) shall be used for grading social studies at the second grade level.

RETENTION - Grades K - 6

A child may be considered for retention if a combination of the following criteria exists:

- The teacher and/or the Student Support Team (SST) determine that the retention will benefit the student.
- The child is performing significantly below grade level standards.
- The child demonstrates social/emotional immaturity.
- The child displays poor habits, incomplete work and/or excessive absenteeism affect achievement.
- The principal will have the final authority in determining grade placement of a student.

In some situations, it may not be in the best interest of the student to be retained even though he/she qualifies as a retention candidate. In these cases, the student will be placed in the next grade level.

Considerations include:

- The child has already been retained
- The child is receiving EL services
- The child is receiving Special Education services and his/her IEP team does not recommend retention.



CRITERIA FOR PROMOTION - Grades K - 6

Reading Promotion Criteria

Students must meet the majority of applicable criteria at the grade level benchmark in the spring of the school year in order to be promoted to the next grade level.

Assessments & Measures:

- Reading Fluency
- Normed Reading Assessment
- Quarterly Common Assessment
- State Assessment
- End of the Year Assessment
- Classroom Reading Grade (cumulative average of 70% or higher)
- Teacher Observation and Running Records - student must have shown reading growth over the course of the year in small group reading performance in his/her performance in literacy centers.

Math Promotion Criteria

Students must meet the majority of applicable criteria at the grade level benchmark in the spring of the school year in order to be promoted to the next grade level.

Assessments & Measures:

- Quarterly Common Assessment
- Normed Math Assessment
- End of the Year Assessment
- Classroom Math Grade — (cumulative average of 70% or higher)
- Teacher Observation and Running Records — students must have shown growth over the course of the year in small group math performance in his/her performance in centers

Promotion / Retention — Junior High: Grades 7-8

- If a students' grade is below 60 for two semesters in Math or English, the grade must be repeated.
- If a student's grade is below 60 in Math or English, one semester, but the student passes the other Semester, and if the average of the two semester grades is below 60, the student could be retained in the grade or placed in the next grade.
- If the yearly average of two core academic subjects is below 60, the grade must be repeated.
- If the yearly average of two elective subjects and/or Physical education is below 60, the student may be placed in the next grade instead of being promoted.
- If a student is retained, the student's final report card will reflect the status and grade placement for the following year. If a student is placed in the next higher grade, the parent or guardian must sign a consent form indicating approval of placement.
- A student will be permitted to make up a course, which was not passed, in an accredited summer school or credit recovery program.
- The final authority for determining promotion, placement, or retention rests with the grade level committee and the principal.

Response to Instruction (RTI)

Hartselle City Schools utilizes a multi-tiered system to integrate core instruction, assessment, and intervention. Early intervention and differentiated instruction are designed to provide the greatest possible student achievement and reduce behavior problems at every grade level and subject area. Response to Instruction (RTI) is a cooperative effort by teachers, counselors, and principals which form a Student Support Team (SST) to work with students and parents to identify and monitor student achievement and behavior using data-based decision making that leads to research-based interventions.



Specific Information for Hartselle High School Students

Graduation Requirements

Alabama High School Diploma

- English Language Arts 4 credits
- Mathematics (through Algebra 2) 4 credits
- Science 4 credits
- Social Studies 4 credits
- Physical Education 1 credit
- Health Education ½ credit
- Career Preparedness 1 credit
- Career Tech and/or Fine Arts and/or Foreign Language 3 credits
- Electives 4.5 credits
- Total 26 credits (minimum)

Alabama High School Diploma With Honors

- English Language Arts- Pre AP or AP all four years 4 credits
- Mathematics- Pre-AP Geometry, Pre-AP Algebra II, Pre-AP Pre-Cal, one additional AP math 4 credits
- Science- Pre-AP, AP all four years 4 credits
- Physical Education 1 credit
- Health Education ½ credit
- Career Preparedness 1 credit
- Foreign Language (2 years of the same language) 2 credits
- Career tech, Fine Art or one additional Foreign Language 1 credit
- Electives 4.5 credits
- Total 26 credits (minimum)

College and Career Readiness (CCR) Graduation Requirements

Beginning with the class of 2026, each senior must meet at least one College and Career Readiness Indicators (CCRI) as set forth by the Alabama State Department of Education in order to graduate.

Students only have to satisfy ONE (1) of the CCRI's listed below:

- A benchmark score on any section of the ACT test (English -18; Science -23; Reading - 22; Math - 22)
- A qualifying score on an AP (3 or higher) or IB (4 or higher) exam
- Approved college or postsecondary credit while in high school
- A benchmark on the ACT WorkKeys (Level 4-Silver or higher certificate)
- Three courses in the same career-technical field
- An approved industry credential, or
- Documented acceptance for enlistment into the military.
- Three (3) CTE courses in the same area (i.e., 3 engineering courses). Students must earn the grade of 70 or higher in each course.

High School Grade Point Average Calculation

Standard	Honors/Pre-AP	AP
4.0	4.5	5.0
3.0	3.5	4.0
2.0	2.5	3.0
1.0	1.5	2.0
0	0	0
I = Incomplete		



Certificate of Attendance

Special education students will be awarded a graduation certificate and afforded the opportunity to participate in graduation activities when successfully completing the prescribed program specified in his/her Individual Education Plan (IEP) for high school graduation.

Valedictorian, Salutatorian

The following are the criteria for determining who may be eligible for valedictorian and salutatorian at Hartselle High School:

1. The student with the highest numerical grade average who qualifies for the Advanced Academic Diploma Endorsement with Honors shall be the class valedictorian. The student with the second highest numerical grade average who qualifies for the Advanced Academic Diploma Endorsement with Honors shall be the class salutatorian. In case of a tie (after carrying the grade average out four decimal places), students having the same average will be recognized as co-valedictorians or co-salutatorians.
2. In calculating the numerical grade average, all semester grades will be used.
3. Advanced Placement (AP) grades will be weighted by adding 10 points to each semester grade earned in an AP class. Pre AP/Honor class grades will be weighted by adding 5 points to each semester grade earned in each Pre AP/Honors class. In the case of a transfer student who has AP grades and/or Pre AP/Honors grades, only those courses recognized as AP by the College Board will be weighted. If a student fails an AP course and/or Pre AP/Honors grades, no weighted credit will be added to the configuration.
4. The candidates for valedictorian and salutatorian must have been enrolled at Hartselle High School for one full academic school year prior to the date of their graduation. The candidates for other end-of-the-year honors must have been enrolled prior to the beginning of the second semester of the senior year.
5. The numerical grade average for the candidates shall be computed on course work taken beginning with the freshman year through the second semester of the senior year.
6. If letter grades are present on a candidate's transcript, the candidate must have the respective school(s) where they attended submit the grades in numerical form. If school officials of the school the student attended cannot or will not convert the letter grades to numerical grades, the letter grades will be transposed to numerical grades as follows:

A+ = 99	B+ = 89	C+ = 79	D+ = 69	F = 59 & below
A = 95	B = 85	C = 75	D = 65	
A- = 90	B- = 80	C- = 70	D- = 60	

7. Any extraordinary situations or circumstances that may arise will be resolved by the school principal in consultation with the school superintendent.

Testing and Assessments

Schools shall implement all testing required under state and federal law, conducted in accordance with the appropriate test administration and manual guidelines and any rules and regulations to ensure their security and validity. The testing program may also include: standardized tests for achievement and academic aptitude, basic competency tests; individual and group screening tests, and teacher-made tests.

Use of a Digital Device During the Administration of a Secure Test

The possession of a digital device (including but not limited to cell phones, smart watches, 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 of this policy in the *Code of Student Conduct Handbook* and other regularly used modes of communication.

Student Publications

Education is the process of inquiry and learning, acquiring and imparting knowledge, and exchanging ideas. One of the important roles of the school is to provide effective avenues through which students may express themselves on a wide range of subjects. Official student publications, such as school newspapers, should include viewpoints representative of the entire student body.

- **Student Responsibilities:** To refrain from publishing libelous and obscene materials; to seek full information on the topics about which they write; and to observe normally accepted rules for responsible journalism under the guidance of the faculty advisor
- **Student Rights:** To participate in the development and distribution of publications as a part of the educational process

Student Parking

All vehicles, other than motorcycles, must be registered and have a decal. Decals are sold before the fall school term when lockers are sold and all during the school year. The parking space can only be used by the student to which it is registered; the student is not permitted to give, loan, or sell the space to any other student. Students must park in the space designated by their decal.

- Speeding, reckless driving, or making excessive noise on school property or near any school building will not be tolerated. The speed limit on school property is 10 mph.
- Sitting in cars or trucks before or during school hours is not permitted. The student must leave the car or truck within a minute of arrival.
- Students are not to enter the parking lot during the school day without permission from the principal's office.
- All cars and trucks must be parked in the proper parking zone.

Denial and/or Suspension of Driver's License



The Department of Public Safety shall deny a driver's license or a learner's license for the operation of a motor vehicle to any person under the age of 19 who does not, at the time of application, present a diploma or other certificate of graduation issued to the person from a secondary high school of this state or any other state, or documentation that the person:

- is enrolled and making satisfactory progress in a course leading to a general educational development certificate (GED) from a state approved institution or organization, or has obtained the certificate;
- is enrolled in a secondary school of this state or any other state;
- is participating in a job training program approved by the State Superintendent of Education;
- is gainfully and substantially employed;
- is a parent with the care and custody of a minor or unborn child;
- has a physician certify that the parents of the person depend on him/her as their sole source of transportation; or
- is exempt from this requirement due to circumstances beyond his/her control as provided in this chapter."



Student Services

Special Services - What is IDEA?

IDEA (Individuals with Disabilities Education Act) provides federal funding to states to help guarantee special education and related services to eligible students. IDEA focuses on making sure eligible students with disabilities get a fair chance to develop and learn.

IDEA covers students who need special education and related services due to a disability in one or more of these categories: Autism, deaf-blindness, developmental delays (ages 3-9), emotional disabilities, hearing impairment, intellectual disabilities, multiple disabilities, orthopedic impairments, other health impairments, specific learning disabilities, speech or language impairments, traumatic brain injuries, and visual impairments including blindness.

What is the Americans with Disabilities Act (ADA)/Section 504?

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 are Civil Rights laws which prohibit discrimination against students with disabilities in any program or activity of the school system. If a student has a disability (physical and/or mental) which substantially limits a major life activity (such as walking, standing, seeing, hearing, breathing, speaking, performing manual tasks, caring for oneself, or learning), that student cannot be discriminated against for performance or behaviors due to the disability. The law states that "no otherwise qualified individual with a disability shall, solely by reason of her or his disability, be . . . subjected to discrimination [in] any program or activity" The prevention of discrimination can be satisfied by reasonable accommodations in the classroom setting. In each case, the accommodations should be determined by what disability the student has and how that disability affects learning and behavior.

Special Education records will be kept on file until the student transfers to another school district or until the student reaches the age of 26 years old.

**For more information about ADA/Section 504 or IDEA, please contact
Mrs. Katie Black, Special Services Coordinator,
305 College Street NE, Hartselle, AL 35640, Telephone: 256-773-0717**

Gifted Child Find

Gifted 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 or 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 Guidance Counselor at your child's school, or contact
Mrs. Elisa Harris, Gifted Program Coordinator,
Hartselle City Schools, 305 College Street NE, Hartselle, AL 35640
Telephone: 256-773-5419**



Student Health Services

Medication administered by the school nurse, health room aide, or principal's designee should meet the following requirements.

Hartselle City Schools Medication Guidelines

1. Students requiring medication to be given at school, whether daily or as needed, **must have a School Medication Prescriber/Parent Authorization Form (PPA)** completed for each medication. Medications will not be administered without a completed PPA. These forms can be obtained from the school nurse, school office or online at www.hartselletigers.org (under Departments, click on the Health Services Page and you will find it in the Forms section).

2. **Medications must be delivered to the school by the parent/guardian or adult designee.** Students are not allowed to transport any type of medication to and from school without written authorization from a healthcare provider.

3. Over-the-Counter Medications (OTC):

- The PPA form should be filled out completely matching the manufacturer's label and have the parent's signature. A parent signature will allow for medication to be administered for two weeks. If the medication is needed or intended for use longer than 2 weeks, a physician's signature is required before medication can be administered.
- ****OTC medications may not be kept for more than two weeks without written authorization from a licensed healthcare provider. Therefore, any OTC medication intended to be kept in the health room for an extended period (>2 weeks) will require a signature from a healthcare provider.**** This form is the same form used for prescription medication.
- OTC medication must be age/weight appropriate & must be given per manufacturer label instructions unless otherwise noted by a PPA completed & signed by a licensed healthcare provider.
- All OTC medications must be brought in the original container or packaging. Medications must be new with seal still intact. Opened bottles will not be accepted.
- Siblings may share a bottle of OTC medication as long as it is age appropriate for each child. However, a separate completed PPA will be required for each child.

4. Prescription Medications:

- The parent or guardian is responsible for obtaining physician signatures on the PPA. NO medications will be accepted or dispensed without proper signatures. The PPA must be completely filled out including reason for taking & side effects. The time on the PPA and the time on the pharmacy label must match. Times must be specific. (once daily, morning, afternoon, or evening is not acceptable as time given).
- Medication must be brought in the original bottle with a pharmacy label attached. Student's name, physician's name, date of prescription, name of medication, dosage strength, frequency of medication and date of expiration must be on the label. Parent/Guardian will be asked to sign in medication and count the number of pills brought in with the school nurse or school staff. Medications must be given as ordered, for instance if a pill needs to be crushed or capsule needs to be opened the prescriber must document such on the PPA.
- ALL medications should be brought in with pharmacy label intact (including boxes with Insulin Pens, Epi-pens, Inhalers, etc...).
- Verbal medical and treatment orders will be accepted from legally authorized healthcare providers. However, a written order must be received within 48 hours. If written orders are not received within 48 hours, verbal orders are considered void. School nurses will not allow changes to be made on Parent/Prescriber Authorization bases solely on communication with a third party (e.g., parent, student, or other staff member that is not licensed to receive/give such orders).
- Any change in medication or the medication orders, to include a change in the dosage, time given, etc. must be documented on a new PPA form, signed by the Prescriber and Parent/Guardian. Medication discontinuation orders, to include the effective date, must be



documented in writing by the prescriber. The parent or guardian must pick any remaining doses of the discontinued medication stored at the school. Any medication not picked up within 7 days of discontinuation will be disposed of according to state & federal guidelines.

- If a sample medication is received from a health care provider to be given at school, please have them write a prescription with the student's name, medication to be given, frequency of medication, etc., so the school nurse can use this as a "pharmacy label" to comply with the medication at school laws.
- If parents inform the nurse if they wish medication to be held, nurse will document medication refusal and parent should seek a prescriber's order to hold or discontinue the medication. Order should be received within 48 hours. If order has not been received within 48 hours, nurse will notify prescribing physician of parent refusal and seek order clarification.

5. Self-Carry/Self-Administration Medications: The school nurse or unlicensed medication assistant will administer all medications with the exception of those emergency medications that are ordered to be self-administered. Only Emergency or Rescue medications are allowed to be self-administered and/or kept on students. Students with chronic health conditions are allowed to self-carry and/or self-administer their prescribed Emergency or Rescue medication if both, healthcare provider and parent/guardian, indicates on the PPA that the student is allowed to do so. Before any medication can be self-administered, the nurse is required to assess for competency and safety. Permission for the Self-Administration/Self-Carry of approved medications shall only be effective for the school year in which permission is granted. The Board of Education, the school and its employees shall incur no liability and are immune from any liability exposure created by self-administration/self carry medications. Nothing in this section shall be interpreted as permitting a student to possess a controlled substance, as defined in the Medication Curriculum, on school property.

6. Expired Medications will not be accepted. You will be notified if the medication expires during the school year. If medication is not picked up within 2 weeks of medication expiration, it will be disposed of per state and federal regulations. Medication can not be administered after expiration date.

7. School personnel will not administer natural remedies, herbs, and nutritional supplements, or non FDA approved medication without the explicit order from an authorized prescriber and parent authorization.

8. The first dose of a new medication should be given at home and will not be given at school.

9. Health rooms are not stocked with OTC medications for general student/staff use. Parent/Guardian must provide any medication that the student receives at school. Each health room does keep **basic first aid supplies** (normal saline, calamine, aquaphor, aloe and vaseline) for use as needed.

10. Medication should be picked up by the parent/guardian or designated adult at the end of the school year or if medication is discontinued. The parent/guardian will be notified of the presence of the remainder of medication and be given a specified length of time for it to be picked up. If not picked up by the specified time, the medication will be disposed of based on state and federal regulations.

Immunizations

In accordance with the Code of Alabama, 16-30-4, a current Certificate of Immunization (Blue Slip) with the required immunizations must be presented before a student may be enrolled in school. Immunizations must be kept current in order to attend classes.

Illness Guidelines

If your child is not feeling his/her best, please use the following guidelines to determine whether or not he/she should be in school. If you think that your child might have a fever, please check before sending him/her to school. Your child should not be sent to school until he/she has been fever free for at least 24 hours without taking a fever reducing medication.



Symptom/Illness	Child should not be at school or in contact with other children:	If child feels well enough, he/she may attend school:
Runny Nose	Cloudy or yellow/green discharge with congestion and fever	Clear drainage as with allergies
Cough	Frequent or uncontrollable and accompanied by fever	Infrequent or if has been antibiotics for at least 24 hours and no fever
Fever	If temperature is above 100, accompanied by cough, headache, etc.	If temperature is below 100 for 24 hours without taking a fever reducing medication and there are no other symptoms
Diarrhea or vomiting	One episode of vomiting accompanied by fever or diarrhea	Single incidence of diarrhea or vomiting with no other symptoms. Must be 24 hours after the last episode of vomiting.
Strep Throat or Scarlet Fever	Sore throat, headache, nausea, fever. The only way to rule out Strep is with a throat culture.	After 24 hours on antibiotics and fever free for 24 hours
"Pink Eye" Conjunctivitis	Eye is red with complaints of burning or itching. Crusty, white or yellow drainage is occurring.	Has been on antibiotics for 24 hours or symptoms have improved/or note from doctor stating no longer contagious
Rash/skin infection	Any child with rash or signs of skin infection not having been evaluated by doctor	Rash free or written release from doctor or after 24 hours on antibiotic for skin infection
Chicken Pox	Itching with pink/red spots with blister-type center , fever	Lesions crusted over and dry, no fever
Flu	Fever of 100 and above with accompanying sore throat, cough, runny nose, congestion, body aches, extreme tiredness, vomiting or diarrhea	Fever free (less than 100) for 24 hours without having been given fever reducing medication or release from physician if diagnosed with any type of flu

Mandatory Reporting

All hospitals, clinics, sanitariums, doctors, physicians, surgeons, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, nurses, school teachers and officials, peace officers, law enforcement officials, pharmacists, social workers, day care workers or employees, mental health professionals, members of the clergy 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, when the child is known or suspected to be a victim of child abuse or neglect, shall be required to report, or cause a report to be made of the same, orally, either by telephone or direct communication immediately, followed by a written report, to a duly constituted authority.

Alabama Code - Section 26-14-3a

Transportation Service

Transportation furnished by the school system is a service to students and parents of the community. Inappropriate behavior by students may jeopardize their privilege of utilizing transportation services provided by the school system.

- Bus service is a privilege, not a right. It is important for the safety of all that students follow the bus rules.
- Bus riders will board the bus at their own school campus and will exit the bus at designated stops. A designated stop is the students own home, the home of *designated relatives or certain daycare facilities (as specified by the parent/guardian). *Parents/Guardians must provide the address and name of the designated relatives or daycare prior to the end of the school day.



Field Trip Transportation

- The Board of Education recognizes that educational field trips and trips to various types of contests for instructional purposes help provide desirable learning experiences.
- The following guidelines apply for transportation of students to and from field trip destinations.
- Before any trip, a parental permission is required for each student participating in the trip.
- Walking trips are allowed with proper supervision and parental permission forms.
- Any school buses used will only transport Hartselle City Schools' students, employees, and assigned chaperones (approved by Principal or their designee) on field trips or trips for athletic or academic contests.
- Generally, at least one school employee/official will be expected to ride on any bus used for field trips (and athletic and academic contest trips) to be available to assist the bus driver with the responsibilities relating to transportation of students.

Bus Rules

The following rules apply to all students who require bus transportation, including field trips:

- The driver will assign seats to all riders during regular bus transportation routes.
- The driver is in charge of the students while they are riding the bus; he/she shall be firm but fair with each student.
- Students are expected to exhibit appropriate behavior at all times while being transported by means of school system transportation.
- Students shall remain seated facing the front until the bus comes to a full stop. There shall be no moving around while the bus is in motion. Legs, arms and personal belongings (backpacks) should not be in the aisles.
- Students are not to get off the bus at any time from point of departure until they reach their regular destination except in cases of emergency and/or when a written request, signed by the parent or legal guardian and verified by the school office, is presented to the bus driver. Notes should be presented to the school office early in the day to allow time for verification.
- Misconduct at designated bus stops is subject to disciplinary action.
- Students shall not extend arms or any other parts of the body out of the windows at any time.
- Students should never wave or shout to pedestrians or occupants of other vehicles.
- Students shall not attempt to talk to the bus driver while the bus is in motion.
- Students shall not throw articles off the bus at any time.
- Students may not use tobacco while being transported by school transportation.
- Students may not eat while being transported by school transportation without permission.

Bus Misbehavior

The bus driver is the Board's designee for supervision of the student while being transported. The driver is required to report any unacceptable conduct to the principal.

First Offense:

Parents will be notified of misbehavior. The principal will address this as a minor offense unless the specifics of the offense require otherwise.

Second Offense:

Parents will be notified of misbehavior and may be asked to conference with the principal. The principal will take disciplinary action based on the specifics of the offense. A student may be suspended from riding the bus for a period of time.

Third and Subsequent Offenses:

Parents will be notified of misbehavior and may be asked to conference with the principal. The principal will take disciplinary action based on the specifics of the offense. A student may be expelled from the bus



for up to the remainder of the school year. He/She may be reinstated on the recommendation of the principal and transportation director.

Student Lunches

Meals served in the school lunchroom are carefully planned to be well balanced, nutritious, tasty, and attractive. Students are encouraged to participate in the school lunch program.

- Students may bring their own lunches to school. Glass bottles and breakable thermos bottles are not permitted.
- Free Food Service - Hartselle City Schools provides eligible students free or reduced-price breakfast and lunch in accordance with National School Lunch Program Guidelines. Upon enrollment to HCS all parents/guardians will be asked to complete and return a Free/Reduced Lunch application.
- Competitive Food Access - No food other than that provided by the Child Nutrition Program may be made available to students during the time at the school for breakfast and lunch. Food and drinks in fast food packaging may not be brought into the lunchroom by parents, students, or teachers.
- The child who comes to school without money or a meal from home will be given the opportunity to receive a meal and to call his/her parents so that they can make provisions for the child's meal. Parents are responsible for providing funds for school meals if they do not meet the requirements for free meals. Attempts will be made by school personnel (phone call, email, text messages) to notify parents when a child's meal account needs additional funds.
- The lunch period is a definite part of the school program and provisions are made for all students to receive a school lunch. Students are expected to conduct themselves in a quiet, orderly manner at all times in the cafeteria.
- Any balance left on a lunch account of an employee or paying student (non-benefit receiving student) will be relinquished to Hartselle City Schools child nutrition program if left unclaimed after 30 days. Parents and students can request a refund by contacting the school office, cafeteria manager, or the child nutrition department of HCS.

Online Payment Options

Hartselle City Schools has an online payment system for parents to pay most fees from their student's school. Fees, field trip expenses, after school programs, etc. can be conveniently paid with a debit or credit card from the comfort of your home. A receipt will be sent immediately when payment is received. There is a service fee charged each transaction. My School Fees is used by grades 7-12. My School Bucks is used in grades PreK-6. My School Bucks is used to pay for meals (breakfast and lunch) in all grades. To use the online feature, visit the "For Parents" tab of at www.hartselletigers.org.

Returned Check Procedure

Hartselle City Schools uses NexCheck for returned check collection. After a second returned check, the check writer's privileges could be suspended for the remainder of the school year. **Each check should have a current address and phone number.**

Student Safety

The safety of our students, your children, is a priority for the school. All Hartselle City Schools have detailed safety plans that are updated annually. Evacuation, severe weather, lock down, bus evacuation, and earthquake drills are all practiced on a regular basis to ensure that students know what to do to be safe during emergencies. It is important that all students follow the directions given by adults during these drills. Students are requested to move quietly and quickly without running or pushing. Upon completion of the drill, an all-clear signal will be sounded, at which time all students and teachers will return to their classrooms. Drills may occur at any time of the day.



Inclement Weather

In the event of a tornado warning, all students will be moved to a secure area. It is suggested that parents remain on campus with their child(ren) until such time as Morgan County is no longer under a tornado warning.

Lock Down

In the event that the Hartselle City Schools and the Hartselle City Police Department issue a Lock Down, all children must remain on campus until the Lock Down is over.

Rapid Notification System

Hartselle City Schools utilizes Blackboard, a rapid notification system to enhance communication, especially during severe weather to notify parents of school closings, late openings, or early departures. This automated calling system will also be used to broadcast announcements such as PTO programs, field trip reminders, and other non-emergency notifications.

Visitors

To help keep your child safe, there are guidelines that we ask you to follow when you come to school. They are as follows:

- All visitors must report to the office.
- Visitors with a valid reason for visiting our campus will be issued a visitor's pass, which must be worn in a visible location.
- Visitors should go only to the location noted on the sign-in sheet.
- Parents/Visitors may not disrupt the learning environment.
- Unruly/Disorderly parents/visitors will be subject to law enforcement.
- Parents wishing to observe in their child's classroom, must make an appointment with the principal prior to the observation. No unscheduled visitors will be allowed in classrooms without an administrator's approval in order to protect the learning environment. Parents wishing to observe must adhere to the classroom observation guidelines.
- If lunch is the reason for your visit, please do not accompany your child back to their classroom.

Dress Code for Students

The Board of Education has the responsibility to maintain a safe and appropriate atmosphere conducive to learning. The primary guide in determining what is not appropriate is the extreme to which such dress, hygiene, or grooming attract undue attention or create a hazard to health and safety in the classroom and schools.

The Student Procedure Manual shall be the criteria for principals to determine whether or not there is disruption of the learning environment and/or hazard to the health and safety of students. Requirements of the dress code apply to all students unless exceptions are granted due to a student's disability or medical condition. The Principal may approve other exceptions.

The following rules and guidelines with regard to cleanliness, attire, ornamentation, and appearance shall apply to students of the School System.

Attire

- All attire must be conducive to maintaining a safe, distraction free learning environment. Clothing should be cut and fit in such a way that is not revealing of the body. Specifically, clothing shall not be too tight, too short, too loose, or expose the body in an inappropriate way. Unacceptable materials include, but are not limited to the following: sheer or see-through, spandex, etc.
- No clothing that includes profanity or inappropriate advertisements or sayings
- No cut off t-shirts
- No tank tops/spaghetti straps
- Clothing that covers leggings must meet length requirements (long t-shirts, sweatshirts are acceptable, if long enough)
- No inappropriate tattoos (must be covered, if so)



- Holes/Threadbare pants and shirts must not be excessive or revealing

Shoes

- Students are to wear shoes at all times. Bare feet are not allowed.
- Unacceptable footwear: shower shoes, house slippers, cleats, boots or shoes with chains, steel-toes, or metal reinforcement.

Accessories

Students are to wear no jewelry, ornaments, or accessories which may be deemed distracting. The following are considered unacceptable:

- Caps*, hats*, bandannas*, other headgear*.
- Sunglasses*.
- Jewelry that could be used as a weapon.
- Choke chains, dog collars, metal-spiked apparel.
- Excessively noisy jewelry or belts.

*Exceptions may be made on a campus for special occasions.

Hair

Hair must be clean and sanitary and worn so that it does not impair vision and is not considered unsafe or hazardous or styled and colored in such a manner that would not cause a distraction/disruption.

Make-up

Students may not wear make-up that is either extreme or suggests cult or gang relations.

If the principal or his/her designee determines that a student violates the procedures, adequate time shall be allowed for the student to make proper adjustments. Disciplinary action for noncompliance by a student shall be taken following the criteria in the Student Procedure Manual. The administration has the final say over what is considered appropriate.

Dress Code Consequences

- 1st Offense: Warning and Change Clothes (if immediately warranted)
- 2nd Offense: Detention and Change Clothes
- 3rd Offense: ISI and Change Clothes

Search and Interrogation of Students

6.15 Searches (Students)

- Board Property* – All school system property, facilities, and grounds may be entered, inspected, and searched for any lawful purpose by Board officials 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* – Personal property, including but not limited to vehicles, purses, wallets, gym bags, book bags, cell phones, computers, and "personal digital assistant" (PDA) 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, communications, or other items that are reasonably deemed to present a risk or threat to the safety or welfare of the school community.
- Personal Searches* – Students may be searched whenever reasonable suspicion exists that the student possesses prohibited materials, illegal substances, weapons, communications, or other items that are reasonably deemed to present a risk or threat to the safety and welfare of the school community. Student searches must be conducted by a school administrator in the



presence of another certified school employee and may include a private pat down of the student, a search of personal items and clothing. Refusal to submit to a search or to cooperate in a search as provided in this policy may be grounds for disciplinary action.

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

Interrogations of Students

A student enrolled in the School System shall not be interrogated by any law enforcement authority and/or Department of Human Resources on public school property during regular school hours without the knowledge of the school's principal or his/her designee. All interrogations shall be conducted in private and, except as otherwise provided herein, with an employee school representative (principal or his/her designated representative) present. Law enforcement's authorities and/or the Department of Human Resources shall be allowed to interrogate students alone, without parents being notified, when acceptable documentation is presented to the principal instructing him/her to allow this. When requested by the Department of Human Resources in connection with a child abuse investigation, students shall be interviewed privately and outside the presence of a school representative.

The Board of Education accepts no responsibility for any liability which may result from private interviews and interrogations where school employees are not present to control the environment. Every reasonable effort shall be made to have a parent or guardian present. In those instances, where a parent cannot be present within a reasonable period of time, school employees must allow interviews by law enforcement employees to proceed in the absence of the parent or guardian. Other non-school persons shall not interview students at school with the exception of parents or guardians.

In case an arrest warrant is presented by law enforcement officers, the school principal or his/her designated representative shall make every attempt to notify the parent or legal guardian of the student in question prior to his/her removal from the school premises.

In an effort to quickly gain information about certain incidents involving or witnessed by students, HCS has the right to question and / or interview students outside the presence of students' parents or guardians.

Unannounced Visits by Law Enforcement Agencies

Law enforcement agencies are allowed to make periodic unannounced visits to any school to detect the presence of illegal drugs—unannounced to anyone except the local superintendent and building principal. Law enforcement officers have the right to come on campus to interview students as suspects or witnesses. School employees will not delay, hinder, or obstruct law officers from the performance of their duties. Before any such interview, the principal or designee will carefully ascertain the officer's identity, official capacity, and the authority under which he/she acts.

The Board of Education authorizes site administrators to release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest or to remove a student from school premises if the officer or school administrator has reason to believe the student has violated the law. The principal or designee will immediately notify the parent/guardian or responsible relative of the student's release and the place to which the student is reportedly taken, except in cases of suspected child abuse.

Whenever a student is suspected of being a victim of child abuse and is being removed from the school premises, the superintendent or designee must give the telephone number and address of the student's parent / guardian to the law enforcement officer. The officer then has the responsibility of immediately notifying the parent / guardian.



Except in cases of parental child abuse or neglect, the principal or designee will attempt to contact the student's parent/guardian and solicit his/her consent when a law enforcement officer requests an interview on school premises.

Personnel responsible for releasing a student from school custody will exercise reasonable care to prevent such release to any unauthorized or unidentified person.

At the law officer's discretion and with the student's approval, the principal or designee may be present during the interview.

Internet Safety and Use of Technology



4.9.1 - Access to Technology Resources – The Board permits restricted and conditional access to and use of its technology resources, including but not limited to computers, the “Internet,” network storage areas, and electronic mail. Such access and use is restricted to employees, students, and other persons who are engaged in *bona fide* educational and administrative activities that serve and are consistent with identified educational objectives or authorized support functions, and who, by signing an “Acceptable Use and Internet Safety Agreement,” agree to abide by all Board policies, rules, and regulations regarding technology use.

4.9.2 Restriction or Loss of Technology Privileges – Persons who violate any Board policy, rule, or regulation regarding technology use may be denied use of the Board's technology resources and may be subject to additional disciplinary action.

4.9.3 Ownership of Technology Resources and Data – All technology resources, including network and Internet resources, e-mail systems, and computers or other access devices owned, leased, or maintained by the Board are the sole property of the Board. Board personnel may, at any time and without prior notice, access, search, examine, inspect, collect, or retrieve information of any kind from the Board's technology resources, including computer or related equipment, files, and data, to determine if a user is in violation of any of the Board's policies, rules, and regulations regarding access to and use of technology resources, for or in connection with any other matter or reason related to the safe and efficient operation or administration of the school system, or for any other reason not prohibited by law. Users of school system technology resources have no personal right of privacy or confidentiality with respect to the use or content of such resources.

4.9.4 Adoption of Rules and Regulations – The Superintendent is authorized to develop for Board approval additional or more specific rules and regulations regarding access to and use of its technology resources and to require adherence to such rules and regulations through such means as the “Acceptable Use Agreement” and application of appropriate disciplinary policies and procedures. Such rules and regulations will address or provide:

- A. Measures to block or filter Internet access to pictures that are obscene, that constitute child pornography, or that are harmful to minors;
- B. Restriction of access by minors to inappropriate material on the Internet;
- C. The safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications;
- D. Prevention of “hacking” and other forms of unauthorized use of or access to computer or Internet files, sites, databases or equipment; and
- E. Unauthorized disclosure, use, and dissemination of personal information regarding minors;
- F. Restriction of minors' access to harmful material; and
- G. Educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.

4.9.5 Limitation on Liability – The Board makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the Board's technology resources will be error-free or without defect. The Board will not be responsible for any damage users may suffer, including but not limited to loss of data or interruption of service.

[Reference: 47 U.S.C. §254(h) and (l)]



Hartselle City Schools Device Agreement

This agreement applies to any technology device owned by the school or the school system. This includes digital cameras, laptops, iPads, Chromebooks and any/all other technology equipment. All conditions of the Board policy for Acceptable Use apply, regardless of where or by whom this device is used. You may not take any technology device that is not checked out to you "out of the school system" without first obtaining permission. You take sole responsibility for the device and its use during the checkout period, including at times of transport in a personal vehicle and/or use during after school hours at your home or any location other than the location to which the device is assigned.

The following conditions must be followed when using the device off campus:

1. HCS utilizes an Internet content filtering system that filters all devices on and off campus. It is also the responsibility of parents or guardians to monitor a student's technology usage at home.
2. If you have internet access at home and the device can access this service without any configuration changes, you may use the device to connect to the internet, provided you use the device as if you were at school.
 - o Regardless of whether you are at home, a hotel, a restaurant or another location with internet access, you should **not** access sites that would be considered "inappropriate".
 - o Be aware that if family members or others use the device for internet browsing during the checkout period, **you are responsible**.
3. Do not download/install any personal applications or extensions onto the device including any data that could compromise the identity of others. Do not store any files on the device which could constitute a copyright or licensing violation, or could be deemed illegal or of an inappropriate nature. Any installed applications, extensions, or saved files should be related to the function of HCS school work and activities.
4. All devices should remain free of any decorative writing, drawing, stickers, paint, tape, or labels that are not the property of the school.
5. You may not transport any data on the device that would compromise the identity of others, or puts any other protected data, passwords, or information at risk. This includes, but is not limited to, student information that would violate FERPA regulations if that data were accessed by others, or if the device were lost or stolen.
6. Network devices such as but not limited to laptops, iPads, and Chromebooks should be connected to an HCS network at least once every 30 days for updates.
7. If the device is lost, stolen, or damaged, report immediately to the School Media Specialist. The school system will require you to pay for extensive or repeated repairs due to negligence. If lost or stolen, you will be required to pay the replacement value of **\$350.00**. Other repair fees are as follows: **-screen replacement \$189.00 - charger replacement \$30.00 - keyboard replacement \$99.00 - other miscellaneous repairs can range from \$50.00-\$150.00.**



Formal Disciplinary Actions and Procedures

Parental Responsibility in Discipline

Alabama Code Sections 16-28-2.2 and 16-28-12 require that the parent or other person having control of a child enrolled in school ensures that the child (1) enrolls in and regularly attends school and (2) engages in proper conduct while in attendance in school. The Code of Alabama further requires the Superintendent to report to the District Attorney the name of any parent with children enrolled in Hartselle City Schools who:

- A. Fails to require such child to regularly attend school; or
- B. Fails to compel the child to properly conduct himself or herself in accordance with the Code of Student Conduct.

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

Principals shall have both the authority and the duty to take disciplinary action whenever the behavior of any student(s) materially interferes with or substantially disrupts a proper atmosphere for learning within classrooms or other parts of school.

The authority of the school officials to control student conduct off school grounds and outside school hours is well settled in the law. Where the students are engaged in a school-sponsored activity, or when using school property or sites, the authority of the school officials is the same as if the activity took place on school property.

Definitions of Formal Disciplinary Action

- **School Detention** - Assignment to a designated room on campus outside of the regular school day for a specified period of time
- **Alternative School** - A school on campus that is separate from the regular school. Students are assigned to the school for disruptive behavioral problems, truancy, discipline problems and/or academic deficiencies.
- **Corporal Punishment** - Moderate use of physical force or physical contact by a principal or designee as may be necessary to maintain discipline or to enforce school rules.
- **Expulsion** - Removal of the right and obligation of a student to attend a public school under conditions set by the school board for more than ninety (90) and less than 180 (91 to 179) school days
- **Long-term Alternative School Assignment** – Placement of a student in Alternative School for more than fifteen (15) school days per incident for disciplinary purposes.
- **Long-term Suspension** – Removal of a student from his or her regular school environment for more than 10 and less than 90 (11 to 89) school days per incident for disciplinary purposes.
- **School Bus Suspension** - Denial of the privilege of riding a school bus
- **Suspension** - Removal of students from his or her regular school program.
- **Work Assignments** - Supervised activities related to the upkeep and maintenance of school facilities. Work assignments are not intended to interfere with any student's regular class schedule.

Procedures for Administration of Formal Disciplinary Action

When formal disciplinary action is required, the principal will make every reasonable effort to contact the parent(s) or guardian(s). It is the responsibility of the student to notify his/her parent(s) or guardian(s) of all written communications from the school. Failure to do so may result in further disciplinary action.

When formal disciplinary action is required, the principal will make every reasonable effort to contact the parent(s) or guardian(s); provided, however, that when the proposed discipline is to be Long-Term Alternative School Assignment, Long-Term Suspension, or Expulsion, notice shall be provided in



accordance with the procedures set out related to those proposed consequences. It is the responsibility of the student to notify his/her parent(s) or guardian(s) of all written communications from the school. Failure to do so may result in further disciplinary action.

In-School Intervention (ISI)

The purpose of in-school intervention is to have a more serious punishment for students without eliminating the structured educational process. In-school is not to replace but should limit out-of-school suspensions. The program provides students both discipline and an uninterrupted learning opportunity.

The school administrators will be directly in charge of the in-school intervention program.

Students placed in in-school intervention will have due process and will receive a written intervention notice. In addition to the student copy and the school copy, copies are sent to the parents. Students sent to in-school intervention will have to spend their time of intervention in an isolated area completing class work. In-school intervention will be assigned by school administrators. It will be completed when the student has served the designated number of days or time and has completed the assignments to the satisfaction of the principal.

In-school intervention will begin at the time of notification of the intervention and will end at the time indicated on the intervention notice. For example, a student suspended at 11:45 a.m. would be sent immediately to in-school intervention and then may serve additional days. Students may also be restricted from taking part in athletics, music, or other extracurricular activities while assigned to in-school intervention.

If a student does not cooperate during in-school intervention, the student will be sent home using off-campus (out-of-school) suspension procedures. Upon a student's return to school, the student will have to properly serve the assigned in-school intervention time before returning to regularly scheduled classes.

Guidelines for in-school intervention are:

1. Students will report as directed by the principal, with textbooks, paper, and pens or pencil.
2. Students who check in or out during the day will not be given credit for that day and will have an additional day assigned.
3. Students who arrive late to in-school intervention will have an additional day assigned.
4. Students will not be allowed to talk, eat, sleep, or move about for any reason without permission.
5. Students must satisfactorily complete assignments daily. Additional day(s) may be assigned if the work is not properly completed.
6. Students are responsible for having all assignments and homework complete upon return to the classroom.
7. Any misbehavior or failure to follow rules may result in additional days or off- campus (out-of-school) suspension.

Corporal Punishment

The Board allows reasonable corporal punishment of students under the following terms and conditions. Corporal punishment will be administered only as a disciplinary measure, with due regard for the age and physical condition of the student, and without excessive force. Corporal punishment will be administered by the school principal or his representative in the presence of another adult professional school system employee. Corporal punishment should not be administered in the presence of another student. The Superintendent is authorized to develop and implement procedures for administering and documenting corporal punishment, consistent with the terms of this policy.

[Reference: ALA. CODE §16-28A-2 (1975)]



Suspension

When appropriate, the principal will generally impose out-of-school suspension on a progressive discipline basis. If a student repeats the behavior, the principal should gradually increase the length of the suspension or increase it to a more serious consequence consistent with the Code of Conduct. Notwithstanding the general use of discipline on a progressive basis, some offenses may warrant longer suspension or more serious discipline on the first occurrence.

A student that is suspended out-of-school for ten (10) school days or less for a violation of the Code of Conduct must only receive minimal due process that includes an informal discussion with the student where the student is told what he or she is accused of doing, the basis for the allegation, and be provided an opportunity to tell his or her side of the story.

In order to maintain order, minimize the risk of potential personal injury, property damage or disruption, or to permit an orderly investigation and evaluation of a suspected violation of school or school system rules, standards, or policies, principals may temporarily suspend a student (for up to ten (10) school days) pending a conference with the parent or guardian of the student, and/or a final disciplinary decision. Suspension for ten (10) school days or less may be imposed as a disciplinary measure, and Long-term Suspension may be imposed for more serious violations of the Code of Student Conduct consistent with procedures set out below. Suspensions will be counted as unexcused absences. Make up work will be permitted for such absences unless permitting such work under the circumstances would be impractical or impossible, would serve no purpose, would place school personnel at risk of harm, or would be unreasonable in light of the grounds for the suspension. Students who are suspended will make up work for partial credit – grade will be calculated equal to 70% of the earned score. Suspension of students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act ("IDEA") and its implementing regulations.

Grounds for disciplinary suspension, including long-term suspension, include, but are not limited to:

- Violation of any city ordinance or state or federal law while under school jurisdiction;
- Violation of written school rules or Board of Education regulations;
- Activities which interfere with or threaten the orderly functioning of school activities including classroom, extracurricular, and athletic activities;
- Any activity which may also be considered grounds for expulsion. This shall include but not be limited to assault on a teacher, arson or destruction of school property, active leadership in school disruption, and direct refusal to follow a direct order from an administrator in time of school tension.

Alternative School

When appropriate, students may be assigned to alternative school for fifteen (15) school days or less for disciplinary reasons following a conference with the student and/or the student's parent or guardian. Alternative school may be considered as an option for further progressive discipline when additional or repeated infractions occur after previous suspensions or assignments to alternative school for other infractions. Students may also be assigned to alternative school for fifteen (15) school days or less when the student has been suspended out of school for (10) school days and a pending disciplinary hearing for the student has not yet occurred.

Assignment to Alternative School for more than fifteen (15) days may only be made as a disciplinary consequence when approved following a due process hearing conducted consistent with procedures set out below.



Grounds for alternative school assignment (including long-term alternative school assignment), include but are not limited to the grounds for disciplinary suspension listed above.

Expulsion

When deemed appropriate by the Principal and recommended to the Superintendent, a student may be expelled from school for more than 90 and less than 180 (91 to 179) school days following a due process hearing conducted consistent with procedures set out below.

Student Discipline Due Process Procedures

The following Student Discipline Due Process procedure is applicable to any Long-Term Suspension, Long-Term Alternative School Placement, or Expulsion. **These procedures are not applicable to out-of-school suspensions of ten (10) school days or less, or alternative school placement for fifteen (15) school days or less.**

Hearing Procedures

1. Following an alleged student disciplinary incident, the principal, or his or her designee, may consider all of the following factors before recommending or initiating a Long-Term Suspension, Long-Term Alternative School Placement, or Expulsion:

- a. The age of the student.
- b. The disciplinary history of the student.
- c. The seriousness of the violation or behavior.
- d. Whether a lesser intervention would appropriately address the behavior of the student.

2. After considering the above and if the principal deems Long-Term Suspension, Long-Term Alternative School Placement, or Expulsion to be appropriate, the principal will notify the Superintendent of the principal's recommended discipline.

3. The student and his or her parent/guardian will be given reasonable written notice, delivered to them personally or by mail. Email notification may be given in addition to personal delivery or mail. The notice should be given at least seven (7) school days before the scheduled hearing date, whenever reasonably possible. The Notice must contain:

- a. A statement of the time, date, and place, and nature of the hearing;
- b. A short and plain statement detailing the alleged conduct, the provision of the Code of Student Conduct allegedly violated, and any recommended discipline;
- c. A statement of the rights of the student at the hearing, including the following: the right of the student to be represented at the hearing by legal counsel or another advocate of the student's choice at the student's expense; the right of the student, commencing at least five (5) calendar days before the scheduled date of the hearing, to review any audio or video recording of the incident and any information or evidence that is expected to be presented at the hearing (consistent with federal and state student record privacy laws and regulations);



the right to present a defense, question adverse witnesses who are present at the hearing (excluding students under 14 years of age), and offer evidence and oral testimony at the hearing; that, to the extent possible, the anonymity of witnesses will be protected, and witnesses may not be compelled to attend or testify in the disciplinary hearing; and

d. An optional waiver of the disciplinary hearing indicating the parent or guardian's assent to the alleged violation or violations and to the recommended discipline.

***NOTE – A response from the parent(s) or student shall be due at least forty-eight (48) hours before the scheduled date and time of the hearing. If no timely response is delivered by a parent or guardian, the hearing will be waived, and the student will receive the consequence not to exceed what is recommended by administration.**

4. The student will be provided with a disciplinary hearing before a hearing officer designated by the Board of Education upon the recommendation of the Superintendent. If a timely response to the notice of hearing is received, the hearing officer will normally conduct a hearing within ten (10) school days after the initial suspension of the student from school pending a hearing. However, the hearing date may be extended for good cause as determined by the hearing officer or upon agreement of the parties. The purpose of the hearing is to determine whether the alleged Code of Student Conduct violation occurred.

5. The student's parent may choose to have an attorney present and/or present the student's defense through evidence and examination of witnesses. The principal or principal's designee may also be represented by an attorney to assist in presentation of the case in support of disciplinary action. The student's parent must give the hearing officer notice, 48 hours prior to the hearing, of the decision to have an attorney represent the student at the hearing. Any attorney for the student will be at the parent or student's expense. Failure to provide the required notice of legal representation may result in rescheduling the hearing.

6. Upon request, at least five (5) calendar days before the hearing the student, parent or guardian, legal counsel, and/or advocate may review any audio or video recording of the incident, and, where consistent with the Family Educational Rights and Privacy Act ("FERPA"), the Individuals with Disabilities Education Act ("IDEA"), and other relevant state and federal laws, any records, documents, or other information expected to be presented as evidence at the hearing.

7. At the hearing, the hearing officer shall give the student an opportunity to admit or deny the conduct and violation in question. If the student admits to the conduct in question, no presentation of evidence shall be required, or received, regarding any admitted conduct. If the student also accepts the proposed discipline, the hearing will be concluded, and the student will receive the recommended consequence. If the student denies the alleged conduct, or any portion of it, and/or challenges the appropriateness of the proposed discipline, the principal or other person designated by the principal may offer evidence at the hearing to support contested allegations that the student violated the Code of Student Conduct, or the appropriateness of the proposed consequences. The case may be presented through evidence (documentary, audio, video) and by testimony or statements made by witness(es). Additionally, student witnesses, including accusers, may provide evidence by one or more written statements which may be redacted to protect anonymity, sensitive personal information, or protected information under state or federal laws related to privacy of student records or personal information. The decision as to all contested issues shall rest in the discretion of the hearing officer.



8. Next, the student, parent or guardian, legal counsel, or advocate may present a defense on behalf of the student. The student, parent or guardian, legal counsel, or advocate may question adverse witnesses who are present at the hearing and offer evidence and testimony in person, including oral testimony from witnesses (excluding students under 14 years of age), written statements, and other documentary evidence and audio or video recordings at the hearing.

9. The student and the principal are permitted to present adult witnesses and student witnesses over 14 years old to testify in person. However, if a witness' testimony is redundant or not relevant, the hearing officer may decide not to hear that witness. Witnesses cannot be compelled to attend or testify in the disciplinary hearing. If witnesses elect to participate, their anonymity will be protected to the extent reasonably possible.

10. After following the above procedures, the hearing officer, based on all facts and evidence presented, shall determine whether the student did or did not commit an offense, what offense, if any, was committed, and whether the recommendation of the principal shall be approved or rejected. The hearing officer shall prepare a written decision which will be provided to the student and parent or guardian within five (5) school days after the hearing. The written decision will include:

- A. The basis for the decision including a reference to the provision of the Student Code of Conduct or state law that the student is accused of violating;
- B. A statement detailing the information that shall be included in the official record of the student; and
- C. A statement detailing the right of the student to appeal the decision and notice of the procedures necessary to file an appeal.

11. The following persons shall be notified of the hearing decision:

- A. The student's parent or guardian (by certified mail and verbal notification);
- B. The Principal;
- C. The Special Education Director (for students with disabilities); and
- D. The Superintendent.

12. A recording shall be made of the hearing and shall be kept for no less than six (6) months from the date of the hearing. The written record of the hearing shall be kept for two (2) years. Each party to the hearing, upon request, will receive an electronic or written record of the hearing from the local board of education.

Appeal of the Hearing Officer's Decision.

If the student's parent or guardian is dissatisfied with the decision of the hearing officer in cases in which the hearing officer upholds the recommendation for discipline, the parent or guardian may file an appeal by using the following procedures:

1. The student's parent(s) must file a written request for an appeal that is addressed to the Superintendent and delivered to an email or physical address designated in the hearing officer's decision, or if none is provided, then to the Superintendent at the physical address of the Central Office. The written request for an appeal must be postmarked or delivered on a date no more than ten (10) calendar days after the earlier of:
 1. the postmarked date of the written notification of the hearing officer's decision, or
 2. the date of hand delivery of the written notification of the hearing officer's decision, or



3. the date of documented verbal notification of the hearing officer's decision.

NOTE - If the written request for an appeal is not made on time, the hearing officer's decision will be final.

2. The Superintendent, upon receipt of a timely filed written request for an appeal, will request the documented evidence of the case including the findings, conclusions, disposition, and tape recording.
3. The Superintendent shall review the case based on the record of the hearing held by the hearing officer. No new evidence shall be admissible.
4. Within ten (10) working days after receipt of the appeal, the Superintendent will make a written decision to adopt, modify, or disapprove all or any part of the hearing officer's findings, conclusions, or disposition.
5. A copy of the Superintendent's decision shall be sent to the following persons:
 - The student's parent or guardian (by certified mail);
 - The Principal;
 - The Special Education Department (for students with disabilities); and
 - The Superintendent's Office.

Appeal of Superintendent's Decision for Expulsion.

An appeal of a Superintendent's decision is only available for an expulsion of a student. An appeal to the Board of Education is not available for any other consequence. If, after the decision of the hearing officer and the Superintendent on appeal, a parent is dissatisfied with the Superintendent's decision to expel the student, the parent may file an appeal to the Board of Education using the following procedure:

1. The student's parent must file a written request for an appeal and it must be addressed to and mailed or given to the Board of Education, with a copy to the Superintendent. The written request for appeal may be emailed to an email or physical address designated in the Superintendent's decision, or if none is provided, then to the Superintendent at the physical address of the Central Office.
2. The written request for an appeal must be postmarked or hand delivered on a date no more than ten (10) calendar days after the earlier of the postmarked date of the written notification of the Superintendent's decision, the date of hand delivery of the written notification of the Superintendent's decision or documented verbal notification of the Superintendent's decision.

NOTE - If the written request for an appeal is not made on time, the Superintendent's decision will be final.

3. Upon receipt of a timely filed written request for an appeal, the Board shall set a hearing date. In order to comply with applicable student privacy laws, the hearings will be closed to the public. The student and his or her parent/guardian will be provided written notice at least five (5) calendar days before a hearing that is delivered to them personally or by mail. The student's parent must give the Superintendent notice, at least 48 hours prior to the hearing, of the decision to have an attorney represent the student at the hearing. Any attorney for the student will be at the parent or student's expense. Failure to provide the required notice of legal representation may result in rescheduling the hearing.
4. At the hearing, the Board shall give the student an opportunity to admit or deny the conduct and violation in question. If the student admits to the conduct in question, no



presentation of evidence shall be required, or received, regarding any admitted conduct. If the student also accepts the proposed discipline, the hearing will be concluded, and the student will receive the recommended discipline. If the student denies the alleged conduct, or any portion of it, and/or challenges the appropriateness of the proposed discipline, the Superintendent, or other person designated by the Superintendent may offer evidence at the hearing to support contested allegations that the student violated the Code of Student Conduct, or the appropriateness of the proposed discipline. The case may be presented through evidence (documentary, audio, video) and by statements made by the witness(es). Additionally, student witnesses, including accusers, may provide evidence by written statement which may be redacted. The decision as to these issues shall rest in the discretion of the Board.

5. Next, the student, parent or guardian, legal counsel, or advocate may present a defense on behalf of the student. The student, parent or guardian, legal counsel, or advocate may question adverse witnesses who are present at the hearing and offer testimony (excluding students under 14 years of age), and offer evidence, including oral testimony from witnesses, written statements, and other documentary evidence and audio or video recordings at the hearing.

6. The student and the principal are permitted to present adult witnesses and student witnesses over 14 years old to testify in person. However, if a witness' testimony is redundant or not relevant, the Board may decide not to hear that witness. Witnesses cannot be compelled to attend or testify in the disciplinary hearing. If witnesses elect to participate, their anonymity will be protected to the extent reasonably possible.

7. After following the above procedures, the Board, based on all facts and evidence presented, shall determine by majority vote whether the recommendation of the Superintendent for expulsion is accepted or overruled. The Board shall deliberate in executive session to make its determination on whether to uphold or overrule the recommendation for expulsion. The Board will then provide written notice of its decision.

8. The following persons shall be notified of the hearing decision:

- The student's parent or guardian (by certified mail and verbal notification);
- The Principal;
- The Special Education Director (for students with disabilities); and
- The Superintendent.

9. A recording shall be made of the hearing and shall be kept for no less than six (6) months from the date of the hearing. The written record of the hearing shall be kept for two (2) years. Each party to the hearing, upon request, will receive an electronic or written record of the hearing from the board of education.

Documentation of Offense

The principal's conclusion should be based on the documentation of the facts pertaining to the incident. Said documentation may include but not be limited to the following categories:

1. Specific definition of the offense(s) committed and supporting facts
2. Full names of all persons involved in the incident (witnesses, suspects, victims)
3. Signed and dated statement(s) of the persons involved in the incident, witnessed by the principal or



- his/her designee and one other adult
4. List of special program(s), if any, in which student is enrolled or being considered for enrollment
 5. Past disciplinary record(s) of student involved
 6. Academic records

Extenuating Circumstances

The principal will review the above documentation with parent(s) or guardian(s). If, at the disciplinary conference, the principal concludes that extenuating circumstances exist, and that decision is approved by the superintendent or his/her designee, the student is eligible for admission back to school following the determination of appropriate disciplinary action to be taken. In special circumstances, the superintendent may appoint a committee of principals to review the case.

Guidelines for Classification of Violations

Violations of the code are grouped into three classes: minor, intermediate, and major. Each classification is followed by a disciplinary procedure which is to be implemented by principals and their designees. The three classifications are examples and are not intended to be inclusive. They may be considered interchangeable between classes of offense depending on determination at the local level. They are not intended to be exclusive; other offenses of local concern may be included as well.

In the following classes of violations and disciplinary procedures, it is understood that the principal or his/her designee shall hear the student's explanation and consult further with school personnel, if necessary, before determining the classification of the violation.

Each classroom teacher will deal with general classroom disruption by taking in-class disciplinary action, by making a personal call to the parent(s) or guardian(s) when feasible, and by scheduling conferences with parent(s) or guardian(s) and other school staff. Only when the action taken by the teacher is ineffective, or the disruption is sufficiently severe, should the student be referred to the principal or his/her designee.

Minor Offenses / Established Violations – Class 1

Disciplinary Action

First Offense/Established Violation - In-school conference, school detention, in-school intervention, and/or parental contact when warranted. Specific circumstances may warrant disciplinary action as outlined under subsequent offenses.

Subsequent Offenses/Established Violations - In-school disciplinary action such as probation, detention, in-school intervention, corporal punishment, shadowing, or suspension at the discretion of the principal or designee. (Special circumstances may warrant a recommendation to the superintendent for a disciplinary hearing.)

Student discipline, for each offense, may vary according to the nature and frequency of each case. The principal has the discretion to apply disciplinary procedures as stated in the *Code Student of Conduct*.

Minor Offenses / Established Violations – Class 1

1.01 Excessive distraction of other students: Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or any similar grouping for instruction including confrontations with others **and horseplay (minor physical contact)**.

1.02 Any participation in fraternities, sororities, and secret societies during school hours.

1.03 Threat, harassment, or intimidation of students, including bullying. The intentional, unlawful threat by word, physical contact, or act to do violence to another student, coupled with an apparent ability to



do so, and/or doing some act that would cause a reasonable person who is the target of the threat to fear for his/her safety. (See definition under harassment, pg. 37)

- 1.04 Gambling: any participation in games of chance for stakes; or the taking of a risk in the hopes of gaining an advantage.
- 1.05 Tardiness: reporting late to school or class.
- 1.06 Use of profane or obscene language.
- 1.07 Non-conformity to dress code.
- 1.08 Minor disruption on a school bus.
- 1.09 Inappropriate public display of affection.
- 1.10 Truancy/unauthorized absence. Any unexcused absence from class or school, including skipping and/or cutting class.
- 1.11 Intentionally providing false information to a School Board employee including, but not limited to, giving false student informational data, forgery of school notes, altering any writing of another without his/her authority, and concealment of information directly relating to school business.
- 1.12 Failure to comply with medicine (over the counter) procedures. Possession of an over the counter medicine without notifying the school nurse and utilizing a School Medication Authorization form.
- 1.13 Inappropriate use of personal technology or school technology resources to send, display, or download offensive messages or pictures, harass, insult, or attack others; use obscene, profane, discriminatory, threatening, or inflammatory language; damage computers, computer systems, software/programs, or computer networks (this includes changing workstation and printer configurations); intentionally waste limited resources; participate in on-line chat rooms without permission or supervision of a Hartselle City Schools' employee. A parent or a guardian may make a written request that a student be exempt from Internet access.
- 1.14 Academic dishonesty: Including Plagiarism, Cheating and Forgery.
- 1.15 Any other violation which the principal may reasonably deem to fall within this category.

Intermediate Offenses / Established Violations – Class II

Disciplinary Action

Disciplinary action for class II offenses may include conference, detention, in school intervention, work assignments before or after school (such as school based community service), suspension out of school, alternative school assignment for up to 15 days, or other reasonable disciplinary actions at the discretion of the principal or his designee; subject to due process procedures set out in the Code of Student Conduct for long-term suspension.

Intermediate Offenses / Established Violations – Class II

- 2.01 Defiance of authority. Willful disobedience of a direct order of instruction from a school board employee or others having legal authority (policeman, fireman) openly expressed in words or actions which disrupt the orderly conduct of a school function or is behavior that substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others.



- 2.02 Tobacco possession, use: Possession, use, distribution, or sale/transfer of tobacco (nicotine) products on school grounds, at school-sponsored events, and on transportation to and from school or other school-sponsored transportation.

Students in the Hartselle City School System shall not be permitted to smoke, use tobacco, or other devices to inject nicotine, or have tobacco in any form in their possession on the school grounds or in school buildings during the school day or when riding school buses. Furthermore, students shall not be permitted to smoke or use tobacco in any form at school functions or activities while under the direct supervision of school personnel. Parental permission to possess, smoke, or otherwise use tobacco does not exempt a student from this policy. Professional school personnel shall organize and maintain programs of education designed to make pupils fully aware of the hazards of smoking and other usage of tobacco.

- 2.03 Striking, hitting: Intentionally striking or hitting another against his/her will (altercation not rising to the level of a fight or assault)

- 2.04 Simple assault on a School Board employee: The intentional, unlawful threat by word or act to do violence to the person of another coupled with an apparent ability to do so, and the doing of some act which creates a well-informed fear in such another person that such violence is imminent.

- 2.05 Fighting: any physical conflict and/or violence between two or more **willing participants**.

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

Act 96-425 makes it unlawful to destroy or deface traffic signs or to deface public buildings or public property. It also provides that parents of minors who are convicted of destroying or defacing traffic signs or defacing public buildings or public property would be liable for the actual damage caused by the minor.

- 2.07 Stealing, Larceny, Petit Theft: The intentional unlawful taking and/or carrying away of property valued at less than \$100 belonging to or in the lawful possession or custody of another.

- 2.08 Possession of stolen property with the knowledge that it is stolen.

- 2.09 Harassment, Threats, Extortion. Verbally or by a written or printed communication, maliciously threatening an injury to the person, property, or reputation of another, with the intent to extort money or any pecuniary advantage whatsoever; or with intent to compel the persons threatened, or any person, to do any act or refrain from doing any act against his/her will. Threat, harassment, or intimidation of student, including bullying: the intentional, unlawful threat by word, physical contact, or act to do violence to another student, coupled with an apparent ability to do so, and/or doing some act that would cause a reasonable person who is the target of the threat to fear for his/her safety.

Note: Completion of the threat, either by the victim complying with the demands or the carrying out of the threats against the victim, constitutes a Class III offense.

- 2.10 Trespassing. Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; or and with no lawful purpose for entry, including students under suspension or expulsion, or having been authorized, licensed, or invited, is warned by an authorized person to depart and refuses to do so.

- 2.11 Possession and/or igniting fireworks or firecrackers.

- 2.12 Possession of a knife or similar instrument.

- 2.13 Offensive touching of another person.



- 2.14 Written or verbal propositions to engage in sexual acts.
- 2.15 Use of obscene manifestation (verbal, written gesture) toward another person.
- 2.16 Directing obscene or profane language to a school board employee.
- 2.17 Leaving school grounds without permission.
- 2.18 Unauthorized use of any electronic communication device.
- 2.19 Disorderly conduct: Any act which substantially disrupts the orderly conduct of a school function or which substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others. Includes making unreasonable noise; using abusive or obscene language or making an obscene gesture; disturbing any lawful assembly or meeting of persons; obstructing vehicular or pedestrian traffic or a transportation facility; congregating with others in a public place and refusing to follow a lawful order of medical personnel and this action resulted in substantial disruption in the orderly conduct of a school function; or the orderly learning environment; or posed a threat to the health, safety, and/or welfare of the students, staff, and others.
- 2.20 Disruptive demonstrations: Participating in a demonstration which disrupts the orderly conduct of a school function or substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff or others. (A demonstration consists of five or more participants who, in a course of a demonstration, are likely to cause substantial harm or serious inconvenience, annoyance, or harm, and intentionally refuse or fail to disperse when ordered to do so by an authorized school official, peace officer, or other public servant lawfully engaged in executing or enforcing the law.)
- 2.21 Inappropriate use of personal technology devices or school technology resources to send, display, or download offensive messages or pictures, harass, insult, or attack others; use obscene, profane, discriminatory, threatening, or inflammatory language; damage computers, computer systems, software/programs, or computer networks (this includes changing workstation and printer configurations); intentionally waste limited resources; participate in on-line chat rooms without permission or supervision of a Hartselle City Schools' employee. A parent or guardian may make a written request that a student be exempt from Internet access. Some behaviors may be subject to discipline whether or not they occur on or near school grounds.
- 2.22 Cheating: Students shall not engage in any act of deception or falsification in academic work. This includes cheating by receiving any unauthorized aid or assistance or the actual giving or receiving of unfair advantage and plagiarism.
- 2.23 Any other violation which the principal may reasonably deem to fall within this category.
- 2.34 Planning, conspiring, soliciting, causing, encouraging, aiding, abetting or assisting others to commit any Class II violation. This may include the videoing or recording of inappropriate acts of others.
- Note: In accordance with *The Code of Alabama, Section 16-1-24 (Violate disruptive incidents; reporting requirements)*, the local police department is provided a copy of a student's Discipline Notice for any act of physical violence, with or without a weapon; trespass; vandalism; or property damage on school property; during school activities, on or off school property or at any other times when such incident can be reasonably related to school functions.

Major Offenses / Established Violations – Class III

Disciplinary Action

Disciplinary action for class III offenses may include conference, detention, in school intervention, work assignments before or after school (such as school based community service), suspension out of school,



alternative placement, recommendation for expulsion, or other reasonable disciplinary actions at the discretion of the principal or his designee; subject to due process procedures set out in the Code of Student Conduct for long-term suspension, long-term alternative school assignment, or expulsion. Class III offenses may involve law enforcement or other appropriate legal agencies. Due process will be followed.

Code of Alabama (1975), Section 16-1-14: Removal, separation, or grouping of pupils creating disciplinary problems.

Major Offenses / Established Violations – Class III

3.01 Drugs: Unauthorized/unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug or narcotic substance, or equipment and devices used for preparing or taking drugs or narcotics (including vapes containing THC or other narcotic substances other than nicotine juice). Includes being under the influence of or possessing drugs or substances represented as drugs on school transportation, at school-sponsored events, or on school property (Includes over-the-counter medications if abused by the student.)

Alcohol: Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of intoxicating alcoholic beverages or substances represented as alcohol. Includes being intoxicated or under the influence of alcohol at school, school-sponsored events, and on school-sponsored transportation.

Sale/transfer of drugs/alcohol includes, but is not limited to, giving away, furnishing, and distributing.

*In addition to existing penalties for selling drugs, Senate Bill 311 passed in the 1989 Regular Session of the Alabama Legislature, imposes an additional penalty of five years' incarceration in a state correction facility with no provisions for probation if convicted of selling drugs within a three-mile radius of a public school campus, college campus, or university campus.

Drug Offense

Student(s) charged with being under the influence and/or in possession of drugs will be interviewed by the principal. If it is determined that the charges are true, the student(s) will be suspended to the superintendent or his/her designee for up to ten (10) school days. The superintendent (or designee) will then meet with the student(s) and parent(s) to review the charges. If it is determined that the charges are true, the following actions shall be taken.

***First Offense/Established Violation** - Student(s) will be suspended and referred for a formal disciplinary hearing.

Second Offense/Established Violation - Superintendent will recommend the student's expulsion to the Board. If a recommendation for expulsion is made to the Superintendent, the student will be afforded the due process rights set out in this Code of Student Conduct. .

3.02 Arson: Intentionally damaging a building or structure or putting a building or structure at risk of damage by starting or maintaining a fire or causing an explosion. (Examples: Firecrackers, fireworks, and trash can fires if they were contributing factors to a damaging fire.)

3.03 Assault/Battery: The actual unlawful and intentional touching or striking of another against his/her will, or the intentional causing of serious bodily harm to another individual. (See below regarding Assault of Teacher - Class C Felony)

Assault of Teacher - Class C Felony

Assault on a teacher or employee of a public educational institution is a felonious offense (Section 13A 6-21, Code of Alabama 1975, as amended May 5, 1994; Amended by 96-533).



A person commits the crime of assault in the second degree if the person does any of the following:

- With intent to cause serious physical injury to another person, he/she causes serious physical injury to any person.
- With intent to cause physical injury to another person, he/she causes physical injury to any person by means of a deadly weapon or a dangerous instrument.
- He/she recklessly causes serious physical injury to another person by means of a deadly weapon or a dangerous instrument.
- With intent to cause physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his/her duty, he/she causes physical injury to any person.
- Assault in the second degree is a Class C felony.

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

3.05 Stealing, Larceny, Grand Theft: The intentional unlawful taking and/or carrying away of property valued at \$100 or more belonging to or in the lawful possession or custody of another.

3.06 Burglary of school property. Unlawful entry into a building or other structure with the intent to commit a crime (applies to school buildings or activities related to a school function).

3.07 Criminal mischief/vandalism. Willful and malicious injury or damages at or in excess of \$200 to public property, or to real or personal property belonging to another; includes graffiti; includes destroying computer records.

3.08 Harassment, Threats, Extortion. Verbally or by a written or printed communication, maliciously threatening an injury to the person, property, or reputation of another, with the intent to extort money or any pecuniary advantage whatsoever; or with intent to compel the persons threatened, or any person, to do any act or refrain from doing any act against his/her will. Threat, harassment, or intimidation of student, including bullying: the intentional, unlawful threat by word, physical contact, or act to do violence to another student, coupled with an apparent ability to do so, and/or doing some act that would cause a reasonable person who is the target of the threat to fear for his/her safety.

Unlawful Destruction/Defacement

Act 96-425 makes it unlawful to destroy or deface traffic signs or to deface public buildings or public property. It also provides that parents of minors who are convicted of destroying or defacing traffic signs or defacing public buildings or public property would be liable for the actual damage caused by the minor.

3.09 Use, Possession or Sale of weapons or firearms. Any firearm, rifle, shotgun, handgun or other weapon, loaded or unloaded, (including a starter gun) which will, or 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 weapon; any firearm muffler or firearm silencer; any machine gun; any similar destructive device.

Firearms: Any weapon (including starter gun), which will or is designed to, or may readily be converted to, expel a projectile by the action of an explosive; frame or receiver of any weapon; firearm muffler or firearm silencer. Any type of firearms might include toy guns if they are authentic replicas or are used in a threatening manner, firecrackers, fireworks, M80s, and mace and pepper gas.

Firearm Offense

Any student who is determined by the Board of Education to have brought a firearm, rifle, shotgun, handgun, or other similar weapon to school or to have discharged, or offered for sale, or a firearm in his/her possession in a school building, on school grounds, on a school bus or at a school sponsored function shall be expelled from school for one hundred seventy-nine (179) school days; provided,



however, the Board of Education, in appropriate cases, may apply sanctions less severe than the referenced period of expulsion on a case-by-case basis as allowed by the *Code of Alabama*.

Such students may be expelled from the regular school setting and be provided educational services in an alternative setting following a due process hearing held under the procedures set out in this Code of Student Conduct.

Students who are expelled for firearms possession shall not be allowed to attend regular school classes in any public school in the state during the expulsion period. Students who are expelled from school for firearms possession may be permitted to attend alternative schools designed to provide education services.

Expulsion for firearm possession shall be recorded in the student's permanent record at the school and will be forwarded to other schools that request the records and in which the student seeks or intends to enroll.

The principal shall notify the appropriate law authority which may include city police, Morgan County sheriff, the Morgan County District Attorney, and the Alabama State Department of Education (in the reporting system required by the SDE) of firearm offense.

3.09 Possession of weapons. Possession, use, intention of use of any instrument or object to inflict harm on another person, or to intimidate any person.

Possession of Weapon - Class C Felony

Section 13A-11-72, Code of Alabama 1975, has been amended relating to possession of a deadly weapon while on the premises of a public school and to prescribe penalties. The amendment includes the following:

"Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school in violation of subsection (c) of this section is a Class C felony."

"The term 'deadly weapon' as used in this section means a firearm or anything manifestly designed, made, or adapted for the purposes 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."

Any instrument or object to inflict harm, including all types of knives, chains (any not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length of metal not being used for the purpose for which it was normally intended), razor blades or similar instruments with sharp cutting edges, ice picks, dirks, other pointed instruments (including pencils or pens), nunchucks, brass knuckles, Chinese stars, billy clubs, tear gas gun, electrical weapons or device (stun gun), or BB or pellet gun.

Disciplinary Action

Any student who is determined by the Board of Education to have brought a firearm to school or to have had a firearm in his/her possession in a school building, on school grounds, on a school bus, or at a school sponsored function shall be expelled from school for a period of one hundred seventy-nine (179) school days; provided however, that the Board of Education, in appropriate cases, may apply sanctions less severe than the referenced period of expulsion; and provided, further that in appropriate cases, such students may be expelled from the regular school setting and be provided educational services in an alternative setting.



The school principal shall notify the appropriate law enforcement authority, which may include city police, the Morgan County Sheriff and the Morgan County District Attorney, of violations of this policy. In addition, the school principal shall notify the parents of students who violate this policy. Law enforcement authorities are encouraged to refer violators of this policy to the appropriate authority in the judicial system when such action is feasible.

Discipline of students with disabilities who violate the policy shall be administered on a case by case basis in accordance with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act.

- 3.11 Bomb threats: Unlawful placement of any person in fear of bodily harm by threat of explosives by any means of communication regardless as to whether or not a bomb actually exists.
- 3.12 Explosives. Preparing, possessing, or igniting on School Board property explosives likely to cause serious bodily injury or property damage.
Destructive Device includes: explosive, incendiary, or poison gas. Includes a bomb, regardless of whether the bomb explodes or not; grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. Any combination of parts either designed or intended for use in converting any device into any destructive device.
- 3.13 Sexual battery: Acts of a sexual nature including, but not limited to, battery, intercourse, attempted rape, or rape.
- 3.14 Assault/aggravated battery: intentionally causing great bodily harm, disability or permanent disfigurement; use of a deadly weapon.
- 3.15 Inciting or participating in major student disorder or disruptive demonstration (five or more participants). Leading, encouraging or assisting in (major) disruption or demonstrations which result in destruction or damage of private or public property or personal injury to participants or others.
- 3.16 Unjustified activation of a fire alarm system.
- 3.17 Distribution, displaying, soliciting, possessing, or producing a sexually or pornographic explicit image of any individual, including sexually explicit images of a child. This prohibition applies whether or not the image is of an identifiable person, or whether the age of the individual can be determined. This prohibition includes images of known and unknown individuals and those generated by artificial intelligence.
- 3.18 Any other offense which the principal may reasonably deem to fall within this category.

Note: In accordance with *The Code of Alabama, Section 16-1-24 (Violate disruptive incident; reporting requirements)*, the local police department is provided a copy of a student's Discipline Notice for any act of physical violence, with or without a weapon; trespass; vandalism; or property damage on school property; during school activities, on or off school property or at any times when such incident can be reasonably related to school functions.

Harassment

Harassment, Violence, and Threats of Violence Prohibited

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

Definitions

(a) The term "harassment" as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school- sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by



any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth in Section 3(b) below. To constitute harassment, a pattern of behavior may do any of the following:

- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
- Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
- Have the effect of substantially disrupting or interfering with the orderly operation of the school.
- Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
- Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

(b) The term "violence" as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

(c) The term "threat of violence" as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.

(d) The term "intimidation" as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefits, activity or opportunity for which the student is or would be eligible.

e) The term "student" as used in this policy means a student who is enrolled in the Hartselle school system.

Cyberbullying

The Board of Education provides computers as tools to enhance our students' education. The District's computer network and the Internet, whether used on or off-campus, whether owned by the District or by the student or his/her family, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment of any kind. All forms of harassment over the Internet, commonly referred to as cyberbullying, are unacceptable and viewed as a violation of this policy and the District's acceptable computer use policy and procedures.

Malicious use of the District's computer system is prohibited. Users are responsible for the appropriateness of the material they transmit over the system. Hate mail, harassment, discriminatory remarks, or other antisocial behaviors are expressly prohibited.

Cyberbullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or Website postings, including blogs, Facebook, Instagram, Twitter, etc. It is also recognized that the author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else.

Students and community members, who believe they have been the victims of such misuses of technology, as described in this policy, should not erase the offending material from the system. A copy of the material should be printed and brought to the attention of the school administrator.

The administration shall fully investigate all reports of cyberbullying. In situations in which the cyberbullying originated from a non-school computer, but brought to the attention of school officials, any disciplinary action shall be based upon whether the conduct is determined to be substantially disruptive of the educational process so that it markedly interrupts or impedes the day-to-day operations of a school. In addition, such conduct may also be a violation of another District policy. Such conduct includes, but is not limited to, sexual or racial harassment and threats made on or off school grounds, to kill or hurt a staff member or student.



Disciplinary action may include: the loss of computer privileges, detention, suspension, or expulsion for verified perpetrators of cyberbullying. In addition, when any kind of threat is communicated or when a hate crime is committed, the administration will report such crimes to local law enforcement officials.

Distribution Of Explicit Images

No student shall distribute, display, solicit, possess, or produce a sexually or pornographic explicit image of any individual, including sexually explicit images of a child. This prohibition applies whether or not the image is of an identifiable person, or whether the age of the individual can be determined. This prohibition includes images of known and unknown individuals and those generated by artificial intelligence.

Violation of this policy shall be treated as a Class III Major Offense under this Code of Conduct.

Definitions 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

- to comply with the requirements of law, policy, regulation, and rules prohibiting harassment, violence, or intimidation;
- to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student; and
- to refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.

(b) Violence, threats of violence, harassment, and intimidation are prohibited and will be subject to disciplinary consequences and sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the victim of such conduct:

- The student's race;
- The student's sex;
- The student's religion;
- The student's national origin; or
- The student's disability.

Reporting, Investigation, and Complaint Resolution Procedures

(a) Complaints alleging violations of this policy must be made on Board approved complaint forms available at the principal and/or counselor's office. The complaint must be Signed by the student alleging the violation or by the student's parent or legal guardian and delivered to the principal or the principal's designee either by mail or personal delivery. At the request of the complaining student or the student's parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.

b) Upon receipt of the complaint, the principal or the principal's designee will, in their sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.

(c) Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A person



who deliberately, recklessly, and falsely accuses another person of a violation of this policy will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

(d) The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee will inform the student's parent or guardian of the report.

Promulgation of Policy and Related Procedures, Rules, and Forms

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

Student Complaint and Grievances

Grievance Procedure to be followed in parent or student complaints regarding:

- Classroom Academic Decisions
- Classroom Discipline Decisions
- Extracurricular Decisions
- Athletic Decisions
- Out of District Decisions
- Title IX Grievances
- Student to Student Harassment*

Students who receive services under an IEP will follow due process procedures (Applicants requesting admission under homeless status defined by the McKinney-Vento Homeless Act, whose grievance pertains to school admission, will notify the Homeless Liaison. Once enrolled and receiving services from Hartselle City Schools, those students will follow the grievance procedures outlined within this document.)

Board judgments concerning local school administrative decisions and/or Superintendent decisions in the areas named above may be set aside by the Board only upon a showing that the action or decision in question is arbitrary and capricious, fundamentally unfair, or a violation of Board policy or the student's legal rights.

*Both students and parents with a student to student harassment complaint must complete the Harassment Report. This form should be submitted to the local school principal or designee. The grievance procedure outlined below should only be initiated if the submission of the form and the disciplinary conferences that accompany the submission of the form have not improved the school environment for the harassed student.

Complaints, grievances, and requests for corrective action may be brought to the attention of the Board by or on behalf of students with respect to issues and concerns named above only *after* reasonable efforts to resolve the matter(s) at the school and school and system administrative levels have been exhausted. Both students and parents are encouraged to begin any classroom conflict resolution with the classroom teacher and any extracurricular or athletic conflict with the sponsor or coach.

Level I- The Local School Principal or Designee

- A. **Grievance Filing Requirements-** The grievance process is initiated with the filing of the Hartselle City Schools' Grievance Report with the Principal's Office within fourteen (14) days of the act or decision that is the basis of the grievance. The report must be completed in full and must be signed by the grievant and his/her parent or guardian.
- B. **Administrative Investigation and Determination-** The Principal may assume direct responsibility for reviewing and responding to the grievance or may assign that responsibility to a designee. In either case, the Principal's response to the grievance may include dismissal of the complaint as



groundless, informal complaint resolution, informal investigation, or both resolution and investigation.

1. Dismissal of the Complaint as Groundless- After reading and/or hearing the grievance of the student or parent, reading and/or hearing the testimony of the school board employee, and reviewing any evidence that is available, the Principal or designee may determine that the complaint is groundless and should be dismissed.
2. Informal Complaint Resolution- Policy states that "reasonable efforts to resolve the matter" will have been "exhausted" when a grievance is filed. The Principal or designee may determine that further efforts at informal resolution should be attempted. The formal grievance process may be temporarily suspended for that purpose for up to fourteen (14) days.
3. Informal Investigation- Should the Principal or designee conclude that reasonable efforts at informal complaint resolution have not succeeded or would not be appropriate under the circumstances, the Principal or designee shall initiate an informal investigation of the grievance. The investigation may include interviews of witnesses, written statements, conferences, or any lawful action that is deemed necessary to reach a just disposition of the grievance.
4. Both Informal Complaint Resolution and Informal Investigation- As indicated above, the Principal or designee may choose to again attempt informal complaint resolution and, if unsuccessful, return to the informal investigation.
5. Notification of the Local School Principal's Decision- The Principal will inform the student and/or parent of his/her decision within forty-five (45) days of the date the grievance is filed. This decision may be relayed in a face-to-face conference with the student and/or parent or guardian, in a phone conference with the student and/or parent or guardian, or in writing via mail or electronic mail to the student and/or parent or guardian.

Level II- The Hartselle City Schools' Superintendent

- A. Appeal Filing- A grievant who is dissatisfied with the decision of the Principal may appeal to the Superintendent.

Please note that the local school Principal's decision will be set aside by the Superintendent only upon a showing that the action or decision in question is arbitrary and capricious, fundamentally unfair, or a violation of Board policy or the student's legal rights.

1. Initiating the Appeal- Within fifteen (15) days of the final decision of the Principal (as outlined in item I.B.5), the grievant will write a letter to the Superintendent indicating the grievance and the reason for his/her displeasure with the decision of the Principal. The grievant will indicate in the letter whether he/she deems the Principal's decision to be arbitrary and capricious, fundamentally unfair, or a violation of Board policy or the student's legal rights. The grievant will indicate in the letter the remedy or resolution that he/she is seeking.
2. Transmitting the Grievance Record- Upon receipt of the notice of appeal, the Superintendent will gather from the local school Principal the form initially filed by the grievant, any interviews of witnesses, written statements, conferences, pictures, school work samples, medical records, or other relevant, collected data that he/she deems necessary to reach a just disposition of the grievance.
 - a. Superintendent's Consideration of the Appeal- Within forty-five (45) days of receipt of the grievant letter requesting an appeal, the Superintendent will affirm the decision of the Principal, modify the decision of the Principal, or choose to defer final action for as many as thirty (30) additional days in order to gather additional evidence or testimony that he/she deems necessary in order to reach a just disposition of the grievance. The Superintendent *may* conclude that the matter is one that requires consideration from the Board. (Should the Superintendent reach this conclusion, the timeline and nature of appeals involving the Board will follow the outline of section III below.)
 - b. The Superintendent will inform in writing the grievant and the local school Principal of his/her decision to affirm the decision of the Principal or modify the decision of the Principal. Again, this letter will be mailed within forty-five (45) days of the Superintendent's receipt of the grievant letter unless final action is deferred to gather additional data. Deference creates a timeline of as many as seventy-five (75) days for the Superintendent to respond



to the grievance. As stated in II.2.C above, should the Superintendent's decision be to defer judgment to the Board, his/her letter will simply inform the parent that judgment has been deferred.

Level III - The Hartselle City School Board

- A. **Appeal Filing-** A grievant who is dissatisfied with the Superintendent's decision may appeal to the Hartselle City School Board. Please note that the Superintendent's decision will be set aside by the Board only upon a showing that the action or decision in question is arbitrary and capricious, fundamentally unfair, or a violation of Board policy or the student's legal rights.
 1. **Initiating the Appeal-** Within fifteen (15) days of the final decision of the Superintendent (as outlined in item II.B), the grievant will write a letter to the Board President, and copied to the Superintendent, indicating the grievance and the reason for his/her displeasure with the decision of the Superintendent. The grievant will indicate in the letter whether he/she deems the Superintendent's decision to be arbitrary or capricious, fundamentally unfair, or a violation of Board policy or the student's legal rights. The grievant will indicate in the letter the remedy or resolution that he/she is seeking.
 2. **Transmitting the Grievance Record-** Upon receipt of the notice of appeal, the Board President will gather from the Superintendent any interviews of witnesses, written statements, conferences, or other collected data that he/she deems necessary for the Board to reach a just disposition of the grievance.
 - a. **The School Board's Consideration of the Appeal-** Within forty-five (45) days of receipt of the grievant letter requesting an appeal, the Superintendent will add the grievance appeal to a Board meeting agenda for consideration.
 - b. Upon consideration of the grievance appeal and record, the Board may, by majority vote, affirm the decision of the Superintendent, modify the decision of the Superintendent, or choose to defer final action until an evidentiary hearing is held on the grievance.
 - c. The Superintendent and/or School Board President will inform in writing the grievant, the Superintendent, and the local school Principal of the Board's decision to affirm the decision of the Superintendent or modify the decision of the Superintendent. This letter of decision will be mailed within sixty (60) days of the Superintendent and School Board President's receipt of the grievant's letter requesting an appeal.
 - d. **The Hearing Process-** If the Board determines that a hearing is needed, the hearing shall be set within thirty (30) days of the School Board Meeting during which it was determined that a hearing was needed. A final and written Board decision on the grievance will be mailed to the grievant, via certified mail, within five (5) days after the hearing is closed.

Due Process

Essentially due process means that a person must be given notice that he/she is about to be deprived of life, liberty, or property; that a person be given an opportunity to tell his/her side of the situation. But the concept of due process is a flexible one, and its specific definition in a given situation varies with the nature of the threatened deprivation and the other factors involved. In the case of short-term school suspensions, the Supreme Court recognizes that the deprivation involved is not a serious one; and the need to maintain an orderly school environment is an important societal need.

- Any due process procedure should include the following:
- The student will be given oral or written notice of the charge against him/her.
- If the student denies the charges, he/she is entitled to an explanation of the evidence the school has as a basis of the charge.
- The student shall have an opportunity to tell his/her side of the story.
- There need be no delay between the time notice is given and the time of the initial conference with school administration. Whenever reasonably possible, the principal will undertake to informally discuss the alleged misconduct with the student minutes after it has occurred.
- In cases where the presence of the student poses a continuing danger to persons or property or an ongoing threat of disrupting an academic process, the student may be immediately removed



from school by the principal for up to ten (10) school days, pending a hearing conducted in accordance with the procedures set out in this Code of Student Conduct as soon as practical.

- In cases involving major violations to the Student Code of Conduct, the student may be referred to a disciplinary hearing to the superintendent or his/her designee under the due process procedures set out above.

Drug Policy for Students Participating in Extracurricular Activities and For Student Athletes

I. Policy Statement

The Hartselle City Board of Education values students and their participation in athletics and other extracurricular activities. These students, as role models for other students, are keys to our goal of providing the best possible education program for all students. To achieve our goal and to maximize the skills and talents of our students, it is important that every student, and each employee, of our school system understand the dangers of tobacco use, drug, and alcohol abuse.

This statement clarifies our position on student tobacco, drug, and alcohol use as it pertains to extracurricular participation. For the purposes of this policy, Appendix A lists the extracurricular organizations that are subject to this policy and the drug testing program. This includes students in Grades 7 through 12. Participation in extracurricular activities is a privilege that can be taken away for failure to comply with this policy. The Board reserves the right to depart from this policy where it deems appropriate except where departure is specifically prohibited by law. Any extracurricular students who violate the *Code of Student Conduct* involving tobacco, alcohol, or drugs are also subject to this policy. The Board reserves the right to change the guidelines contained within this policy at any time. Students subject to this policy will be informed of any changes.

II. Policy Objective

- (1.) To deter drug, tobacco, and alcohol use among students participating in extracurricular activities.
- (2.) To encourage any extracurricular student with a dependence on, or addiction to, tobacco, alcohol or other drugs to seek help in overcoming the problem.
- (3.) To reduce the likelihood of incidents of accidental personal injury and/or damage to students or property.
- (4.) To create and maintain a safe, drug-free environment for all students participating in extracurricular activities.
- (5.) To minimize the likelihood that school property will be used for illicit drug activities.
- (6.) To protect the reputation of the school system and its students.

Substance abuse is a serious threat to the school system, its students, visitors, and employees. It is the belief of the Board that the benefits derived from the policy outweigh the potential inconvenience to students who participate in extracurricular activities. The Board earnestly solicits the understanding and cooperation of all school staff, students, and parents, especially those involved with extracurricular activities, in implementing this policy.

The Board expects all extracurricular students to remain tobacco, alcohol, and drug free, and it reserves the right to require all students who participate in extracurricular activities to submit to drug tests in order to assure these expectations and in order to maintain safety and security.

The Board acknowledges and understands that there are students involved in extracurricular activities who have legitimate medical conditions and who possess legitimate prescriptions for those conditions.



Should a student test positive for a prescription drug for which he/she possesses a valid prescription in his/her name, the parent or guardian of that student will have an opportunity to give the Medical Review Officer (MRO) a copy of that prescription. The opportunity to provide the prescription will come after the positive test result has been released to the Board's Medical Review Officer (MRO), but before that information is released to the Board's Drug Testing Coordinator (DTC) who will be a representative of the Hartselle City School System. A student taking over-the-counter prescription drugs for which there is a valid prescription in the student's name will not be penalized for producing a positive test result if that positive result is for the prescription drug only (see Item V., C.).

III. Enforcement

The Board has developed its student testing program to follow, as appropriate, the process of 49 CFR Part 40 and the Omnibus Transportation Employee Testing Act of 1991. The Board encourages, and may require, its employees to be trained in tobacco, alcohol, and drug usage recognition skills.

Pursuant to Board policy and regulations, students who participate in extracurricular activities, with appropriate student and/or parental consent, may be tested prior to beginning a seasonal activity, during the season of the activity, or on any random schedule without advance notice. Failure to provide student and/or parental consent when that consent is requested will result in a student's suspension from the activity or activities and will render a student ineligible from any activity for the duration of the school year.

When members of the school administration have reasonable suspicion to believe a student participating in extracurricular activities has violated its drug policy, they may require the student to undergo drug testing. Failure to submit to testing will result in suspension from the activity or activities and will render a student ineligible for the duration of a school year. This failure to comply with the drug policy will render the student ineligible for the activity or activities in which he/she is currently participating and from any other activity or activities for the duration of the school year.

A student who has tested positive for tobacco, alcohol, and/or other drugs and who has had the positive test result confirmed by the Board's Medical Review Officer (MRO) will be governed by the consequences outlined in this policy. The student's, parent's or guardian's refusal to cooperate with the Board, with Board representatives, and/or with medical personnel during the course of collecting the clean and unadulterated sample, reporting information about the sample, or enforcing the penalties and required counseling associated with a positive sample shall result in immediate suspension from the sport or activity for the duration of the school year.

IV. Consequences

Consequences regarding failure to comply with a request for parental consent and consequences associated with failure to submit to testing, failure to cooperate with officials in collecting a clean or unadulterated sample, and failure to cooperate with school officials as they enforce the penalties and required counseling associated with a positive sample are addressed in Section III Enforcement above.

Penalties are not academic, nor disciplinary, but associated with continued participation in the extracurricular activity. This policy neither circumvents nor is intended to be used in place of Board Policy and School Rules pertaining to the use, possession, distribution or manufacturing of illegal or illicit substances as addressed in the Hartselle City Schools' *Code of Student Conduct*.

Consequences for a positive drug test, excluding tobacco, are as follows (see Tobacco Guidelines for consequences associated with a positive tobacco test):

First Occurrence of Positive Test Results

- (1.) The principal or his/her designee will be notified by the Hartselle City Board's Drug Testing Coordinator (DTC). The DTC will also notify the person responsible for counseling. The principal or his/her designee will then notify the student, students' parents, legal guardians or custodial adult, and the sponsor(s) or coach(es). The principal or his/her designee will arrange a conference during which all parties will be notified of the occurrence. Upon notification from the principal or his/her designee, the parent must respond and arrange a date for this conference within 3 school days. Failure to do so will result in immediate removal of the student from any extracurricular activities.



(2.) The penalty for a positive test result has three parts. All three parts must be satisfied before a student can return to participation.

- A. The student must enter the counseling program prescribed by the Board and must be released from that counseling program or receive verification from the counselor that he/she is actively participating in that counseling program before he/she can resume any sport or activity.
- B. The student must re-test negative before he/she can resume any sport or activity. The MRO and the DTC through the principal or his/her designee will release the student once results have been confirmed.
- C. The student must complete the term of suspension. The student will be suspended from all extracurricular activities in which he/she is currently participating for approximately 20% of the total regular season's activities or for a six-week period beginning no earlier than the opening game/performance for the sport or activity and beginning with the game/performance that follows the notification from the principal or his/her designee. (See Appendix A for the prescribed penalties.)

If the student participates in more than one sport or activity and both or all are in season at the time of the positive test and notification from the principal or his/her designee, then that student will be suspended from both or all activities for the prescribed term.

If the student is not participating in any in-season sport or activity, he/she will serve a suspension no earlier than the opening game/performance of the season in which he/she participates, however, the counseling portion (2A above) of that student's penalty and the re-testing portion (2B above) of that student's penalty will begin immediately.

If a student who is penalized from an activity serves a portion of his/her penalty within one sport or activity but then reaches the end of all games, meetings, performances within that sport or activity, that student will roll over whatever percentage of his/her penalty remains into his/her next in-season sport or activity.

If a student who is penalized from a sport or activity serves a portion of his/her penalty within that sport or activity but then reaches the end of all games, meetings, performances within that sport or activity and does not belong to any other sport or activity through which he/she may complete the penalty, that student's remaining penalty will roll over to the first in-season activity or sport in which he/she participates in the next school year.

The counseling portion of that student's remaining penalty and the re-testing portion of that student's penalty will begin immediately. (See Appendix A for a clarification of the penalties for each sport/activity.)

(4.) Once a student has tested positive, his/her name will be removed from the random pool of names and placed on a list of students who will be subject to testing every time drug testing is conducted for one calendar year with the exception of testing positive for tobacco. (See Tobacco Guidelines.)

Second Occurrence of Positive Test Results

(See Tobacco Guidelines for consequences associated with a second positive tobacco test.)

(1.) The principal or his/her designee will be notified by the Hartselle City Board's Drug Testing Coordinator (DTC). The DTC will also notify the person responsible for counseling. The principal or his/her designee will then notify the student, student's parents, legal guardians or custodial adult, and the sponsor(s) or coach(s).

The principal or his/her designee will arrange a conference during which all parties will be notified of the occurrence. Upon notification from the principal or his/her designee, the parent must respond and arrange a date for this conference within 3 school days.



Failure to do so will result in immediate removal of the student from any extracurricular activities.

(2.) The penalty for a positive test result has three parts. All three parts must be satisfied before a student can return to participation.

- A. The student must enter the counseling program prescribed by the Board and must be released from that counseling program or receive verification from the counselor that he/she is actively participating in that counseling program before he/she can resume any sport or activity.
- B. The student must re-test negative before he/she can resume any sport or activity. The MRO and the DTC through the principal or his/her designee will release the student once results have been confirmed.
- C. Upon the second violation, the student will be suspended from participating in any sport or extracurricular activity for the remainder of the school year in which the second violation occurs. However, the duration of the suspension shall be for a minimum of eight weeks and shall carry over to the ensuing school year if necessary, and thereby preclude such student athlete from participating in any other sport or extracurricular activity during the eight-week minimum suspension period.

If the student participates in more than one sport or activity and both or all are in season at the time of the positive test and notification from the principal or his/her designee, then that student will be suspended from both or all activities for the prescribed term.

If the student is not participating in any in-season sport or activity, he/she will serve a suspension no earlier than the opening game/performance of the next season in which he/she participates, however, the counseling portion (2A above) of that student's penalty and the re-testing portion (2B above) of that student's penalty will begin immediately.

If a student who is penalized from an activity serves a portion of his/her penalty within one sport or activity but then reaches the end of all games, meetings, performances within that sport or activity, then that student will roll over whatever percentage of his/her penalty remains into his/her next in-season sport or activity.

If a student who is penalized from a sport or activity serves a portion of his/her penalty within that sport or activity but then reaches the end of all games, meetings, performances within that sport or activity and does not belong to any other sport or activity through which he/she may complete the penalty, that student's remaining penalty will roll over to the first in-season activity or sport in which he/she participates in the next school year.

The counseling portion of that student's penalty and the re-testing portion of that student's penalty will begin immediately. (See Appendix A for a clarification of the penalties for each sport/activity.)

(4.) Once a student has tested positive, his/her name will be removed from the random pool of names and placed on a list of students who will be subject to testing every time drug testing is conducted for one calendar year with the exception of testing positive for tobacco. (See Tobacco Guidelines.)

Third Occurrence of Positive Test Results

(See Tobacco Guidelines for consequences associated with a third positive tobacco test.)

(1.) The principal or his/her designee will be notified by the Hartselle City Board's Drug Testing Coordinator (DTC). The DTC will also notify the person responsible for counseling. The principal or his/her designee will then notify the student, student's parents, legal guardians or custodial adult, and the sponsor(s) or coach(es). The principal or his/her designee will arrange a conference during which all parties will be notified of the occurrence. Upon notification from the principal or his/her designee,



the parent must respond and arrange a date for this conference within 3 school days. Failure to do so will result in immediate removal of the student from any extracurricular activities.

- (2.) The penalty for a third positive occurrence has three parts. All three parts must be satisfied before a student can return to his/her sport or extracurricular activity.
- A. The student must enter the counseling program prescribed by the Board and must be released from that counseling program or receive verification from the counselor that he/she is actively participating in that counseling program before he/she can resume any sport or activity.
 - B. The student must re-test negative before he/she can resume any sport or activity. The MRO and DTC through the principal or his/her designee will release the student once results have been confirmed.
 - C. The student must complete a term of suspension. The student will be suspended from all extracurricular activities for one calendar year from the date of notification by the principal or his/her designee of the third positive test.
- (3.) Once a student has tested positive, his/her name will be removed from the random pool of names and placed on a list of students who will be subject to testing every time drug testing is conducted for the duration of his/her participation in extracurricular activities within the Hartselle City School System with the exception of tobacco. (See Tobacco Guidelines.)

If a student is completing his/her one-year suspension and again tests positive, he/she will be removed from extracurricular activities for the remainder of his/her school years within the Hartselle City System. Counseling, however, will remain available to the student even when he/she is no longer a participant in extracurricular activities.

If a student has completed his/her one-year suspension and is again a participant and again tests positive, he/she will begin at the First Occurrence penalty; however, the student will be subject to testing as prescribed in Number 4 immediately above. All information, interviews, reports, statements, memoranda, and test results, whether written or otherwise, received by the Board through its drug, alcohol, and tobacco testing program are confidential communications and may not be disclosed, used or received in evidence, obtained in discovery, or otherwise disclosed in any public or private proceedings except in the following or FERPA procedures.

- A. As directed by the specific, written consent of the parent/guardian authorizing release of the information to an identified person.
- B. To a decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the participating student.
- C. Information, including testing positive, will not be released to criminal or juvenile authorities unless the Board is compelled to do so under valid state or federal laws.

The penalties for First, Second, and Third Occurrences constitute a Board mandated minimum punishment. Coaches and Sponsors may not violate this policy by refusing to enforce its minimum penalties.

V. Procedures

Drug Education



Alabama's Drug Abuse Education Act of 1971, Act No. 1934, established a program of drug, narcotic, alcohol, and tobacco education for the schools of the state. All students, Grades



1-12, shall be taught the adverse and dangerous effects of drugs on the human mind and body.
Code of Alabama (1975), Title 16, Chapter 41

A. General Policy

Practical experience and research have proven that even small quantities of narcotics, abused prescription drugs, or alcohol can impair judgment and reflexes and thereby create unsafe conditions for students. Even when not readily apparent, this impairment can have serious results for students engaged in activities. Drug-using students are a threat to other students and to themselves and may make injurious errors. It is for these reasons along with those reasons stated in this policy's objectives that the Board has adopted this policy.

B. Prohibitions

Students participating in extracurricular activities shall not use tobacco, illegal or illicit drugs, alcohol and other prohibited substances, either during or away from school. Using, possessing, distributing and/or manufacturing controlled substances during and away from school is illegal and prohibited.

This policy neither circumvents nor is intended to be used in place of Board Policy and School Rules pertaining to the use, possession, distribution of illegal or illicit substances as addressed in the Hartselle City Schools' *Code of Student Conduct*.

C. Use of Prescription and Nonprescription Drugs

The Board prohibits the misuse of prescribed or over-the-counter medications.

Students taking prescription drugs are required to take them in accordance with the prescribing doctor's dosage and directions. For a prescription to be considered valid, it must be an unexpired prescription that is being taken in accordance with the prescribing doctor's prescription regimen.

Students taking prescribed medications should be able to provide proof of that prescription in his/her name with an original date on the prescription that pre-dates the positive drug-screening test.

Students taking over-the-counter (OTC) medications are required to take them in accordance with the directions/dosages that appear on the packaging.

If a student is taking prescribed or OTC medication that results in a positive drug test, he/she will be given an opportunity to verify that with the MRO. (See V. Procedures, D. Testing, Item 9 Evaluation and Return of Results)

D. Testing Procedures

1. Random Testing

The Board may conduct baseline testing initially, followed by random, unannounced screening of students who participate in extracurricular activities by submitting their names to a screening pool. The student information in the pool will be updated periodically. Baseline testing is defined as testing all students participating in extracurricular activities.

Students who transfer into Hartselle City Schools and are participants in these activities will be entered into the pool upon admission. These students are subject to baseline testing.

2. Test Day Check-Outs, Check-Ins, or Absences

A student who is subject to random testing and is absent on the day of the random drug screening will not be penalized in any way should his/her name be on the random list for testing that day; however, his/her name will be included in the next screening.

A student who is subject to testing and is absent when the random drug screening process begins but checks in before the process is complete will be subject to a drug test at the time of check-in should his/her name be on the list of randomly generated names for that day.

A student who possesses a check-out note that was generated by his/her first period teacher in conjunction with a note from a parent or guardian and that specifies a time and date when a student should be permitted to check out will be permitted to check out at the predetermined time. Should his/her



name be on the randomly generated list for testing on that day, he/she will not be penalized; however, his/her name will be included in the next screening.

A student who wishes to call his/her parent to come and check him/her out after the drug testing agency has come on campus will be penalized should his/her name be on the randomly generated list of students to be tested. Leaving campus without submitting to testing will be seen as a refusal to test, and the penalties will be the same as those penalties for a student who refuses to test.

3. Rehabilitation and Other Such Drug Counseling Services

All students who participate in extracurricular activities who undergo a counseling or rehabilitation program or who are suspended under the rules of the *Code of Student Conduct* for abuse of substances covered under this policy will be subject to unannounced testing for at least a twelve-month period. (This differs from the counseling a student receives when he/she tests positive. This portion of the policy refers to a student who has not tested positive under the guidelines of this policy but is seeking drug counseling, being served in a rehabilitation facility, or is being/has been punished for a violation of the *Code of Student Conduct* that involved a substance covered under this policy.)

4. General Guidelines

The Board and its lab shall rely, when practical, on the guidance of the federal Department of Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40.39, and on the further guidance of the Omnibus Transportation Employee Testing Act provided in 49 C.F.R. Parts 382, 391, 392, and 395.

5. Substances Tested For

The Board will maintain a list of substances for which students may be screened. That list is subject to review and change without advance notice. This list may include, but not be limited to the following: alcohol, ecstasy (MDMA), marijuana, amphetamines, cannabinoids (marijuana and its derivatives), cocaine, opiates, anabolic steroids, tobacco, barbiturates, benzodiazepines, cocaine metabolites, LSD, marijuana metabolites, methadone, methaqualone, nicotine, phencyclidine, propoxyphene, inhalants, ketamine, gamma-hydroxybutyrate (GHB), gamma-butyrolactone (GBL), and rohypnol.

Any illegal or illicit drug may be included on the list, and any student who is included in the screening pool is subject to being tested for all or any combination of drugs on the screening profile without advance notice.

6. Testing Procedures

The Board reserves the right to utilize blood, hair, breath, saliva, or urinalysis testing procedures. All initial positive urine specimens will be confirmed by gas chromatography/mass spectrometry (GC/MS).

7. Collection Site

The Board will designate collection sites where individuals may provide specimens. Such designation will be determined by the Drug Testing Coordinator, subject to the review and approval of the Superintendent and the Board.

8. Collection Procedure

The Board and the approved laboratory are responsible for developing and maintaining a documented procedure for collecting, shipping and accessing specimens. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will be used for specimen transportation.

The Board and the laboratory will utilize a standard Swab Custody and Control Form for all testing. The company and the laboratory will utilize a standard Breath Alcohol Testing Form for all student alcohol testing. Any student governed by this policy will be required to complete a student Consent Form.

9. Evaluations and Return of Results to the School Board

The testing agency will transmit by fax, mail, or computer, but not orally, the results of all tests to the Board's Medical Review Officer (MRO) who will be responsible for reviewing the test results. Prior to making a final decision and prior to contacting the Board's Drug Testing Coordinator (DTC), the MRO will



notify the parent or guardian of a positive result and give the individual the opportunity to discuss the result.

The parent/guardian or student will be given an opportunity to submit a valid prescription that may have produced such a positive result. (A valid prescription is defined in Item C.) After final review, the MRO will, promptly and in a confidential manner (such as a sealed, tamper-proof envelope) transmit to the DTC the name of any student who tests positive.

After being informed of a positive test result, the principal or his/her designee will then notify the student, student's parents, legal guardians or custodial adult and the sponsor(s) or coach(es). The principal or his/her designee will arrange a conference during which all parties will be notified of the occurrence. Upon notification from the principal or his/her designee, the parent must respond and arrange a date for this conference within 3 school days. Failure to do so will result in immediate removal of the student from any extracurricular activities.

10. Release of Test Results

All information, interviews, reports, statements, memoranda, and test results, whether written or otherwise, received by the Board through its drug, alcohol, and tobacco testing program are confidential communications and may not be disclosed, used or received in evidence, obtained in discovery, or otherwise disclosed in any public or private proceedings except in the following or FERPA procedures.

- A.** As directed by the specific, written consent of the parent/guardian authorizing release of the information to an identified person.
- B.** To a decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the participating student.
- C.** Information, including testing positive, will not be released to criminal or juvenile authorities unless the Board is compelled to do so under valid state or federal laws.

All extracurricular students will be required to execute a Policy Consent/Release Form permitting the Board or its designee to release test results and related information to the school officials, who need to know such as Board, Superintendent, School Principal or his/her designee, the coach or sponsor of the activity or activities from which the student is suspended, and the counselor or counseling agency responsible for mandated counseling. Refusal to execute a form will result in release from the activity as has been indicated in the Policy heretofore.

The principal or his/her designee will arrange a conference during which all parties will be notified of the occurrence. Upon notification from the principal or his/her designee, the parent must respond and arrange a date for this conference within 3 school days. Failure to do so will result in immediate removal of the student from any extracurricular activities.

The MRO will retain the individual test results for five (5) years.

11. Reasonable Suspicion

When there are observable circumstances which provide reasonable suspicion to believe a student who participates in extracurricular activities has used tobacco (nicotine), alcohol, and/or other drugs, that student may be required to submit to drug testing at a Board approved laboratory. Determination that reasonable suspicion exists must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the student.

The school official requiring testing shall complete and sign written documents explaining the circumstances and evidence upon which he/she relied within 24 hours of the testing, or before the results of the test are released, whichever is earlier. While a certified employee may recommend a reasonable suspicion test, he/she should, when possible, obtain a second school official's opinion as a witness.



Drug Policy Violation Penalties

First Violation

Upon the first violation, the student shall be suspended from participation in the sport or extracurricular activity in which he/she is currently participating for a minimum of twenty percent of games or events, beginning no earlier than the opening game or event for that sport or activity. If a student is not participating in an in-season sport or activity, he/she will have a two-week suspension at the beginning of the next season in which he/she participates.

If the violation relates to the consumption or use of a prohibited substance, to the extent the substance is capable of being detected by a drug test, the student athlete cannot be reinstated to the team or squad until he/she tests negative for that prohibited substance as a result of an approved drug test. In the discretion of an appropriate school official, the student athlete may be requested to undergo counseling with school counseling staff depending upon the circumstances of the violation.

Second Violation

Upon the second violation, the student will be suspended from participating in any sport or extracurricular activity for the remainder of the school year in which the second violation occurs. However, the duration of the suspension shall be for a minimum of eight weeks and shall carry over to the ensuing school year if necessary, and thereby preclude such student athlete from participating in any other sport or extracurricular activity during the eight-week minimum suspension period.

Before he/she can be reinstated to the team or squad, or otherwise be eligible to participate in any other sport or sports activity, (i) he/she must test negative for that prohibited substance as a result of an approved drug test if the violation relates to the consumption or use of a prohibited substance and the substance is capable of being detected by a drug test, and (ii) he/she shall have undergone mandatory counseling with school counseling staff as may be reasonably necessitated by the circumstances in the discretion of an appropriate school official.

Third Violation

Upon the third violation, the student will be suspended from participating in any sport or extracurricular activity for a period extending for a full calendar year.

Before he/she can be reinstated to the team or squad, or otherwise be eligible to participate in any other sport or activity, (i) he/she must test negative for that prohibited substance as a result of an approved drug test if the violation related to the consumption or use of a prohibited substance and the substance is capable of being detected by a drug test, and (ii) he/she shall have undergone mandatory counseling with school counseling staff as may be reasonably necessitated by the circumstances in the discretion of an appropriate school official.

Fourth Violation

Upon the fourth violation, the student will be indefinitely suspended or permanently barred from participating in any sport or extracurricular activity in the Hartselle City Schools system.

Recognizing that participation in sports or extracurricular activities through membership on a team or squad is a privilege and not a right, student(s) and their parent(s) or guardian(s) may be requested to manifest their consent to the code of minimum penalties set forth in this Handbook by signing a written consent form as a condition of the student becoming a member of a team or squad.



Note:

In sports where there is all-day tournament play or double-headers or all-day meets (any situation where more than one game or event occurs on a calendar day) that day will count as **one** play date using the penalties prescribed above.

A student's suspension will affect whatever activities he/she belongs to that are currently in season **AS LONG AS** that student **DOES BELONG** to one or more activities.

If the student does not belong to ANY activities that are in season at the time of the positive test, that student's penalty will be delayed until the beginning of an extracurricular season, possibly into the next school year. (Counseling and re-testing, however, will begin immediately.)

If a student belongs to more than one activity at the time of his/her positive test result, that student will be suspended from all of those activities as the above-posted penalties require.

If a student belongs to an activity and is serving a suspension from that activity and the season ends before he/she has served his/her entire sentence, the remainder of the sentence may roll over into the next sport or activity in which the student participates in the school year.

If a student belongs to a sport or activity and is serving a suspension from that sport or activity and the season ends before he/she has served his/her entire sentence and the student does not belong to any other sports or activities through which the penalty can roll over, that student will serve the remaining percentage of his/her penalty in the first in-season activity in the next school year to which he or she belongs.

Some activities will require a six-week suspension from the date of notification. A six-week suspension means that a student participating in this activity will not be able to attend meetings or participate in any other activities of this organization whether those activities occur before, during, or after school.

Exception: The student will be expected to attend class if the activity coincides with a class, and he/she will be expected to participate in the activities of the class for a grade just as any other student would be expected to do. If the activity from which the student is suspended issues grades as the result of a performance, it is the responsibility of the **student** to work with the teacher and make other arrangements for the grade. (Example: Chorus or band concert where a grade is issued for participation in the performance.)

The body of the policy makes reference to the regular season when prescribing the term of penalties. The number of games in the regular season is the number used to derive the penalty number. However, if a season extends to include tournament play and a student has not completed his/her penalty, tournament or other such games or play dates shall be used as penalty games or play dates.

Tobacco / Nicotine Guidelines

Occurrence of Positive Test Results

- (1.) The principal or his/her designee will be notified by the Hartselle City Board's Drug Testing Coordinator (DTC). The DTC will also notify the person responsible for counseling. The principal or his/her designee will then notify the student, student's parents, legal guardians or custodial adult, and the sponsor(s) or coach(es).

The principal or his/her designee will arrange a conference during which all parties will be notified of the occurrence. Upon notification from the principal or his/her designee, the parent must respond and arrange a date for this conference within 3 school days. Failure to do so will result in immediate removal of the student from any extracurricular activities.



1. **A first positive tobacco / nicotine occurrence** will require a student to enter the counseling program prescribed by the Board and must be released from that counseling program or receive verification from the counselor that he/she is actively participating in that counseling program before he/she can resume any sport or activity. After a first occurrence, the student's name will be returned to the random pool of names for testing.
2. **A second positive tobacco / nicotine occurrence** within the same school year will remove the student from the random pool of names and subject him/her to the penalties for drug and alcohol as outlined in this policy. The second positive tobacco occurrence has three parts. All three parts must be satisfied before a student can return to participation.
 - a. The student must enter the counseling program prescribed by the Board and must be released from that counseling program or receive verification from the counselor that he/she is actively participating in that counseling program before he/she can resume any sport or activity.
 - b. The student must re-test negative before he/she can resume any sport or activity. The MRO and the DTC through the principal or his/her designee will release the student once results have been confirmed.
 - c. The student must complete a term of suspension. The student will be suspended from all extracurricular activities in which he/she is currently participating for approximately 20% of the total regular season's activities or for a six-week period beginning no earlier than the opening game/performance for that sport or activity and beginning with the game/performance that follows the notification from the principal or his/her designee. (See Appendix A for the prescribed penalties.)

If the student participates in more than one sport or activity and both or all are in season at the time of the positive test and notification from the principal or his/her designee, then that student will be suspended from both activities, or all activities for the prescribed term.

If the student is not participating in any in-season sport or activity, he/she will serve a suspension no earlier than the opening game/performance of the next season in which he/she participates; however, the counseling portion (2A above) of that student's penalty and the re-testing portion (2B above) of that student's penalty will begin immediately.

If a student who is penalized from an activity serves a portion of his/her penalty within one sport or activity but then reaches the end of all games, meetings, performances within that sport or activity, that student will roll over whatever percentage of his/her penalty remains into his/her next in-season sport or activity.

If a student who is penalized from a sport or activity serves a portion of his/her penalty within that sport or activity but then reaches the end of all games, meetings, performances within that sport or activity and does not belong to any other sport or activity through which he/she may complete the penalty, that student's remaining penalty will roll over to the first in-season activity or sport in which he/she participates in the next school year.

The counseling portion of that student's remaining penalty and the re-testing portion of that student's penalty will begin immediately. (See Appendix A for clarification of the penalties for each sport/activity.)

3. **A third positive tobacco / nicotine occurrence** has three parts. All three parts must be satisfied before a student can return to participation.
 - a. The student must enter the counseling program prescribed by the Board and must be released from that counseling program or receive verification from the counselor that he/she is actively participating in that counseling program before he/she can resume any sport or activity.
 - b. The student must re-test negative before he/she can resume any sport or activity. The MRO and the DTC through the principal or his/her designee will release the student once results have been confirmed.
 - c. Upon the third violation, the student will be suspended from participating in any sport or extracurricular activity for the remainder of the school year in which the second violation



occurs. However, the duration of the suspension shall be for a minimum of eight weeks and shall carry over to the ensuing school year if necessary, and thereby preclude such student athlete from participating in any other sport or extracurricular activity during the eight-week minimum suspension period.

If the student participates in more than one sport or activity and both or all are in season at the time of the positive test and notification from the principal or his/her designee, then that student will be suspended from both activities or all activities for the prescribed term.

If the student is not participating in any in-season sport or activity, he/she will serve a suspension no earlier than the opening game/performance of the next season in which he/she participates; however, the counseling portion (3A above) of that student's penalty and the re-testing portion (3B above) of that student's penalty will begin immediately.

If a student who is penalized from an activity serves a portion of his/her penalty within one sport or activity but then reaches the end of all games, meetings, performances within that sport or activity, then that student will roll over whatever percentage of his/her penalty remains into his/her next in-season sport or activity.

If a student who is penalized from a sport or activity serves a portion of his/her penalty within that sport or activity but then reaches the end of all games, meetings, performances within that sport or activity and does not belong to any other sport or activity through which he/she may complete the penalty, that student's remaining penalty will roll over to the first in-season activity or sport in which he/she participates in the next school year.

The counseling portion of that student's penalty and the re-testing portion of that student's penalty will begin immediately.

Once a student has tested positive, his/her name will be removed from the random pool of names and placed on a list of students who will be subject to testing every time drug testing is conducted for one calendar.

4. **A fourth positive tobacco / nicotine occurrence** has three parts. All three parts must be satisfied before a student can return to his/her sport or extracurricular activity.
 - a. The student must enter the counseling program prescribed by the Board and must be released from that counseling program or receive verification from the counselor that he/she is actively participating in that counseling program before he/she can resume any sport or activity.
 - b. The student must re-test negative before he/she can resume any sport or activity. The MRO and DTC through the principal or his/her designee will release the student once results have been confirmed.
 - c. The student must complete a term of suspension. The student will be suspended from all extracurricular activities for one calendar year from the date of notification by the principal or his/her designee of the fourth positive test.



HARTSELLE CITY SCHOOLS

Harassment Report

☐ Barkley Bridge ☐ F.E. Burleson ☐ Crestline ☐ Hartselle Intermediate
☐ Hartselle Jr. High ☐ Hartselle High

Student Name _____ Date of Birth _____

INFRACTION REPORTED BY: _____ STUDENT _____ PARENT _____ Grade _____

Date _____ Time _____

Location _____

Description _____

OTHER RELATED INFORMATION (Names of witnesses present and other related information)

HARASSMENT – A continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonable 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 the model policy adopted by the department or by a local board. To constitute harassment, a pattern of behavior may do any of the following:

- a) Place a student in reasonable fear of harm to his or her person or damage to his or her property.
- b) Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
- c) Have the effect of substantially disrupting or interfering with the orderly operation of the school.
- d) Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
- e) Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

SEXUAL HARASSMENT – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment if the conduct substantially interferes with a student's educational performance, or creates an intimidating, hostile, or offensive educational environment. Grievance should be filed within fourteen (14) days of the incident.

*This complaint is filed based on my honest belief that _____ has harassed me.
I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge.*

Student signature

Date

Parent signature

Date

Received by

Date

