



JEFCOED

JEFFERSON COUNTY BOARD OF EDUCATION

2100 18th Street South, Birmingham, Alabama 35209
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CODE OF STUDENT CONDUCT 2018-2019

BOARD MEMBERS

President Mr. Oscar S. Mann | *Vice President* Dr. Martha V.J. Bouyer
Ms. Jacqueline A. Smith | Mr. Ronnie Dixon | Mrs. Donna J. Pike
Superintendent Warren Craig Pouncey, Ed.D.

MISSION

The mission of the Jefferson County School System is to ensure rigorous learning for all through engaging, innovative instruction, responsible resource management, and meaningful community and family collaboration focused on student success.

2018 – 2019 CODE OF STUDENT CONDUCT COMMITTEE MEMBERS

Feeder Pattern

Representative

Center Point	Kirsten Logan-Marshall, Erwin Int., Principal
Clay-Chalkville Corner	Jason Wilson, Clay-Chalkville Middle, Principal
Fultondale	Phil Ackerman, Bagley Elementary, Principal
Gardendale	Courtney Slaughter, Fultondale Elementary, AP
Gardendale	Shelton Dukes, Gardendale High, AP
Hueytown	Angela Strickland, Bragg Middle, AP
McAdory	Ryan Howard, Hueytown High, AP
Minor	Tod Humphries, McAdory High, Principal
Minor	Taki Sarhaan, Minor Middle, Principal
Minor	Jessica Hahn, Crumly Chapel, Principal
Mortimer Jordan	Tim Reeves, Mortimer Jordan High, AP
Mortimer Jordan	Sandra Lyle, Warrior Elementary, Principal
Oak Grove	Pam Dennis, Oak Grove High, Principal
Pleasant Grove	Gary Bowen, Pleasant Grove High, AP
Pinson Valley	James Coleman, Rudd Middle, AP
Shades Valley	Antjuan Marsh, Shades Valley High, Principal
Shades Valley	Carita Venable, Irondale Middle, Principal

Central Office

Athletics	Ken Storie, Director
Curriculum & Instruction	Phyllis Montalto, Director
Exceptional Education	Susan Wirt, Director
ESL	Lari Valtierra, Specialist
Health Care Services	Tara Underwood, Specialist
Operations	Neal Underwood, Executive Director
Public Relations Manager	Whitlee Lusk, Specialist
Special Initiatives	Orletta Rush, Executive Director
Student Services	Marcus Edwards, Specialist
Student Services	Dale Stripling, Specialist
Student Services	JoNetta Terry, Specialist
Student Services	Shayne Tucker, Specialist
Technology/Data Security	Laura Ware, Director
School/Community Support	Anna Vacca, Deputy Superintendent
School/Community Support	Walter Gonsoulin, Deputy Superintendent
Teaching and Learning	Shelley Vail-Smith, Deputy Superintendent
Student Services	Anthony Montalto, Director and Committee Chair

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WEBSITE INFORMATION

The documents listed may be accessed by going to the website:

Go to: www.jefcoed.com

Select: Support Tab

Select: Student Services
(listed below School & Community Support)

Select: Documents:

- Code of Student Conduct
- Student Transfer Application Form
- Change of Address Form

INTRODUCTION

Instruction should occur in an environment that is conducive to learning. Effective instruction requires good order and discipline, which may be described as the absence of distractions, friction and disturbances which interfere with the effective functioning of the student, class and school. The Board hopes to nurture a friendly — yet businesslike — atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals. Ultimately, the goal of the Board of Education in student discipline is to modify undesirable behavior while maintaining a school environment which provides maximum learning opportunities for all students.

As student's progress in our public schools, it is reasonable to assume that an increase in age and maturity will result in the students assuming greater responsibility for their own actions; however, the procedures identified in this document shall apply to all students in grades K - 12.

JURISDICTION OF THE SCHOOL BOARD

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

The Code of Student Conduct may be applied to students involved in off-campus conduct or activity which threatens to interfere with the provision of instructional or educational services, to disrupt the school environment or which otherwise adversely implicates the school's legitimate educational or administrative interests.

The Jefferson County Board of Education may take all necessary action to ensure that its facilities are safe and secure and that this Code of Student Conduct is enforced. Such action may include the inspection and search of Board facilities and property brought onto Board facilities. The driver of the vehicle is responsible for any inappropriate item that is found in a vehicle on JefCoEd property. Students and others may be asked to walk through a metal detection device or to allow a search of personal property in conjunction with attendance at any Board-related event or when entering Board property. Any person who refuses will be denied admission to the Board facility and will be required to leave the premises immediately. It shall be the policy of the Jefferson County Board of Education to permit law enforcement agencies to make periodic visits to Jefferson County schools for the purpose of detecting the presence of illegal drugs. Such visits shall be unannounced except to the superintendent of schools and principals of the individual schools that are subject to visitation. The Board will also utilize a narcotic detection dog to deter individuals from bringing illegal narcotics onto school property. The dog will be utilized to conduct routine random searches on school property including, but not limited to, school lockers, school classrooms and school parking areas. Anything on or in Board property is subject to inspection by the Board to enforce this Code of Student Conduct and to effectuate its purposes, subject only to any restrictions which may be imposed by federal, state or local law.

DISCIPLINE

Violations of the Jefferson County Board of Education's Code of Student Conduct are generally grouped into three classes — Minor Offenses (Class I), Intermediate Offenses (Class II) and Major Offenses (Class III). The disciplinary procedures for each class may be different, depending on the recommended action which is to be taken.

Some problems are best handled by classroom personnel without resorting to the more formal procedures contained within this Code of Student Conduct. Accordingly, each classroom teacher may deal with general classroom disruption by taking in-class disciplinary action, by making oral or written contact with the child's parent or guardian when feasible, and by scheduling conferences with parents, guardians and other school staff. If the action taken by the teacher is ineffective or the disruption is, in the teacher's judgment, sufficiently severe, the student may be referred to the principal or his or her designee.

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

For any offense for which an in-school parental conference is required, it is the parent's or guardian's responsibility to make arrangements for the conference within twenty-four (24) hours of being notified of the problem. No student will be allowed to return to school until the parent or guardian conference is held. Only the parent having primary physical custody, or the parent listed on the birth certificate, or the court appointed legal guardian will be allowed to attend the Class III Hearing held at the Central Office.

For offenses which are being investigated as a Class III offense, the principal or designee should apprise the student of the suspected or pending charges and should provide the student with an opportunity to admit or refute those charges. This process is called a *"Disciplinary Hearing."* It should be noted that any statement the student makes may be used to prove the student's culpability regarding the charge. Any charges involving alcohol, drugs, weapons, aggressive behavior, or a suspected crime may result in intervention by law enforcement authorities or the Department of Human Resources. Any items of a dangerous or illegal nature may be confiscated and turned over to law enforcement authorities immediately.

Following the disciplinary hearing and review of the facts surrounding the charge, if the principal or his/her designee believes the student to be guilty of a charge scheduled under Class III Offenses, the student will be suspended, pending a hearing at the Jefferson County Board of Education's Student Services Department. This suspension is often called a *"Suspension to the Student Services Department"*. The administrative hearing at the Student Services Department is to determine both whether a student is guilty of the charged offenses and the appropriate disciplinary action which should be taken if the student is found to have committed the offenses charged.

All suspensions subject to an administrative hearing will remain in full force and effect until either an administrative hearing is held or the student is expelled. The local school administration will set up a time for the parent, student, and school administrator to meet for an administrative hearing with a Student Services supervisor. School officials should forward a copy of the Due Process Referral Form for Class III Offenses and other pertinent information to the office of the Director of Student Services.

Parents are not allowed to view school documents, pictures, or videos that include other students that school administrators may use when making discipline decisions (FERPA).

DISCIPLINARY ACTION DEFINITIONS

This Code of Student Conduct prescribes that certain disciplinary action may be taken in response to student behavior. The following descriptions should provide general explanations of some of the ways discipline may be applied. However, the following is not exhaustive, and will not limit the discretion of the local school or Board employees regarding disciplinary alternatives.

- **Required In-School Parental Conference:** A required in-school parental conference is a meeting at the school with the principal or his/her designee, parent(s) or guardian and student to resolve the disciplinary problem. After notification of the problem, it is the parent(s)' or guardian(s)' responsibility to make arrangements for the conference within twenty-four (24) hours.
- **Detention:** Assignment to a designated room on a school campus, either outside the regular school day or during the regular school day, for a specified period of time. A failure to comply with school detention procedures will result in additional disciplinary action.
- **Suspension:** Suspension is a temporary removal of a student from his or her regular program and from the school. **When suspended, a student is prohibited from entering into any Jefferson County public school property and from attending or participating in school or Board-related activities (for example, athletic events, cheerleading, plays, concerts, practices, etc.) even if the activity is held off school grounds. Violation of this rule will result in additional charges of trespassing against the student. The number of all out of school suspensions are noted on the annual SIR report (Alabama School Incident report) that each system is required to submit to the State Department of Education. School suspensions that occur anytime during the school year are noted on this report. Local school suspensions will affect a student's opportunity to participate in certain school activities and exemptions from exams throughout the school year. Graduating seniors who are under suspension at the time of graduation may be denied participation in the commencement exercises.**
- **School Bus Suspension:** School bus suspension is the denial of the privilege of being allowed to ride a school bus, based on conduct generally occurring while a student is riding, preparing to ride, waiting to ride or traveling to ride a public school bus.
- **Driving Privilege Suspension:** The driving of vehicles to school by students is considered a privilege. Driving privileges may be revoked at the discretion of the principal.
- **Corporal Punishment:** Corporal punishment is defined as bodily punishment by use of a paddle on the buttocks and may be used as a disciplinary option as prescribed herein. It shall not be administered as punishment for failing grades, nor in the presence or sight of students engaged in instructional activities. Corporal punishment shall be administered by the principal or his/her designee. A certificated person other than the one administering the punishment shall be a witness to all such incidents. Parental approval of corporal punishment shall not be required prior to its administration; however, a parent's written request to restrict the use of corporal punishment shall be respected.
- **Off Campus Educational Programs:** The Board offers a short term and long term program away from the local school environment which may be attended if appropriate. Students disciplined under Class III procedures may be required to attend these programs in lieu of other disciplinary alternatives. These programs include the REACH and STAR programs" which are both located at the Jefferson County Learning and Counseling Center in Ketona. The REACH Program is a short-term program with an academic focus designed to allow students to catch up on class work while working on behavioral issues. The STAR program is similar to REACH but adds a physical training aspect to the program. The STAR program is a 45 day military style disciplinary/academic program administered by personnel from STAR, Inc. and the JCCLC. Students are required to dress in supplied uniforms and adhere to a strict dress code policy. Any student assigned to the Board's off campus programs will be prohibited from entering onto any Board property other than the

location to which the student is assigned, and from attending or participating in any local school or Board activities which are not made a part of the student’s assignment in the program, whether on or off school or Board grounds.

Students are subject to expulsion on any Class 3 offense; however, at the Board hearing, a student may receive a REACH assignment or a STAR assignment as a discipline consequence before being expelled.

Consequences for Class 3 offenses are carried over from year to year and school to school.

- **Expulsion:** Expulsion is the removal of a student from the Jefferson County school system. An expelled student shall not attend Jefferson County schools, enter onto any Board property, or attend or participate in any school or Board-related activities, regardless of the nature or location of the activity. Any student removed from the school system who is found in violation of the above will be considered trespassing.

Students returning from a one year expulsion will be required to complete a semester in the Independent Study Program at the Jefferson County Counseling / Learning Center before returning to their assigned school.

- **Discipline - Exceptional Education:** For students with disabilities as defined by law, the procedures and consequences specified in this Code of Student Conduct may be modified on a case-by-case basis based upon the unique circumstances, the student’s disability, the student’s IEP, or the requirements of federal or state law. In all cases, this Code of Student Conduct will be construed and applied so as to comport with applicable laws and regulations governing the discipline of students with disabilities.

Suspensions of students with disabilities shall conform to generally applicable substantive and procedural criteria. However, suspensions that exceed ten consecutive school days or otherwise constitute a change of placement shall not be implemented without prior consultation with the Exceptional Education Department. Disciplinary action resulting in permanent or indefinite cessation of educational services to student with disabilities should not be approved without prior consultation with the Exceptional Education Department. Refer to “Discipline of the Exceptional Education Student” compiled by the Exceptional Education Department.

- **Conduct Grades:**

1. For Class I offenses, U is given after the second offense.
2. For Class II and Class III offenses, U is given after the first offense.
3. **Conduct grades are not used in establishing A and B honor rolls.**

APPEALS

Students charged and disciplined under Class I or Class II procedures will not have the right to appeal any decision beyond the local school level. However, students charged under the Class III schedule may request an appeal of the decision of the Student Services Hearing Officer by contacting the office of the Director of Student Services within five days of the hearing. While awaiting an appeal, the student is expected to begin his or her assignment at the Jefferson County Counseling / Learning Center as days missed from school after the original hearing date are unexcused.

CLASS I - MINOR OFFENSES

- 1.00 CONTINUED FAILURE TO BRING MATERIALS TO CLASS**
- 1.01 ELECTRONICS**
Unauthorized possession of audio and/or video devices or other similar devices/materials (this includes but is not limited to tapes and CDs).
- 1.02 EXCESSIVE DISTRACTION OF OTHER STUDENTS**
- 1.03 HORSEPLAY/SHOVING/RUNNING**
- 1.04 INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION**
- 1.05 INCIDENTAL USE OF PROFANE OR OBSCENE LANGUAGE**
- 1.06 POSSESSION OF A LASER POINTER OR OTHER SIMILAR DEVICES**
- 1.07 MINOR DISRUPTION ON A SCHOOL BUS**
- 1.08 NONCONFORMITY TO DRESS CODE**
- 1.09 UNEXCUSED TARDIES –**
- Grades K-5 Reporting late to or departing early from school a total of six (6) times.
 - Grades 6-12 Reporting late to or departing early from class a total of three (3) times. Incremental increases of three (3) will result in movement to the next offense.
- 1.10 ANY OTHER MINOR VIOLATION WHICH THE PRINCIPAL MAY REASONABLY DEEM FALLS IN THIS CATEGORY**

CLASS I - DISCIPLINARY ACTION

- First Offense:** Principal/student conference, parental contact and required academic or work assignment.
- Second Offense:** Principal/student conference, parental contact and up to two (2) hours of “out-of-school detention” (see page 8) or in-school detention for one day.
- Third Offense:** Required in-school parental conference. Up to three (3) hours of “out-of-school detention” or in-school detention for one day. Students cannot return to school until the parental conference is held.
- Fourth Offense:** Required in-school parental conference. Up to four (4) hours of “out-of-school detention” or in-school detention for two (2) days. Students cannot return to school until the parental conference is held. Corporal punishment may be administered according to Jefferson County Board of Education policy.
- Fifth Offense:** Required in-school parental conference. Up to one (1) day suspension. Students cannot return to school until the parental conference is held. Corporal punishment may be administered according to Jefferson County Board of Education policy.
- Sixth Offense:** Same as a Class II Offense.

CLASS I OFFENSES MAY NOT BE APPEALED BEYOND THE LOCAL SCHOOL LEVEL.

CLASS II - INTERMEDIATE <i>OFFENSES</i>
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2.00 BATTERY UPON STUDENTS

This will result in an automatic suspension of up to three (3) days from school.

2.01 CHEATING / PLAGIARISM**2.02 COMPUTER ACCESS**

Any violation of the Student Network Access and Acceptable Use Agreement.

2.03 CRIMINAL MISCHIEF / VANDALISM

Intentional and deliberate action resulting in injury or damages of less than \$200.00 to public property or the real estate or personal property of another. Restitution will be required.

2.04 DEFIANCE OF AUTHORITY / DISRESPECT

Willful disobedience of a direct order of instruction of, refusal to comply with directions of, or verbal or non-verbal conduct and/or behavior that is rude or discourteous to, a school board employee or other adult in the school in an official capacity such as a School Resource Officer or substitute teacher.

2.05 DISORDERLY CONDUCT

Any act which substantially disrupts the orderly conduct of the school learning environment or a school function or poses a threat to the health, safety and/or welfare of students, staff or others, including, but not limited to, making unreasonable noises, disrupting any lawful assembly or meeting, or obstructing vehicular/pedestrian traffic.

2.06 UNAUTHORIZED COMMUNICATION DEVICES

Use of wireless communication devices such as cell phones, Apple watches with cell phones, iPads, iPhones, EBooks, or other electronic communication devices are prohibited during school hours or while being transported on a school bus without specific authorization by school officials. Such devices are subject to confiscation and search in accordance with applicable law and board policy 6.15 Searches. A student who uses a communication device in a manner that constitutes a Class III offense will be disciplined accordingly.

2.07 FALSE INFORMATION**2.08 FIGHTING**

This will result in an automatic suspension of up to three (3) days from school.

2.09 HARASSMENT OR BULLYING

With intent to harass, annoy, intimidate, or alarm whether socially, physically, or emotionally, a student:

- A. strikes, shoves, kicks, or otherwise touches a person or subjects him/her to physical contact;
- B. directs abusive or obscene language or makes an obscene gesture towards another person;
- C. makes a threat, verbal or non-verbal, that will cause the student who is the target of the threat to fear for his/her own safety; or
- D. uses any form of written or electronic communication in a manner likely to harass or cause alarm;
- E. uses speech or other expression intended to insult or stigmatize others on the basis of their sex, race, color, handicap, religion, sexual orientation or national origin;
- F. touches another with sexual connotations or makes written or verbal propositions to engage in sexual acts.

Such activity may result in an automatic suspension of up to three (3) days from school. See Anti-Harassment Policy and Reporting Form on page 28.

2.10 INTERMEDIATE BUS OFFENSES

2.11 PARTICIPATION IN ILLEGAL ORGANIZATIONS

Participation in any illegal organization, secret societies, or any group characterized by territorial concerns, symbols, special dress and/or colors, or where group members and others recognize or perceive themselves as a gang.

2.12 POSSESSION OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL

2.13 PROFANITY / VULGARITY

Directing obscene or profane language or gestures toward a school board employee or any other adult in the school in an official capacity such as the School Resource Officer or substitute teacher (Grades K-5

2.14 PROHIBITED OBJECTS

Possession, sale or use of any object that can be used in an intimidating or threatening fashion that has the potential to cause harm or put student learning or participation in school activities at risk. These items include, but are not limited to, lighters and matches, laser pointers hair picks, or other similar devices; small “pen knife” or similar instrument that would not normally be considered a weapon or any facsimile or other item resembling a firearm that is not being used for the purpose that it is normally intended. Also included in this category are the possession and/or sale of fireworks, firecrackers or stink bombs. The use of firecrackers, fireworks or stink bombs may be considered a Class III offense (see 3.08).

2.15 STEALING

The intentional unlawful taking, possessing, and/or carrying away of property valued at less than \$100.00. Restitution may be required. Found property should be turned into school officials immediately.

2.16 TOBACCO

The possession, distribution, sale/transfer or use of tobacco products or tobacco facsimiles such as an electronic cigarette (e-cig or e-cigarette), personal vaporizer (PV), or electronic nicotine delivery system (ENDS), or smokeless cigarettes on school grounds, at school-sponsored events, and on transportation to and from school or other school-sponsored transportation. Possession of e-cigarettes or vaping devices will be considered a Class 3 if found or used with an illegal substance.

2.17 TRESPASSING

To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, or to enter and remain on a campus or school board facility after being directed to leave by chief administrator or designee of the facility, campus, or function. Student trespassing on another campus during the school day may result in a Class III Offense.

2.18 UNAUTHORIZED ABSENCE

2.19 GAMBLING

2.20 BUYING OR SELLING UNAUTHORIZED ITEMS AT SCHOOL

2.21 WILLFUL DISOBEDIENCE

Recurring minor violations of the Code of Student Conduct as determined by the school administrator which disrupts the orderly conduct of a school function. These violations include, but are not limited to, the following:

- A. Multiple Class I offenses
- B. Any other violation which the principal may reasonably deem falls in this category.

** Class II to Class III - Some of the conduct prohibited under Class II of this Code may, under extenuating or aggravating circumstances, be considered under one or more of the Class III offenses in this Code. Whether conduct is most appropriately classified as a Class II or Class III offense shall depend on specific circumstances and is at the discretion of the school administration.

CLASS II - DISCIPLINARY ACTION

First Offense:	Grades K-5	Required in-school parental conference Up to four hours of "out-of-school detention," up to two days of in-school detention depending upon availability at the local school or up to one day suspension. Corporal punishment may be administered in accordance with Jefferson County Board of Education policy. (Exceptions - Offenses 2.00 and 2.08)
	Grades 6-12	An in-school parental conference may be required. Up to six hours of "out-of-school detention" or up to one day suspension, or up to three days of in-school detention depending upon availability at the local school. (Exceptions - Offenses 2.00, and 2.08)
Second Offense:	Grades K-5	Required in-school parental conference Up to six hours of "out-of-school detention", up to three days of in-school detention depending upon availability at the local school or up to one day suspension. Corporal punishment may be administered in accordance with Jefferson County Board of Education policy. (Exceptions - offenses 2.00 and 2.08)
	Grades 6-12	An in-school parental conference may be required. Up to eight hours of "out-of-school detention" or up to two-day suspension, or up to four days of in-school detention. (Exceptions - Offenses 2.00, and 2.08)
Third Offense:	Grades K-5	Required in-school parental conference. Up to one day suspension. Student may be referred to the school's counseling department or PST (Problem Solving Team). (Exceptions - Offenses 2.00 and 2.08)
	Grades 6-12	Required in-school parental conference. Up to three days suspension. Student may be referred to the school's counseling department or PST (Problem Solving Team).
Fourth Offense:	Grades K-5	Required in-school parental conference. Up to two days suspension. (Exceptions - Offenses 2.00 and 2.08)
	Grades 6-12	Required in-school parental conference. Up to five days suspension.
Fifth Offense:	Grades K-5	Required in-school parental conference. Up to three days suspension.
	Grades 6-12	Same as Class III offense.
Sixth Offense:	Grades K-5	Same as Class III offense.
	Grades 6-12	Not applicable.

CLASS II OFFENSES MAY NOT BE APPEALED BEYOND THE LOCAL SCHOOL LEVEL.

Intervention and/or prosecution by law enforcement authorities will be sought where necessary or appropriate.

CLASS III - MAJOR OFFENSES

3.00 ALCOHOL

Unauthorized possession, transfer, sale or use of, or the intent to use, buy, possess, transfer or sell, alcoholic beverages at school, school-sponsored events.

3.01 ARSON

3.02 ASSAULT

Intentionally causing great bodily harm, disability or permanent disfigurement to another person, or recklessly using a deadly weapon or dangerous instrument to cause this harm.

3.03 BATTERY UPON A SCHOOL BOARD EMPLOYEE

Unlawful and intentional touching or striking of, or intentionally causing bodily harm to, a School Board employee or any other adult at the school in an official capacity.

3.04 BOMB THREATS

3.05 BURGLARY / BREAKING AND ENTERING

Unlawful entry into a building, other structure, or school board vehicle with the intent to commit a crime, or breaking, entering or remaining in a building, structure, or school board vehicle without justification during the hours the premises are closed to the public.

3.06 CRIMINAL MISCHIEF / VANDALISM

Willful and malicious injury or damages in excess of \$200.00 to public property, or to real or personal property belonging to another. Restitution may be required.

3.07 DRUGS

- Unauthorized possession;
- Transfer;
- Sale;
- Use of drugs or drug paraphernalia containing illegal drugs or drug residue (including, but not limited to, syringes, water pipes, roach clips, pot pipes, bongs, rolling papers, e-cigarettes or vaping devices, etc.);
- The intent to use, buy, or sell drugs;
- Being under the influence of drugs at school, school-sponsored events, or school-sponsored transportation.

“Drugs” includes all illegal controlled substances, prescription drugs, over-the-counter medications, substances other than drugs which by dosage unit, appearance (including color, size, shape and marking) and/or by representations made would lead a reasonable person to believe that the substance is a controlled substance, or other substances with a potential for abuse which might create a hazard to the user’s health or safety or the health or safety of another.

3.08 EXPLOSIVES

Preparing, possessing, selling, or using on School Board property, explosives which have the potential to cause serious bodily injury or property damage. Explosives or explosive devices include, but are not limited to, the following examples: live projectiles, fireworks, firecrackers, stink bombs, tear gas, pepper spray, or other chemical weapons or devices.

3.09 FIRE ALARM

Unjustified activation of a fire alarm system or tampering with any component of a fire alarm system.

3.10 FIREARMS

Possession, sale/transfer, or use of a firearm is punishable by expulsion as provided by law and board policy 4.2.1 Prohibition on the Possession of Firearms. Every kind of firearm is prohibited, including but not limited to handguns, pistols, rifles, shotguns, starter guns, and other destructive devices or components of such devices that may be readily converted or assembled. See *"It's the Law!"* on page 44.

3.11 HAZING

Any willful action taken or situation created, whether on or off the school premises, which recklessly or intentionally in connection with initiation into or affiliation with any organization or group, endangers the mental or physical health of any student. Infractions in this category may include, but are not limited to, such examples as striking, beating, bruising, maiming, threatening to strike, beat, bruise or maim, or threatening or attempting to do physical violence to any student in connection with initiation into or affiliation with any organization or group. The term hazing as defined herein does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with an initiation into or affiliation with or compelling membership into any organization or group.

3.12 INCITING OTHERS

Inciting, promoting, publicizing, participating in, leading, encouraging or assisting in a major disturbance which results in destruction or damage to private or public property, personal injury, substantial disruptions to the orderly learning environment, or which poses a threat to the health, safety and/or welfare of students, employees or others.

3.13 KNIFE

Possession, sale, use or the intent to use a knife. The term "knife" includes but is not limited to pocket knives, switchblades, hunting knives, razor blades, or box cutters. Infractions in this category also include possession of any knife or other instrument such as a hair pick, scissors, or pen which is used in a threatening manner and which is perceived by the individual being threatened as capable of inflicting physical harm.

3.14 LARCENY / THEFT

The intentional unlawful taking and/or carrying away of property belonging to an individual or the school system, valued at \$100.00 or more, or possessing such property that has been stolen, with knowledge that it has been stolen. Found property should be turned into school officials immediately.

3.15 PROFANITY / VULGARITY

Directing obscene or profane language or gestures toward a school board employee, or any adult at the school in an official capacity. (Grades 6-12)

3.16 OTHER OFFENSES REASONABLY LIKELY TO CAUSE GREAT HARM TO PERSON OR PROPERTY OR SERIOUSLY DISRUPT THE EDUCATIONAL PROCESS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:

- A. Aggravated fighting involving two (2) or more participants under any of the following circumstances: (All parties involved in a fight are subject to disciplinary action).
 - 1. when fight has reasonable potential to cause injury to those other than the participants;
 - 2. which is premeditated by one or more of the participants;

3. which occurs in congested areas, during class changes, or where other students, employees, parents or the public are subjected to potential harm as a result of the fight;
 4. which occurs in a classroom or during instructional time;
 5. which continues despite specific contemporaneous instructions to cease by a teacher or other adult acting in an official capacity; or
 6. which occurs on a school bus while the school bus is in motion.
- B. Participating in an incident that is gang related, gang motivated, or that gang activity participation or motivation is a contributing factor to the incident that puts student learning or participation in school activities at risk.
 - C. Any act on a school bus that has the potential to cause great harm to the passengers, driver or property surrounding the bus.
 - D. Students trespassing on another school campus.
 - E. Any other violation which the principal may reasonably deem falls in this category.

3.17 ROBBERY

Taking or attempting to take anything of value that is owned by another person or organization under confrontational circumstances by force or violence and/or by putting the victim in fear.

3.18 SEXUAL BATTERY

Forcible offenses including rape, attempted rape, and/or offensive touching of a sexual nature against another's will or when the victim is incapable of giving consent.

3.19 SEXUAL HARASSMENT

Unwelcome, repeated, verbal or physical sexual behavior that is offensive and objectionable to the recipient, causes discomfort or humiliation, or interferes with school performance. Sexual harassment may consist of, but is not limited to, such acts as leering, pinching, grabbing, touching, suggestive comments, jokes or behaviors; pressure to engage in sexual activity; using the computer or any type of electronic device to send sexual messages, spreading sexual rumors; or pulling others' clothing to expose body parts. (Refer to the Jefferson County Board of Education policy on sexual harassment in the Code of Student Conduct for further clarification.)

3.20 SEXUAL OFFENSES OR LEWD BEHAVIOR

Acts of a sexual or lewd nature including, but not limited to the following examples:

- A. Indecent exposure which may be defined as exposing body parts under circumstances in which the conduct is likely to cause affront or alarm in a public place or to be seen by others from private premises;
- B. Possession, sale, transfer, distribution or use of obscene, pornographic or sexually explicit material;
- C. Sexual contact, sexual intercourse, or other behavior or conduct intended to result in sexual gratification which is not taken by force or threat of force and where the conduct is consensual.

3.21 THREAT / INTIMIDATION (OF SCHOOL BOARD EMPLOYEE)

A threat to do bodily harm or violence to a school board employee or any other adult at the school in an official capacity by word or act, Any threat, whether made on or off campus, in the form of a hit list, writing, statement, or communication evidencing a plan or intent to do violence to another may also be included in this category.

3.22 THREAT / INTIMIDATION (OF STUDENT)

A threat to do serious bodily harm or violence to another student by word or act, cyber bullying, or intimidation that may induce fear into another. Incidents under this infraction may include, but are not limited to, the following examples: a threat to kill, maim or inflict serious harm; a threat to inflict harm involving the use of any weapon, explosive, firearm, knife, prohibited object, or other object which may be perceived by the individual being threatened as capable of inflicting bodily harm. Any threat, whether made on or off campus, in form of a hit list, writing, statement, or communication evidencing a plan or intent to do violence to another may also be included in this category. See Anti-Harassment Policy and Reporting Form on page 28.

3.23 UNAUTHORIZED USE OF A COMPUTER OR COMPUTER SYSTEM WHICH RESULTS IN, BUT IS NOT LIMITED TO, THE FOLLOWING:

- A. Unauthorized access to a computer system resulting in data modification or disclosure of restricted information.
- B. Computer tampering which causes a major disruption in the educational or administrative process. Student must also pay restitution for the cost of repairs.
- C. Distribution of restricted computer passwords.
- D. Introduction of unauthorized software into computer system.

3.24 WEAPONS

Possession, sale/transfer, or use of any weapon or dangerous instrument is prohibited. Such items include but are not limited to metallic knuckles, martial arts devices, explosives, projectiles, knives, archery equipment, bb/air guns or other devices designed to expel projectiles at a high rate of speed, any device classified as a weapon by state or federal law, and any device or instrument, regardless of its normal use and purpose, that is used or intended to be used in such a manner as to inflict bodily harm or physically intimidate a person.

3.25 WILLFUL DISOBEDIENCE

Recurring, intentional violation of the Code of Student Conduct as determined by the school administrator which substantially disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment, or poses a threat to the health, safety, and/or welfare of students, staff, or others. Infractions in the category include, but are not limited to, the following examples:

- A. Multiple Class II offenses;
- B. Refusal by student(s) to honor any lawful request made by the administration (Grades 6-12).

CLASS III - DISCIPLINARY ACTION

GRADES K-12: Commission of a Class III offense by any student is punishable by suspension to the Student Services Department. Students should be aware that the hearing officer may recommend expulsion from the Jefferson County School System for a Class III offense. Intervention and/or prosecution by law enforcement authorities will be sought where necessary or appropriate. Only the parent(s) having primary physical custody, or the parent(s) listed on the birth certificate, or the court appointed legal guardian(s) will be allowed to attend the Class III Hearing.

After a hearing is confirmed, failure by the parent or guardian to attend the hearing will result in unexcused absences for the student from that point forward until the matter is resolved.

Students transferring in to a Jefferson County School with pending discipline may not attend class until discipline status is cleared. A meeting with a representative from Student Services may be necessary. This also applies to students that withdraw from a Jefferson County School with a pending Class 3 hearing or discipline consequence.

Felony Charges – If a student is charged with a felony or a delinquent act, based upon an offense that would be a felony if committed by an adult, their parent/guardian should contact the Director of Student Services to determine appropriate school placement during this time. Students charged with a felony will not be allowed back on any school property until the appropriate placement is determined.

Graduating seniors who are under suspension at the time of graduation **may be denied** participation in the commencement exercises.

A student, who has previously attended the Jefferson County Counseling / Learning Center and commits a Third Class II Offense during that same school year, will be suspended to the Student Services Department for a Class III Hearing.

STUDENTS WITH DISABILITIES (GRADES K-12): For students with disabilities, the IEP team will conduct a manifestation determination. Based on the decision of the IEP team, the conduct issue will be addressed in accordance with federal and state law. If it determined that the offense is not a manifestation of the student's disability, the conduct issue will be addressed by the Student Service Department. If it is determined the offense is a manifestation of the student's disability, then the IEP team will determine the disciplinary consequences.

The parent may appeal the disciplinary consequence decision. The appeal should be directed to the appropriate department depending on which pathway determined the disciplinary action.

SCHOOL BUS CODE

Responsibilities of Transported Students

The School Bus Code is a supplement to the Board's Disciplinary Code and has been adopted to enhance safety for all students, board staff and the general public. The school bus is considered an extension of the classroom and all Jefferson County Board of Education rules apply while being transported and while waiting at the bus stops. The violation of any school bus rule may result in suspension from the bus in addition to any other disciplinary action prescribed in this Code of Student Conduct.

1. Transportation services are a privilege, not a right.
2. Transportation is available to all Jefferson County students that live beyond the legally prescribed two (2) mile walking distance from their zoned school.
3. Students will be assigned to a particular school bus by the appropriate transportation personnel. Students are **not** permitted to ride any bus other than their regularly assigned bus without written permission from a school administrator.
4. Each student will ordinarily be transported to or from a bus stop in proximity to his/her residence. If a student is to be transported from school to an address other than his/her residence, he/she must go to the same address every day.
5. There will be **no** transportation provided for students wishing to go to another address for occasional visits, parties, extracurricular activities or other social events, except upon written request by the student's parent or guardian and specific written permission from a school administrator.

6. The location of bus stops shall be determined at the sole discretion of the Transportation Department. All requests for a new/changed bus stop location must be made in writing to the school principal and then forwarded to the Transportation Department. The Transportation Department will make the final decision after conferring with the local school principal.
7. Only students living along a bus route will be assigned to the bus serving that route. Other students will **not** be allowed to ride unless written permission is obtained from the appropriate transportation personnel.
8. If a student misses the bus at their assigned stop, they should find other means of transportation to school on that occasion and never chase a bus down to another stop. This creates a very dangerous situation for the student which could result in serious injury. Chasing a bus down to board at another stop may result in a bus suspension.
9. In emergency situations, the Transportation Department reserves the right to change bus routes in order to get all the children home in a timely and safe manner. This may include combining double run routes into single run routes which could result in elementary and high school students riding the bus together in these instances.
10. In situations deemed as emergencies by the Superintendent, students may be transported by a school bus from their school to another location.

Video cameras may be placed on school buses to be used as a tool for school personnel to monitor behavior, and shall not limit the bus driver's authority or the discretion of school officials in implementing and enforcing the provisions of the Code of Conduct and this School Bus Code.

Any carry-on equipment (i.e., book bags, band instruments or uniforms, sports equipment, science projects, school fundraiser items, etc.) must be held by the student owner or placed under the seat and must not interfere with either the seating or the safety of other students on the bus.

Transportation is NOT provided for transfer students.

DISCIPLINARY INCIDENT DEFINITIONS FOR TRANSPORTED STUDENTS

Every student who utilizes transportation services is subject to the Jefferson County Code of Student Conduct. **Failure to comply with the following rules may result in an office referral and may result in permanent removal from the bus.**

CLASS I - MINOR SCHOOL BUS OFFENSES

- 1.01** Bringing prohibited items aboard the bus including, but not limited to, gum, candy, drinks, audio and/or video devices, laser pointers, or other similar devices.
- 1.05** Use of profane or indecent language.
- 1.07** Failure to follow proper procedure at bus stops including, but not limited to, the failure to do any of the following:
 1. Walk on the left, facing traffic, to the bus stop and stay off roadway at all times while waiting for a bus.
 2. Be at your stop ahead of the scheduled bus arrival time and prepared to board the bus.
 3. Wait until a bus comes to a **COMPLETE** stop and a signal from the driver before attempting to get on or off.
 4. Cross the roadway, if necessary after leaving a bus, in the following manner:
 - a. Make certain that the bus is stationary.

- b. Upon alighting from the bus, stand on the side of the road at a point ten (10) feet in front of the bus and wait for proper signal to cross.
 - c. Upon signal from driver, look to both the right and left and proceed across the roadway in front of the bus. Never cross behind the bus!
- 1.07** Changing seats or standing while the bus is in motion. Removing seat belts before coming to a complete stop on buses for handicapped students.
- 1.07** Moving from a student's assigned seat.
- 1.07** Yelling or speaking in a loud or disruptive manner.
- 1.07** Speaking when approaching or crossing railroad tracks.
- 1.07** Blocking, restricting or otherwise placing objects on or in the aisles, steps or emergency exits.
- 1.07** Failing to secure all items within book bags, back packs or cases. No items should hang from bags, cases or backpacks as it constitutes a safety hazard, (i.e., key chains, toys, scarves).
- 1.07** Any other offense the principal deems to be a minor infraction.

CLASS I DISCIPLINARY ACTIONS FOR MINOR SCHOOL BUS OFFENSES

1st BUS INFRACTION:

Conference with student, warning, parent notification.

2nd BUS INFRACTION:

Conference with student, up to three (3) day bus suspension, parent contact required.

3rd BUS INFRACTION:

Conference with student, three-five (3-5) day bus suspension, parent conference required.

4th BUS INFRACTION:

Conference with student, five-ten (5-10) day bus suspension, and in-school conference with parent required.

5th BUS INFRACTION:

Conference with student, ten-fifteen (10-15) day bus suspension, and in-school conference with parent required.

6th BUS INFRACTION:

Conference with student, removal from bus for the remainder of the year, parent conference required.

Additionally, minor school bus infractions resulting in suspension from the bus may be recorded as a Class I offense on a student's discipline tracking form. The principal or the Transportation Department may modify the above listed disciplinary actions in special circumstances.

Generally, there is no appeal of discipline actions for minor bus infractions. However, if a student is to be removed from the bus for more than four (4) weeks, parents may request a hearing with the school principal or his/her designee.

Exceptional Education and Section 504 students will be disciplined according to current policies for students with disabilities.

CLASS II - INTERMEDIATE SCHOOL BUS OFFENSES

- 2.03** Cutting, scratching, writing on, or otherwise defacing any part of the bus. Restitution will be required before student rides bus again.
- 2.04** Disrespect to a School Board employee.
- 2.08** Fighting or striking another student.
- 2.10** Entering or exiting before the bus has come to a stop; or entering or exiting a bus through an emergency exit, window, or by any means other than the front door, except in the case of a *bona fide* emergency.
- 2.10** Throwing or expelling anything including, but not limited to, objects, liquids, paper or any other material, in or out of the bus at any time could be considered a Class III Offense – 3.06, 3.16)
- 2.10** Failure to keep head and hands inside bus windows at all times.
- 2.10** Entering or leaving the bus without the consent of the driver.
- 2.10** Tampering with door handles and other safety equipment at any time unless directed to do so by the driver or the aide.
- 2.14** Bringing prohibited objects onto the bus.
- 2.16** Use of tobacco or a tobacco facsimile such as e-cigarettes in any form on the bus.
- 2.21** Any other offense the principal may deem an intermediate offense.

<p>CLASS II DISCIPLINARY ACTIONS FOR INTERMEDIATE SCHOOL BUS OFFENSES</p>
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1st INTERMEDIATE BUS INFRACTION:

Conference with student, up to five (5) day bus suspension, parent will be contacted.

2nd INTERMEDIATE BUS INFRACTION:

Conference with student, five-ten (5-10) day bus suspension, parent conference required.

3rd INTERMEDIATE BUS INFRACTION:

Conference with student, ten-fifteen (10-15) day bus suspension, parent conference required.

4th INTERMEDIATE BUS INFRACTION:

Conference with student, removal from bus for remainder of year, parent conference required. Additionally, intermediate bus infractions may be recorded as Class II offenses on a student's discipline tracking form. The principal or the Transportation Department may modify the above listed disciplinary actions in special circumstances.

Generally, there is no appeal of discipline actions for intermediate bus infractions. However, if a student is to be removed from the bus for more than four (4) weeks, parents may request a hearing with the school principal or his/her designee.

Exceptional Education and Section 504 students will be disciplined according to current policies for students with disabilities.

CLASS III DISCIPLINARY ACTIONS FOR MAJOR SCHOOL BUS OFFENSES

3.00 - 3.25

Any Class III offense occurring on a bus or at a bus stop will be considered a major bus infraction.

Students referred to the school administrator for offenses listed under Class III will be disciplined according to the Code of Student Conduct and may be removed permanently from the school bus.

Exceptional Education and Section 504 students will be disciplined according to current policies for students with disabilities.

SCHOOL ATTENDANCE

SCHOOL ATTENDANCE

The Jefferson County Board of Education believes that regular and punctual attendance is essential to a student's academic success, in addition to being required by state law. Regular and punctual attendance is the responsibility of both the parent and student. Regular and punctual attendance at school includes arriving at school on time and remaining for the entire school day unless an excuse is provided to school officials.

Jefferson County Schools, like all public schools in the state of Alabama, are evaluated, in part, on student attendance. Specifically, each school is measured by the number of students who are chronically absent. Under the current state definition, a student is chronically absent when missing school fifteen (15) or more days during a school year for any reason. Therefore, a student should be present at school everyday except when absence is absolutely necessary.

Makeup Work

A student may only make up work that is missed due to an excused absence. Makeup work must be completed as soon as possible after the student returns to school but not later than three (3) days after returning unless specific arrangements have been made by the teacher. When a student is out for an extended length of time, the student should collect, complete, and turn in work weekly unless the nature of the absence prevents the student from doing schoolwork during that time. It shall be the responsibility of the student or student's parent (s) or custodian(s) to arrange with each teacher to make up work. A teacher may require the student to make up work after school hours, in which case advance notice will be given to allow to the student to arrange necessary transportation.

Attendance and Participation in Extracurricular Activities/ Sports

A student may not participate in extracurricular activities, including but not limited to athletic events, that occur on a school day unless the student is present at school for at least half of the school day, except in emergency or necessary situations as determined by the principal.

Permissible Absences

Absences may be excused for the following reasons:

1. Student illness;
2. Inclement weather which make it dangerous to attend school;
3. Legal quarantine;
4. Death in the immediate family;
5. Emergency conditions as determined by the principal or superintendent;
6. Absence to observe traditional religious holiday of local, national, or international origin when verified by the student's minister or religious leader.

Any other absence not falling into the categories listed above or otherwise excused by the principal or superintendent or his or her designee will be deemed unexcused.

For each absence, a parent or custodian must provide an excuse within three (3) days of return to school following the absence. Failure to furnish such an excuse results in the child being considered truant for each day of the absence (Alabama Administrative Code, §290-3-1-.02(7) (c). An excuse must include a signed, written statement from the parent or physician stating the reason for the absence and must include the student's name and the date(s) of the absence(s).

An absence will be considered unexcused under any of the following circumstances:

- Failure to provide an excuse based on a reason described above within three (3) days of return to school. For purposes of this three (3) day period, the day the student returns to school will count as the first (1st) day.
- Absence for any reason other than the excusable absences as listed above except in special circumstances as determined by the principal, superintendent, or his or her designee.
- Absences for any reason as explained in a parent note after seven (7) days have been excused by parent note during the school year. Only seven (7) days per school year may be excused by parent note. Any absences thereafter will be unexcused unless excused by a physician's note or by permission of the principal.

Failure Due to Excessive Absences

Excessive absences from school or from a class may subject a student to retention in the same grade for the succeeding school year or the denial of credit in a course. If a student misses seven (7) or more days during a course lasting a semester or fourteen (14) or more days from school for a course or class lasting the whole year, denial of credit or retention may result.

Attendance and Driver's License

For any student between the ages of fifteen (15) and nineteen (19), the local school must complete an enrollment form for the student to obtain a driver's license. The school will not complete the enrollment form for any student who has ten (10) or more consecutive unexcused absences or fifteen (15) or more unexcused absences during the semester. Additionally the school will notify the Department of Public Safety as required by state law (Code of Alabama, 1975 §16-28-40 through §16-28-45) in the event that a student, who has been issued a driver's license, is absent to the same extent resulting in the suspension of the student's driver's license.

Early Warning and Referral to the Jefferson County Family Court

The Board of Education would prefer to address attendance issues without court intervention, but it is sometimes unavoidable and is required by law. Under Alabama law, (Alabama Administrative Code, §290-3-1-.02(7) (c), seven (7) unexcused absences within a school year results in the student being considered truant for purposes of filing a petition with the court.

Prior to the filing of a petition against a student or parent/ custodian, the student will be referred to the Early Warning Program. Early Warning is a joint effort between the Jefferson County Family Court Truancy Intervention Program and the Jefferson County Board of Education to inform and advise parents and their children of the attendance laws in the state of Alabama and the manner in which they will be enforced in Jefferson County.

Should attendance issues continue when a student has already been referred to Early Warning at any time in any year, whether or not the family attended the session, the next step in court is the filing of a petition against either the student or parent(s)/ custodian(s). The Jefferson County Family Court takes the filing of a petition for truancy seriously and is committed to holding parents and students accountable for school attendance. If a petition is filed, the student and parent

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will have a court date set and the judge will determine what conditions or consequences are to be given. Among other consequences, the court may place a student or parent on probation and may require drug screening, a curfew for the student, attendance at parenting classes, a fine or jail for the parent, or any other consequence the judge believes is appropriate.

Tardies

Being tardy to school greatly affects student success and routine. Tardies include late arrivals to school and early checkouts. The school may impose disciplinary procedures for excessive tardies as detailed in this code. A parent may excuse up to seven (7) tardies per year for the same reasons an absence may be excused. Any tardy after seven (7) have been excused by parent note will be unexcused unless excused by a physician or the principal.

While checkouts from school are discouraged by the Board, necessary checkouts must be processed through the school's office by the parent. The Board encourages that appointments not of a critical nature be scheduled for times and days when school is not in session. Checkouts are considered excused for the same reasons as excused absences. An unexcused checkout will be treated as a tardy. A student may not make up work that is missed due to an unexcused tardy, check-in or check-out.

RESPONSIBILITY OF PARENT FOR ATTENDANCE AND BEHAVIOR

Alabama Code Section 16-28-12

Person in loco parentis responsible for child's school attendance and behavior; noncompliance; local boards to promulgate written behavior policy, contents, annual distribution, receipt to be documented; school officials required to report noncompliance; failure to report suspected violation; district attorneys vigorously to enforce provisions.

- A. Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, church school, denominational school, or parochial school, or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in any public school in accordance with the written policy on school behavior adopted by the local board of education pursuant to this section and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) and may also be sentenced to hard labor for the county for not more than 90 days. The absence of a child without the consent of the principal teacher of the public school he or she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.
- B. Each local public board of education shall adopt a written policy for its standards on school behavior. Each local public school superintendent shall provide at the commencement of each academic year a copy of the written policy on school behavior to each parent, guardian, or other person having care or control of a child who is enrolled. Included in the written policy shall be a copy of this section. The signature of the student and the parent, guardian, or other person having control or custody of the child shall document receipt of the policy.
- C. Any parent, guardian, or other person having control or custody of any child enrolled in public school who fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education and

documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the superintendent of education of the school system in which the suspected violation occurred. The superintendent of education or his or her designee shall report suspected violations to the district attorney within ten (10) days. Any principal or superintendent of education or his or her designee intentionally failing to report a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in public school.

(School Code 1927, §305; Code 1940, T. 52, §302; Acts 1993, No. 93-672, p. 1213, §1; Acts 1994, 1st Ex. Sess., No. 94-782, p. 70, §1.)

RESPONSIBILITIES OF PARENTS OF STUDENTS IN JEFFERSON COUNTY SCHOOLS

- To enroll children between the ages of six (6) and seventeen (17) in either a public, private, or church school or have the child instructed by a private tutor;
- To require any child enrolled to regularly attend school or to be regularly instructed by a tutor;
- To compel the child to properly conduct himself or herself as a pupil and;
- To be responsible for giving accurate and up to date information regarding legal addresses and contact information to school officials. Giving false information to Public Officials in the performance of their duty is a violation of the Criminal Code of Alabama §13A-10-109(a).

CHANGE OF RESIDENCE

Parents are required to provide to the school board accurate residency information so that the Board may meet its obligations under state and federal law. Accordingly, when a student's address changes during the school year, parents should notify the local school immediately and must complete the Board's change of address form if moving out of district. A student whose family moves during the school year may be provided the opportunity to stay in his/her current school for the remainder of the school year if the student and his/her family meet the required guidelines and timely submit a completed change of address form. The guidelines can be found at the end of this document in the "**Attendance Zone and Transfer Information**" section. A "Change of Address" form is required and may be obtained from local schools or the Department of Student Services. Tuition will be required for students moving out of the Jefferson County School District that wish to finish the school year at their current school.

DRESS AND GROOMING GUIDELINES

The Board's dress and grooming guidelines are intended to promote and foster an appropriate educational environment by minimizing unnecessary distractions and permitting students to focus on academic progress. The following mandatory guidelines are designed to further that intent:

1. Hats, caps, headbands, sweat bands, hair picks bandanas, visors, and sunglasses must be removed and placed in the locker or designated area and remain during the school day.
2. Hair must be clean and well groomed, and should not impair vision. Male students with facial hair must keep it neat and well groomed. No hairstyle, hair color, body piercing, clothing, decorative dental appliances (whether permanent or temporary), decorative

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contact lenses, or other article which is disruptive to the learning environment or which identifies a student as being a member of a gang or any subversive or unlawful organization will be allowed. Any hairstyle that would impair the vision of male or female students would be a violation of this policy.

3. Earrings may be worn. Except for the normal piercing of the ears and wearing of earrings that do not distract or draw unnecessary attention, the wearing of other body piercing jewelry is not allowed, including but not limited to the tongue, nose, or eyebrow. Band-Aids may not be worn to conceal unauthorized jewelry. Materials such as plastic or wooden sticks or clear loops may not be worn to keep new piercings open during the school day. If it is determined by a school principal or designee that allowable earrings or jewelry worn by a student may become a safety hazard in an activity such as physical education, science laboratory, athletics, etc., the student shall remove such ornamentation.
4. Students are to wear clothing in the manner for which it is designed. No clothing shall be worn inside out; suspenders/braces shall be fastened and belts buckled. Pants must be worn at the waist. **School administration may require that shirts and blouses be tucked in and coats be removed upon entering the building.**
5. Sun dresses and backless dresses or tops will be worn with a jacket or appropriate covering. (Jacket or covering may not be sheer or mesh).
6. Cutoff tops, tank tops, and mesh tops can be worn if a T-shirt with sleeves is worn underneath or another shirt is worn over the top. (Cover shirt or undershirt may not be sheer or mesh).
7. Students must wear proper undergarments.
8. Halter tops, tube tops, and midriff tops are not allowed. Midriffs and sides must be covered.
9. Bracelets, belts, and other clothing and accessories with spikes, studs, or chains are not allowed.
10. Insignias, buttons, and clothing which are suggestive of wine, beer, whiskey, tobacco, vulgarities and violence, are drug-related, or are demeaning to other persons may not be worn at school.
11. Jeans and other articles of clothing must be clean with no open holes above the knee. No shredded jeans will be allowed.
12. Sweat pants and jogging pants are allowed as long as they are properly fitted. Clothing must be worn over leggings/jeggings or tights and must be of appropriate length (no shorter than mid-thigh), except for students in Grades K-3.
13. Articles of clothing must be appropriate for school wear. Skirts, dresses, and shorts may be no shorter than four inches above the top of the knee, except that students in Grades K-3 may wear shorts appropriate for school. Slits in skirts must meet the four inches above the knee regulation.
14. Clothing shall not be so tight or so loose as to be overly revealing, a disruption to the school environment or a safety concern.
15. Shoes appropriate to the school setting, with student safety the primary concern, must be worn at all times.
16. Book bags/back packs and athletic bags must be placed in the locker or designated area and remain there during the school day. **Back packs/book bags may not have wheels unless written approval is given by a physician due to medical reasons.**

Any student who fails to dress appropriately will not be allowed to attend class until proper clothing can be secured. If necessary, parents will be called to bring proper clothes to school. Until proper clothing can be secured, the student will be isolated and will be responsible for all class work missed. Nonconformity to the dress code is a Class I offense.

RESPONSIBILITIES OF STUDENTS AND STUDENTS' RIGHTS

- Students are entitled to attend school and to participate in school programs and activities in an environment which is conducive to learning and free of distraction and disruption occasioned by the violation of school rules or of generally accepted standards of behavior.
- Students are entitled to exercise rights secured to them under the First Amendment to the United States Constitution, including the right to freedom of speech, religious expression, and assembly, subject to the imposition of reasonable restrictions on the time, manner and place of such activities.
- Students are expected and required to know and follow the rules of conduct as set forth in this Code of Student Conduct, to show respect for the person, property and rights of fellow students, faculty and staff, and other persons with whom they come into contact as students, and to attend school in accordance with state law and Board policy.

STUDENT PUBLICATIONS

School sponsored publications may be used as educational devices developed as part of the curriculum primarily to benefit those who compile, edit and publish them. School publications may also be extra-curricular activities.

Student publications may offer students the opportunity to share a variety of viewpoints; however, all publications must conform to the basic educational goals of the school. Accordingly, local school officials will retain final editorial control over the style and content of student publications. Local school officials and the Board may promulgate distribution standards and may govern the time, place, and manner of the distribution of the publication. No publication which causes substantial disruption of or interferes with school activities, school affairs, or the lives of others will be allowed.

EXTRACURRICULAR ACTIVITIES

Extracurricular activities are organized and supervised activities conducted under the auspices of the school system, the local school or an element thereof, which primarily involve students in other than a classroom situation and for which no credit separate from an approved course shall be given toward graduation. By way of example, extracurricular activities may include, but are not limited to, athletics, school clubs and associations, some academic and scholastic teams, musical activities, theatrical activities, student government, student publications and other activities. Participation in extracurricular activities is a privilege for students and is not a matter of right. Student participation in extracurricular activities may be restricted for any reason in accordance with state, federal and local law.

SCHEDULE CHANGE FEE

A change in schedule must be submitted in writing by June 1st. Changes will be made at the discretion of the local school administrator. Changes made after June 1st will incur a charge of \$30.00 for high schools and \$15.00 for middle schools.

ADMINISTRATION OF MEDICATIONS AT SCHOOL

Requirements of medication procedures should a student require Prescription or Over-the-Counter (OTC) medications while attending school or school activities are as follows:

- **All medications**, whether Prescription or Over-the-Counter (OTC), **must be turned into the school nurse/office by the student's parent/guardian** or other responsible adult.
- Medications cannot be transported on the **bus** (*except emergency medications and approved medications prescribed for self-administration and carry-on person, with a medication authorization form on file at the school*).
- **No student** will be permitted to carry or possess any type of medications, whether Prescription or OTC, on his/her person at any time (*except emergency medications and approved medications prescribed for self-administration and carry-on person, with a medication authorization form on file at the school*). Students found possessing medication will be subject to disciplinary action under Section 3.07 of the Code of Student Conduct.
- **Controlled Substances** cannot be approved for self-administration or carry-on person by a licensed prescriber. The quantity of medication acceptable to keep at school may be restricted and must be counted upon receiving.
- **Over-the-Counter (OTC)** medications require completion of a School Medication Prescriber/Parent Authorization form including the parent/guardian signature. The form is valid for a two-week period. If the OTC medication is required for longer than a two-week period, then a physician's signature is required. The reason for administering must be complaint specific.
- For **Over-the-Counter (OTC-including cough drops, ointments, vitamins, chap-stick)** medications an unexpired, unopened, age appropriate, original manufacturer's container is required and all manufacturers' labeling must be clearly legible. The student's name must be written on the container.
- **Prescription medication** will require a School Medication Prescriber/Parent Authorization form with the prescribing physician and parent /guardian signature. A physician must complete all applicable parts on the form. All instructions regarding administration must be specific and not dependent on the judgement or discretion of the school staff.
- If the **Prescription medication** order or dosage is changed during the school year, a new authorization form is required and both the physician and parent/guardians must sign.
- For **Prescription medications**, a current pharmacy labeled container is required which includes the student's name, physician name, name of medication, strength, dosage, time interval, and route. This includes inhalers and epi-pens.
- Each parent/guardian is responsible for maintaining a record of the date and quantity of medication provided to the school and for replenishing the school's supply when needed.
- The schools will not supply any Prescription or OTC medication to staff or students.
- All unused medications not picked up by parent/guardians by the **last day of each school year will be discarded** according to appropriate disposal guidelines.

These medication procedures are developed with your child's safety in mind. If you have any questions or concerns, please contact your local school nurse.

NON-SUFFICIENTLY FUNDED CHECKS

The Jefferson County Board of Education has elected to use an outside company to recover returned checks. No longer will the district or school staff arrange for the repayment of checks returned for non-sufficient funds. NexCheck will be responsible for the electronic collection of NSF checks turned in to any school or district account.

Jefferson County Board of Education will gladly accept your checks. When you provide a check as payment, you authorize us either to use information from the check to make a one-time electronic funds transfer from your account or to process the payment as a check transaction. In addition, you authorize us to collect a fee (currently \$30.00) through an electronic funds transfer from your account if your payment is returned unpaid.

COMPLAINT / GRIEVANCE

Subject to the limitations set forth in the Jefferson County Policy Manual (JCBE 4.6), any employee or member of the public may present to the Board a concern, complaint, grievance, or request for corrective action regarding any aspect of school system operations. Before requesting corrective action or relief from the Superintendent or the Board, persons with such complaints, grievances, or requests should present them for resolution to the employee, supervisor, or administrator at the lowest administrative level who has the authority and ability to address the problem or to implement the requested action. The Superintendent is authorized to develop specific procedures that will provide for fair consideration and orderly review of complaints and grievances. Such procedures may not unreasonably burden or delay the presentation or processing of such matters, and will be subject to Board review, modification, and approval.

PHYSICAL RESTRAINT

In order to provide a safe and orderly environment for all students, physical restraint of a student by school personnel is sometimes necessary. The Jefferson County Board of Education utilizes physical restraint in a manner that complies with Alabama State Board of Education Rule 290-3-1-.02(1)(f). Physical restraint, as defined by the state rule, may be used in situations in which a student is an immediate danger to himself or to others. Designated faculty and staff are provided with training in the appropriate use of physical restraint. In each instance that physical restraint is used, the student's parents will be provided with written notification of the incident. For further information, you may review *Procedures for Use of Physical Restraint*, available on the system's website.

SAFE AND DRUG-FREE SCHOOLS

The Jefferson County Board of Education is committed to providing a learning environment free from alcohol, drugs, controlled substances and weapons. This Code of Student Conduct includes serious consequences for those who violate its provisions relating to drugs, alcohol, controlled substances and weapons. The Board is sympathetic to assisting parents with the dispensing of both prescription and non-prescription/over-the-counter medications. Specific instructions concerning the dispensing of medications are available at the local schools. Failure to follow the local school directives can result in the student being disciplined under the Class III section of the Code of Student Conduct. The possession, use, sale, attempted sale, attempted possession or any other involvement with tobacco, drugs, alcohol, controlled substances or dangerous instruments will not be tolerated and will subject the violating individual to immediate disciplinary action up to and including expulsion for students, termination for employees, and other lawful sanctions for the general public. Violation of Board and State policies, rules and regulations involving tobacco, drugs, alcohol, controlled substances, weapons, dangerous instruments or physical harm to persons may subject the student, parent or

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other individual to criminal charges and a restriction from entering the public schools of the State of Alabama. In accordance with state law, the Board also strictly prohibits its employees, parents, visitors, agents or any other person other than appropriate law enforcement personnel, from possessing guns or firearms of any sort, deadly weapons or other dangerous instruments on Board owned or controlled premises or at any Board or school-related activity. Such prohibition applies not only to firearms, guns, deadly weapons or dangerous instruments carried by a person, but extends also to said prohibited items in automobiles, in personal items such as purses or backpacks, or otherwise in the actual or constructive possession of any person. Any violation regarding firearms will result in involvement by appropriate law enforcement authorities and may also result in expulsion from the school system.

GIFTED EDUCATION IN ALABAMA

HOW IS “GIFTED” DEFINED IN ALABAMA?

Intellectually gifted children and youth are those who perform or who have demonstrated the potential to perform at high levels in academic or creative fields when compared with others of their age, experience, or environment. The children and youth possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor. *Alabama Administrative Code*, §290-8-9-.12(1).

HOW DO WE IDENTIFY GIFTED STUDENTS IN ALABAMA?

A student may be referred for consideration for gifted services by teachers, counselors, administrators, parents or guardians, peers, self, or any other individuals with knowledge of the student’s abilities. 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 following three areas:

- **Aptitude** - Aptitude should be accessed through an individual or group test of intelligence or creativity
- **Characteristics** - A behavior rating scale designed to assess gifted behaviors is completed by a classroom teacher.
- **Performance** - At least three indicators of performance at a gifted level must be submitted. These may include, but are not limited to, achievement test scores, grades, products, work samples, and/or portfolios.

The scores from the assessments/items used are 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.

HOW ARE GIFTED STUDENTS SERVED IN JEFFERSON COUNTY?

In accordance with the *Alabama Administrative Code*, gifted students in Jefferson County are served as follows:

- **Grades K-2:** Accommodations are made in the general education classroom with assistance from the gifted specialist as necessary.
- **Grades 3-5/6:** Gifted students are pulled from the regular classroom to attend the gifted resource room for three (3) to five (5) hours per week.
- **Grades 6/7-8:** Gifted students are enrolled in at least one advanced course, including Pre-Advanced Placement and electives.
- **Grades 9-12:** Gifted students are served through advanced courses (including Advance Placement and International Baccalaureate), electives, dual enrollment (where available), career/college counseling, mentorships and independent study.

For more information contact:

Jefferson County Board of Education, Advanced Programs Office
2100 18th Street South, Birmingham, AL 35209 205-379-2088

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Or the Gifted Education (Resource Learning Center) Teacher at your student's school

Or Alabama State Department of Education – (www.alsde.edu)

Special Education Services, P. O. Box 302101 Montgomery, AL 36130-2101

334-242-8114 or 1-800-392-8020

SEXUAL HARASSMENT POLICY

The Board strictly prohibits unlawful sex discrimination in all of its programs, offices, departments and facilities. Sexual harassment (including sexual assault), as defined by law, is a form of unlawful discrimination and will not be tolerated from employees, students, or other persons associated with the Board.

Sexual harassment that is directed toward students is prohibited. Persons who violate the policy will be subject to the full range of disciplinary consequences, up to and including termination (for employees), and according to the Code of Student Conduct (for students), as dictated by the nature and severity of the violation and other relevant considerations. If appropriate, the circumstances constituting the violation may be reported to law enforcement agencies or child welfare agencies for further investigation and action.

Definition of Sexual Harassment – For purposes of this policy, sexual harassment means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct of a sexual nature, and any other gender-based harassment, whether initiated by students, school employees, or third parties, when:

- a. Submission to such conduct is made explicitly or implicitly a term or condition of the student's education, including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education;
- b. Submission to or rejection of such conduct is used as the basis for decisions affecting the student's academic performance, participation in school-sponsored activities, or any other aspect of the student's education; or
- c. Such conduct has the purpose or effect of unreasonably interfering with the student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile, or offensive education environment.

Harassment based upon sex includes gender-based harassment based on sex-stereotyping.

Examples of Prohibited Conduct – The following are examples of conduct that may constitute sexual harassment, depending on individual circumstances:

- a. Verbal harassment or abuse of a sexual nature, including graphic or derogatory comments, the display of sexually suggestive objects or pictures, and sexual propositions;
- b. Repeated unwelcome solicitation of sexual activity or sexual contact;
- c. Unwelcome, inappropriate sexual touching;
- d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to a student's educational status.
- e. Sexual assault which is sexual contact that occurs without the consent of the recipient, including forced sexual intercourse, fondling, child molestation, and attempted rape.

Student Complaint Resolution Procedure

Reporting – Any student who believes that he or she has been or is being subjected to any form of sexual harassment or has knowledge of sexual harassment involving other

students should promptly report the matter to a teacher, counselor, assistant principal, principal, or other school official, who, in turn should promptly apprise the Superintendent or the Compliance Officer of the reported incident. A student may choose to make his or her report of sexual harassment to a person of the same sex as the student. Complaints may be brought on a student's behalf by a parent, guardian, teacher, other school official, or third party. Under no circumstances shall a student be required to present the matter for investigation or resolution to the person who is alleged to have committed the harassment.

Local Investigation and Resolution – Some cases are most appropriately resolved by investigation and disposition at the school site in accordance with applicable disciplinary guidelines. In such cases, the principal may attempt to investigate and attempt to resolve the matter without resorting to formal procedures. If the complaint is not resolved to the satisfaction of the student or other complaining party, the student or his/her representative should contact the Superintendent or the Compliance Officer immediately.

Formal Complaint Procedure - Persons Responsible for Receiving and Investigating Formal Complaints – The Superintendent is responsible for receiving and investigating formal complaints regarding sexual harassment. The Compliance Officer is an additional official to which formal complaints can be reported. If the Superintendent is unavailable or is the subject of the complaint, the alternate should be contacted regarding the formal complaint.

The Superintendent may be reached at the following address:

Jefferson County Board of Education
2100 18th Street South
Birmingham, Alabama 35209-1891
(205) 379-2000
superintendent@jefcoed.com

The Compliance Officer may be reached at the following address:

Jefferson County Board of Education
2100 18th Street South
Birmingham, Alabama 35209-1891
(205) 379-2117
complianceofficer@jefcoed.com

If complaint is reported by electronic mail, please call to confirm receipt.

1. Complaint form, contents – Formal complaints should be made in writing, signed by the complainant, and describe the circumstances surrounding the alleged harassment. Harassment complaints that cannot be made in writing should be memorialized by the Superintendent or designated alternate official. If the incident involves a student who is the victim of a sexual crime, law enforcement and other authorities may be contacted prior to having the student complete a formal statement.
2. Investigation – The Superintendent or his designee will promptly, adequately, and impartially investigate the complaint. The complainant and subject of the complaint will be allowed to present the names of witnesses and other evidence. The witnesses identified will be interviewed and provided assurances regarding confidentiality and nonretaliation. The Superintendent may review the results of any investigation with legal counsel or other appropriate officials, make any findings that are supported by the investigation, and recommend appropriate action based on these findings. The investigation should be initiated promptly and normally be completed within sixty (60) days. However, if either law enforcement or a child welfare agency is involved, the investigation may be stayed until the completion of their investigation and prosecution.

3. Notification – The complainant and subject of the complaint will receive written notification of the outcome of the investigation.
4. Action – If there is a finding of sexual harassment, the Board will take remedial action as necessary to address and resolve any found incident of sexual harassment and take steps to prevent the recurrence of any discrimination.
5. Review by the Superintendent and the Board – A complaining party who is not satisfied with the investigation or resolution of the complaint may request that the Superintendent take additional or different action or present the complaint to the Board for its review and action. In such case, the Board will render a final decision as soon as practicable and in no event later than 60 days.

Confidentiality – To the maximum extent possible, the Board will keep the complaint and investigation confidential. Complete confidentiality cannot be guaranteed.

Retaliation Prohibited – Title IX prohibits retaliation against any individual who files a complaint or participates in a complaint investigation.

Providing False Information – Any student who falsely and in bad faith accuses another of sexual harassment or who otherwise knowingly provides false information regarding sexual harassment shall be subject to appropriate disciplinary action in accordance with the Code of Student Conduct.

Penalties for Violation:

1. **Students** - Any student who sexually harasses another student or person in violation of the Board's sexual harassment policy, or who refuses to cooperate with the Board's investigation into allegations of sexual harassment, will be subject to punishment in accordance with the Code of Student Conduct.
2. **Employees** – Any employee who violates the terms of this policy or who impedes or unreasonably refuses to cooperate with a Board investigation regarding allegations of sexual harassment will be subject to appropriate disciplinary action, up to and including termination.
3. **Third Parties** - Any third party who violates the terms of this policy or impedes or unreasonably refused to cooperate with a Board investigation regarding allegations of sexual harassment will be subject to appropriate sanctions depending on the circumstances, including but not limited to, being banned from Board grounds and Board activities and/or notification of the appropriate authorities such as law enforcement and/or the Department of Human Resources (DHR).

ANTI-HARASSMENT POLICY

JCBE Policy File: 6.24

Approved: July 1, 2012

Section 1. 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.

Section 2. 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

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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, benefit, 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 Jefferson County School System.

Section 3. Description of Behavior Expected of Students

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

Section 4. Consequences for Violations

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

Section 5. 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 reasonable 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 reasonable calculated to prevent a recurrence of the violations(s) may also be imposed by the principal or the school system. The person reporting the violation may, upon request, be given an explanation of the outcome of the investigation and of any steps taken to prevent a recurrence of the violation, subject to any limitations on the disclosure thereof that may be imposed by law. A person reporting a violation who is not satisfied with the outcome of the investigation may appeal the decision in writing to the local Superintendent.
- c. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any sanction, penalty or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.
- d. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee will inform the student's parent or guardian of the report.

Section 6. Promulgation of Policy and Related Procedures, Rules and Forms

This policy and any procedures, rules and forms developed and approved to implement the policy will be published, disseminated and made available to students, parents and legal guardians and employees by such means and methods are customarily for such purposes, including publication on the Jefferson County Board of Education's website, www.jefcoed.com.

Section 7. Construction of Policy

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

not specifically covered by this policy may be subject to appropriate disciplinary action in accordance with the Code of Student Conduct.

The form below for Reporting Threats, Bullying, or Harassment can be obtained at school or online at www.jefcoed.com

Jefferson County Board of Education
Report/Threat of Violence, Harassment and/or Bullying
JCBE/Policy No. 6.24. – Harassment, Violence, and Threats of Violence Prohibited

Student Name: _____ School: _____ Grade: _____

Incident Reported By: Student _____ Parent/Guardian _____

Date of Incident: _____ Time of Incident _____

Specific Location of the Incident _____

Description of the Problem Leading to the Incident :

Who participated in the incident? _____

Did anyone witness the incident? Yes _____ No _____
If Yes, name the witness(es): _____

Have you asked for help with this from any other adult at the school? If so, who? _____

When: _____

Reporting: Student: _____ Date: _____
 OR Parent/Guardian: _____ Date: _____

FOR SCHOOL USE ONLY	
Member of a Protected Category: Sexual ____ Pregnant ____ Race: ____ Religion: ____ Disability: ____ National Origin: ____ Other: ____	
The incident resulted in a threat of suicide by the victim: Yes ____ No ____	
Date entered into INOW: _____	
Action(s) Taken at School: _____ _____	
Copy to Deputy Superintendent: _____	_____
Name	Date

Deliver or Mail to the Principal's Office

Revised: October 2013

WRITTEN COMMUNICATIONS

The Jefferson County Board of Education and its employees may notify parents, guardians and students of information through written communications. Although the Board may elect to use various methods of providing those communications to parents and guardians, it is the ultimate responsibility of each student to notify his or her parent or guardian of all written communications provided to him or her by the Board or a school. A failure to do so may result in disciplinary action against the student.

INTERNET AND THE USE OF TECHNOLOGY

The Jefferson County Board of Education may utilize the internet and other computer resources to enhance the educational experience for students and for more efficient operation of its schools. Access to computers and other technology resources may be offered and used for permissible purposes only and such access and use will be restricted. The internet and the Board's technology should promote educational growth, and each student must agree to use the Board's technology appropriately by reviewing, agreeing to and abiding by the Board's Acceptable Use Agreement for Students as a condition to that access.

JEFFERSON COUNTY BOARD OF EDUCATION TECHNOLOGY ACCEPTABLE USE AGREEMENT

The Jefferson County Board of Education (the "Board") is pleased to provide network and Internet access to students. In exchange, student cooperation in exercising and promoting responsible use of this access is required.

The Technology Acceptable Use Agreement (AUA) applies to all technology resources owned, leased, operated, or maintained by the Board, regardless of the physical location of the resource or the user. It also applies to student use of all personally owned devices and technology resources (regardless of ownership) brought onto school grounds or to school activities during school hours or at school functions. Violations of the AUA and/or Board policy may result in suspension or termination of network or computer privileges, disciplinary action, and/or appropriate legal action. Each student and his or her parent or guardian will be solely responsible for unauthorized use of the Board's technology resources, and will bear any cost resulting from or associated with such unauthorized use or misuse including, but not limited to, any and all damages, restitution, liabilities and costs of defense incurred by the Board.

In exchange for access to and use of the Jefferson County Board of Education technology resources, I agree to abide by the Technology Acceptable Use Agreement and all Board policies, rules, and regulations regarding the use of technology. My signature on the Notice of Receipt page in the Code of Student Conduct indicates that I have received, understand and agree to all of the following terms, conditions and requirements:

Access

The Jefferson County Board of Education's technology resources are made available to students for *bona fide* educational and school-related purposes. All technology resources are the property of the Jefferson County Board of Education, and any use is by permission only.

A. The use of all Board technology resources is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. The district Technology Director and/or school administrators will determine when inappropriate use has occurred and may deny, revoke or suspend specific user privileges and accounts accordingly.

- B. Each student may use only accounts, files, software, and technology resources that are assigned to him/her and may not attempt to log in to the network as another person or use a computer that is logged on as another person.
- C. Students must not reduce the efficiency of use for others or attempt to modify or hack technology resources, utilities, and configurations, change the restrictions associated with his/her accounts, or attempt to breach any technology resource security system, either with or without malicious intent.
- D. A user may not copy software, programs, source code, data or any other computer resource for unauthorized or unlicensed use. A user may not modify or delete computer data or information of another student, faculty or the school.
- E. Modification or alteration of the Board's resources without authorization of the school principal or his or her designee is strictly prohibited. No student may modify system settings or install software without specific authorization from the principal or his or her designee.
- F. Students are not permitted to connect or install any computer hardware, components, or software, which is not school system property, without prior approval from the district technology department.
- G. All passwords are required to be kept private and may not be posted online.

Internet

- A. All school rules and guidelines for appropriate technology usage shall apply to Internet usage.
- B. No student may access, view, download, or attempt to access, view or download profane, lewd, obscene, pornographic, abusive, objectionable, illegal, or otherwise prohibited content on the Board's computer system or through any of its other technology resources or on personally owned devices.
- C. Student access to the Internet will be restricted in compliance with Children's Internet Protection Act (CIPA) regulations and Board policies. The Board has implemented filtering software and other security measures designed to block and prohibit access to inappropriate materials based on CIPA guidelines.
- D. The Board may also utilize monitoring software to control and monitor access to its system and the internet and to further the safety and security of its students. Any attempt to disable, modify or circumvent this software or other limiting device is strictly prohibited.

Privacy and Personal Safety

- A. There is no right or expectation of privacy in any Board technology resource, and the Board will monitor internet use, network use, electronic mail, or any other use of its technology resources without limitation. All computers, devices or other components of the Board's system may be inspected by the Board or its designees at any time.
- B. The Board cannot guarantee the privacy, security, or confidentiality of any information sent or received via the Internet.
- C. Student data will only be collected with district approved data collection resources to protect minors from unauthorized disclosure, use, and dissemination of personal data in compliance with FERPA (Family Educational Rights and Privacy Act).
- D. Students shall not reveal or post any personal or contact information about themselves or other people on websites and/or social media sites while utilizing the Board's technology resources. Personal information includes, but is not limited to, names, addresses, telephone numbers, photos or likenesses, video, ages, dates of birth, grade levels, social security numbers, or any other information by which a person might be identified.
- E. Any online message, comment, image, or anything else that causes a student to be concerned for his/her personal safety, should be brought to the attention of an adult. Students should immediately bring any threatening or unwelcome communications to the attention of school personnel.

Copyright and Plagiarism

- A. All users are expected to abide by copyright laws and to follow the *Fair Use Guidelines for Educational Multimedia*. If you don't know if your use of online material is legal or ethical, ask your teacher or administrator for guidance.
- B. Users should not plagiarize (or use as their own, without citing the original creator) content, including words or images, from the Internet. Research conducted via the Internet should be appropriately cited, giving credit to the original author.

Cyberbullying

- A. Cyberbullying will not be tolerated. Engaging in these behaviors will result in disciplinary actions and loss of privileges.
- B. Examples of cyberbullying include but are not limited to harassment, intimidation, threats, impersonation, insults, displaying offensive pictures, or lewd behavior.

Education of Students

- A. The Board provides ongoing education to all students concerning appropriate online behavior, including appropriate interaction with individuals on social networking websites and in chat rooms and cyberbullying awareness and response.
- B. Students are expected to adhere to specific classroom guidance and directives, as well as to the letter and spirit of this AUA and other Board policies. Use good judgment, and ask if you don't know.

Online Collaborative Systems

The Board provides valuable online learning resources to employees and students. These resources promote collaboration and provide a controlled environment for course content. Examples of online collaborative systems used by the Board include, but are not limited to, Google Apps for Education, Microsoft 365, Moodle, and Edmodo.

- A. Accounts for these services are provided to all students through a controlled environment that is for Board use only.
- Email and other collaborative accounts are provided to students for educational purposes only.
 - Employees and students will collaborate in these environments on documents, presentations, quizzes, classroom assignments, and more.
- B. All school rules and guidelines for appropriate technology usage shall apply to online collaborative system.

Bring Your Own Device (BYOD)

- A. Student devices must only access the Internet via the JefCoEd Public wireless network. **3G, 4G, or LTE access will not be allowed while on school property.**
- B. Permission for personal devices to be brought to school will be at the discretion of and as authorized by the local school administration.
- C. Personal devices are only to be used for educational purposes as directed by the teacher and/or school administration.
- D. Personal devices may not be used to record, transmit or post photographs, images, or video of a person or persons on campus during school activities and/or during school hours unless assigned or authorized by the teacher or school administrator.
- E. The school district may collect and examine any personal device at any time for the purpose of enforcing the terms of this agreement, investigating student discipline issues, or for any other school-related purpose. Personal devices are subject to immediate inspection when there is a reasonable suspicion that the contents or recent utilization of the device is in violation of any of the Board's policies, rules or regulations.
- F. The school or district assumes no responsibility for personal devices.

G.Students are not allowed to loan, trade, or sell devices on district property, including school buses.

Violations of Acceptable Use Agreement

Violations of this agreement or other Board directives regarding use of technology may have disciplinary repercussions, including, but not limited to, the following:

- Suspension or termination of network, technology, or computer privileges
- Loss of privilege of bringing personally-owned technology devices to school
- Notification of and/or conference with parents
- Disciplinary actions as authorized by the Code of Student Conduct
- Financial accountability for damage or loss
- Legal action and/or prosecution

Limitation of Liability / Disclaimers

The Board makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through the Board's technology resources will be error-free or without defect.

Although the Board employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness.

The Board will not be responsible, financially or otherwise, for unauthorized transactions conducted or financial obligations incurred on the system network.

The Board will not be responsible for damage or harm to persons, files, data, or hardware, or for any damages or losses incurred, including but not limited to: loss of data resulting from delays or interruption of service; loss of data stored on system resources; damage to personal property used to access system resources; the accuracy, nature, or quality of information stored on system resources; or unauthorized financial obligations incurred through system-provided access.

CELL PHONE POSSESSION AND USE

The Jefferson County Board permits students to bring cell phones to school. Cell phone, (includes wearable technology used for phone purposes), use is permitted with permission for educational use (see BYOD page 34). However, cell phones brought to school must be stored appropriately, either in the student's backpack, locker, personal vehicle, and/or a designated place assigned by the administrator. **Cell phone use is prohibited during the school day (which is usually the time students arrive at school until dismissal) and anytime students are being transported on a school bus unless specific permission is given by a certificated school board employee.**

Should a cell phone be either seen or heard, the phone will be taken from the student, and placed in an appropriate location until the parent reclaims it. A parent may reclaim any cell phone so taken during the hours specified by the school administrator. The school system, which includes the school, administrator, teacher or staff member, shall not assume responsibility for theft, loss, or damage to any personal/wireless communication device, even for cell phones that are taken. If the phone is suspected to contain illegal or inappropriate material, the administrator has the right to inspect the contents of the phone. Any illegal or inappropriate material found on the phone may lead to further disciplinary action.

Violation of the rules regarding cell phone possession will be considered a Class I infraction (possession during the school day), Class II infraction (use during the school day or on a school bus), or Class III infraction (where context or manner of the use falls properly in the Class III infraction category), depending on the nature of the rule violated. Cell phone use is prohibited during the school day unless used for educational purposes with the support of the local administration

Alabama State Department of Education Policy

Use of Digital Device during the Administration of a Secure Test

Student Policy

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

Additional disciplinary action may be taken by the LEA.

Media and Web Release

Media Release

From time to time the school and/or school district may wish to publish the image and/or intellectual property of students in order to enhance individual, group, school, or system-wide accomplishments. Intellectual property includes, but is not limited to, photographs, audio/video productions, and other written and graphic works. These reproductions can be used to publicize/promote the child's school or the school district through the commercial print or television media and through its own media productions. This also includes school yearbooks, school newspapers, and programs for school events such as athletics, choral, and band.

Unless parents notify the school in writing that they do not grant the JCBOE the right and permission to publish their child's image and/or intellectual property, these images and/or intellectual property may be used for publication, broadcast, or reproduction without limitations, or reservation, or any fee.

Web Release

From time to time a teacher, the school, and/or the school district may wish to publish the image and/or intellectual property of students to various official websites operated by the district, including official online school newspapers. Intellectual property includes, but is not limited to, photographs, audio/video productions, and other written and graphic works. The intent of such postings is to report school or district news and to enhance individual, group, school, or system-wide accomplishments.

In addition, many teachers now use blogs or other online learning management programs as a means of having students submit comments and intellectual property as a modern-day method of engaging students in learning. In some cases, the work that students submit to these blogs is readable by the general public. Students are instructed never to use their full name in such postings.

Unless parents notify the school in writing that they do not grant the school and/or JCBOE the right and permission to publish their child's image and/or intellectual property on its various official websites, online school newspapers, and official teacher blogs, then these images and/or intellectual property may be used in web publications without limitations, or reservation, or any fee.

Online School Newspapers

As a general practice, teachers are instructed never to publish a minor child's individual, identifiable photograph along with their full first and last name to any

website. However, in the case of official online school newspapers, the school may naturally wish to publish the student's full name and picture. Parents who do not wish their child's full name and identifiable picture to be used in an official school newspaper must also notify the school in writing within 15 days of enrollment.

JEFFERSON COUNTY SCHOOL DISTRICT ATTENDANCE ZONE AND TRANSFER INFORMATION

The Jefferson County School District serves approximately 36,000 students in its schools. Students are assigned to schools based on attendance zones. A student may only attend a school other than his or her zoned school if he or she is eligible for a transfer. The Board has adopted transfer guidelines, approved by the United States District Court, which are attached. This transfer information will help clarify what to expect regarding school transfers.

Transfers may only be secured for a student by application to the Board. The Board has developed a transfer application form which must be completed in full, signed, and returned to the Department of Student Services by June 1. You may mail the form or hand-deliver it, but it must be **received** by the Department of Student Services by the deadline, or it will not be approved. Delivering the application to a local school will not ensure that the Department of Student Services will receive the application by the deadline. Late applications will not be accepted except in the following circumstances:

- A. Substantial hardships which arise after the deadline for submission.
- B. An employee hired after the application deadline may submit an application after the deadline. Said application must be received by Student Services within fourteen days of the effective date of hire.
- C. If an individual moves into the district from outside of the district after the deadline, an application may be submitted within fourteen days of establishing residency. Proof of establishment of residency must be attached to any such application.

Delays due to mail or unforeseeable circumstances will not excuse a late application. Additional information and instructions may be found on the application itself, which is available at all local schools, the Department of Student Services, and on the internet at www.jefcoed.com.

There are three (3) categories of transfers which are available to students:

- 1. **Substantial hardship transfer.** Substantial hardship transfers are transfers granted as a result of a substantial, extraordinary and compelling hardship which is unique to the student or his or her family. Situations which justify a hardship transfer are exceedingly rare. They have been granted in the past for students displaced by fire, tornado or natural disaster, for those with medical emergencies or other family crisis. Hardship transfers are not available to those experiencing problems shared by many such as transportation difficulties, daycare, housing issues, social issues, or the desire to attend a school to be with family, friends, or for a change of environment. Hardships must be supported by detailed documentation, and will be evaluated by the Director of Student Services.
- 2. **Racial desegregation transfers.** Racial desegregation transfers are transfers which help the school district meet its court ordered desegregation obligations. These transfers are evaluated utilizing court-approved criteria, and are designed to help each school in the system move closer to the system-wide racial composition. Desegregation transfers are available to students of all races, and depend on the ethnic compositions of both the school from which the student is transferring and the school to which the student wants to transfer.

Availability of racial desegregation transfers at specific schools will change from year to year as space and demographics allow. Parents are encouraged to contact the Department of Student Services for information regarding the availability of racial desegregation transfers.

3. **Employee transfer.** Employee transfers are available to children of Board employees, under certain circumstances, outlined more specifically in the official guidelines. The employee must be the child's legal and custodial parent or guardian, and the child must reside with the employee. This transfer is also contingent upon available space at the desired school.

Each transfer applicant must fall within one of the above categories to be approved. All approved transfers are good for one year and one year only. Accordingly, timely application must be submitted to the Board before June 1 of every year. Hardship transfers will be re-evaluated every year, as will employee transfers. Racial desegregation transfers from one Jefferson County school to another Jefferson County school will be automatically re-approved from year to year as long as the student does not move up to a different facility, the student meets academic, attendance and behavior requirements, and an application is submitted each year by the deadline.

Transfers between other school districts and the Jefferson County School System must also fall within one of the three named categories to be approved. Racial desegregation transfers to the Jefferson County System will require a release and the payment of tuition. Racial desegregation transfers out of the Jefferson County School System will also require a release and may require tuition to the receiving school, depending on that Board's policy. For applicants to Jefferson County, the release must be submitted with the transfer application. If the application meets criteria for approval, it will be selected for approval, pending the payment in full of tuition. Tuition must be received by August 1 of each year, or the applicant will not receive final approval. These transfers are only valid for one year. Tuition payments must be paid in full by established deadlines. Any payment accepted after the established deadline will be subject to a ten percent (10%) penalty.

There are a few exceptions to the transfer procedures. The Board recognizes that a move during the school year can be disruptive to a student's academic progress if the student is required to immediately change schools. A student whose family moves will be allowed to stay in his or her current school for the remainder of the school year if the student moved at least four weeks after the school year begins, the student meets attendance, behavior and academic criteria, there is space available, and the parent completes a **Change of Address Form** and submits it to the Department of Student Services within fourteen days of the move. Tuition will be required for students moving out of the Jefferson County School District that wish to finish the school year at their current school. These forms are available at all local schools and the Department of Student Services. If the form is not submitted in a timely manner, the student will have to attend school immediately in his or her new zone. This exception only applies to the same school year in which the move occurred, except that 11th grade students who move will be allowed to finish their senior (12th grade) year also, subject to the above criteria.

Transportation is not provided for any transfer students, students who remain in a school pursuant to the "moving exception," or any other student who is out of his or her zone. Moreover, all approved out-of-zone placements, including transfer students and students who have moved, are subject to immediate revocation or denial if the student does not meet all of the following:

1. **Regular attendance** – student may not exceed the number of absences allowed per semester to receive credit for the semester.
2. **Satisfactory grades** – student must not receive "D" or "F" for the school year in any class.
3. **Satisfactory behavior** – student must not be determined to have committed a Class III offense.

The Department of Student Services is ultimately responsible for making transfer decisions, and the Department reserves the right to approve transfers but to an alternative school consistent with the court approved criteria. Transfers may only be granted according to court approved procedures, and may not be approved by the local school principal, teachers, or other unauthorized employees. The court has not permitted Board employees to deviate or make exceptions to the approved procedures, and any request for a Board employee to do so will violate the court's orders.

There are no appeals of decisions made on most transfers, as the transfers are approved or denied utilizing defined court approved criteria. Hardship transfers, however, involve discretion and the Board has a committee established to hear appeals of those denials. More information will be available about appeals at the time transfer applications are being evaluated during the summer.

All parents should review this information and all court approved guidelines carefully. Parents should then acknowledge receipt of this information by signing where indicated on the attached acknowledgment form.

The Department of Student Services will be available to answer questions about student assignment and transfer procedures. All questions, correspondence, applications, or other forms should be submitted to the following:

Department of Student Services
Jefferson County Board of Education
2100 18th Street, South
Birmingham, AL 35209
(205) 379-2165

JEFFERSON COUNTY SCHOOL DISTRICT COURT APPROVED TRANSFER GUIDELINES

Every student in the Jefferson County School System will be required to attend the school serving the attendance zone in which he or she resides, unless he or she is eligible for a transfer.

- A. Transfers are limited to the following three categories:
 - 1. Substantial Hardship Transfer;
 - 2. Racial Desegregation Transfer; and
 - 3. Employee Transfer.
- B. A racial desegregation transfer will be allowed if there is space available and if:
 - 1. The transfer will have the effect of moving the racial composition of both the sending and receiving schools closer to the district-wide racial composition; or
 - 2. The transfer will have the effect of moving one of the schools closer to the district-wide racial composition without negatively impacting the other school; that is, without moving either the sending or receiving school outside a range of percentage points around the district-wide racial composition.
- C. An employee transfer may be approved if:
 - 1. The student's parent or guardian is employed by the Board on a full time basis;
 - 2. The student resides with the employee parent or guardian and the employee parent or guardian has custody of the student; and
 - 3. Space is available at the school to which the transfer is sought.
- D. A substantial hardship transfer may be approved if:
 - 1. The student or student's family demonstrates a substantial, extraordinary and compelling hardship; and
 - 2. The hardship is unique to the student or his/her family.
- E. An inter-district racial desegregation will be allowed if there is space available and if:

2018-2019 School Year
Code of Student Conduct
Jefferson County Board of Education

1. The transfer will have the effect of moving the racial composition of the Jefferson County school closer to the district-wide racial composition of Jefferson County;
 2. The student requesting the transfer has obtained and timely submitted a release;
 3. The student meets all tuition requirements of the school systems involved.
- F. The other city or county school system has not indicated to the Jefferson County School Board that granting the transfer will impede desegregation at its sending or receiving school or conflict with any obligations that the city or county school system may have under desegregation or other judicial decrees.
- G. All transfers and exemptions (See “H & I”) will be subject to the following and may be revoked or denied if all are not met:
1. **Regular attendance** – Student may not exceed the number of absences allowed per semester to receive credit for that semester.
 2. **Satisfactory grades** – Student must not receive a “D” or an “F” for the school year in any class.
 3. **Satisfactory behavior** – Student must not be determined to have committed a “Class III” offense (See Code of Student Conduct).
- H. A student who moves during the school year may continue to attend the school he or she started in that school year, provided that:
1. The student moved at least four weeks after school started;
 2. The student and parents complete a “change of address” form and submit it to the Office of Student Services within fourteen days of the establishment of the new residence;
 3. The Student meets attendance, academic and behavior criteria; and
 4. Space continues to be available at the school where he or she started the school year.
- If a student moves during his or her junior (11th grade) year and meets the above conditions, the student may also continue to attend the same school during his or her senior (12th grade) year.
- I. A student who was given an exemption from the transfer requirements for the 2001-2002 school year, either as “grandfathered” students or by court order, shall be allowed to continue in his or her current placement until one or more of the following occurs:
1. The student changes his or her residence to a different attendance zone;
 2. The student advances to a terminal grade level (e.g., grades six or nine); or
 3. The student advances to a different school facility (changes school or campus location).
- J. A student receiving exceptional education services or accommodations under §504 or IDEA may be assigned to a school outside of his or her attendance zone, if necessary, to meet the Board’s obligations under state and federal law.
- K. Racial desegregation transfers that have been approved for one school year shall also be approved for the succeeding school years, if:
1. The transfer is an intra-district transfer (from one Jefferson County school to another);
 2. The student has not moved up to a different school serving a different grade level than the school to which the transfer was previously granted;
 3. The applicant submits a completed application by the deadline; and
 4. The applicant meets the attendance, academic and behavior requirements set forth in “G” above.

Jefferson County Board of Education
Notification of Parent and Student Rights:
Family Educational Rights and Privacy Act (FERPA)
Protection of Pupil Rights Amendment (PPRA)

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

- **The right to inspect and review the student’s educational records within 45 days of the day the school receives a request for access.**

Parents or eligible students should submit to the school principal 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 the records may be inspected.

- **The right to request the amendment of the student’s education records that the parent or eligible student believes is inaccurate.**

Parents or eligible students may ask the school to amend a record they believe is inaccurate by notifying the school principal in writing. The request must clearly identify the part of the record to be amended and must specify why it is inaccurate. 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. Information regarding the hearing procedures will be provided to the parent or eligible student at the time of this notification.

- **The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.**

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- ✓ School officials with legitimate educational interest;
- ✓ Other schools to which a student is transferring;
- ✓ Specified officials for audit or evaluation purposes;
- ✓ Appropriate parties in connection with financial aid to a student;
- ✓ Organizations conducting certain studies for or on behalf of the school;
- ✓ Accrediting organizations;
- ✓ State and local authorities, within a juvenile justice system, pursuant to specific State law;
- ✓ To comply with a judicial order or lawfully issued subpoena; and
- ✓ Appropriate officials in cases of health and safety emergencies.

Jefferson County Board of Education school administrators will transfer upon request all education records, including disciplinary records, with respect to a suspension or expulsion, to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll on a full or part-time basis.

School Districts, with certain exceptions, must obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, school districts may disclose appropriately designated “directory information” without written consent, unless you have advised the district to the contrary.

The primary purpose of directory information is to allow the school district to include this type of information from your child’s education records in certain school publications. Examples include:

- A playbill, showing your student’s role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets.

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.

Additionally, parents have to right to inspect, upon request, any instrument used in the collection of information as described above. This inspection will be scheduled within 45 days of the day the school receives such a request in writing.

The Jefferson County Board of Education has designated the following information as Directory Information:

- Student's or parent's name;
- Address;
- Telephone listing;
- Participation in officially recognized activities and sports;
- Weight and height of members of athletic teams;
- Electronic mail address;
- Photograph;
- Diplomas, honors and awards received;
- Date and place of birth;
- Dates of attendance;
- Grade level;
- Most recent educational agency or institution attended.

The use of directory information by Jefferson County Schools is for educational purposes and for the benefit and enhancement of educational programs.

Parents and eligible students have the right to request that directory information not be disclosed by contacting the school principal *in writing* no later than fifteen (15) days of the beginning of the school year or within (15) days after enrollment in school, whichever is later.

Parents should know that schools may, upon request, provide military recruiters the same access to secondary school students as provided to postsecondary institutions or to prospective employers; and must provide student's names, addresses, and telephone listings to military recruiters, when requested, unless a parent has "opted" out of providing such information. Parents of Jefferson County School students and eligible students wishing to "opt" out must notify the school principal in writing no later than fifteen (15) days after receipt of this notice each school each year.

- Parents should know that schools and contractors must obtain prior written parental consent before minor students are **required** to participate in any ED funded survey, analysis, or evaluation that reveals information concerning;
- Political affiliations or beliefs of the student or the student's parent;
- Mental and psychological problems of the student or the student's family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or student's parent;
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Additionally, schools and contractors must make instructional materials available for inspection by parents if those materials will be used in connection with an ED-funded survey, analysis, or evaluation in which their children participate.

- Parents have the right to inspect, upon request, a survey created by a third party (non-Department of Education funded), if the survey contains one or more of the eight items of information noted above, before the survey is administered or distributed by a school to students. This inspection will be scheduled within 45 days of the day the school receives such a request.
- Parents have the right to opt out of (deny permission for their child) activities involving the collection and disclosure of personal information from students for marketing purposes or for selling that information, or otherwise providing that information to others for that purpose. However, this right does 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:
 - college or other postsecondary education recruitment, or military recruitment;
 - book clubs, magazines, and programs providing access to low-cost literacy products;
 - curriculum and instructional materials used by elementary schools and secondary schools;
 - tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students;
 - the sale by students of products or services to raise funds for school-related or education-related activities; and
 - student recognition programs.
- Parents have the right to opt out of (deny permission for their child) participation in the administration of any third party (non-Department of Education funded) survey containing one or more of the above described eight items of information. **Parents wishing to opt out must notify the school administrator in writing within fifteen (15) days receipt of notice of survey(s) or by the designated due date.**

The Jefferson County Board of Education will make arrangements to protect student privacy in the event of the administration of a survey to students.

- Parents have the right to inspect, upon written request to the school principal, any instructional material used as part of the educational curriculum for students. This inspection will be scheduled within 45 days of the day the school receives such a written request.
- Parents have the opportunity to “opt out” of the administration of physical examinations or screenings that are non-emergency or invasive and are 1) required as a condition of attendance; 2) administered by the school and scheduled by the school in advance; **AND** 3) **NOT** necessary to protect the immediate health and safety of the student, or of other students. (Invasive physical examination is defined as any medical examination that involves the exposure of private body parts, or any act during such an examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.) **Jefferson County Schools do not conduct invasive physical examinations or screenings.**

Vision, hearing and scoliosis screenings are scheduled throughout the school year in Jefferson County Schools. Please contact your school regarding these screenings. **Parents wishing to “opt out” of health screenings must notify the school principal in writing within fifteen (15) days of receipt of this notice or upon written notification of a scheduled screening. “Opt Out” forms are available at all schools and on the Jefferson County Schools web site.**

- Parents have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the Jefferson County School District to comply with the

requirements of FERPA. The name and address of the office that administers FERPA is as follows:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

IT'S THE LAW!
**Parental Notification of Civil Liabilities and
Criminal Penalties**

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

Attendance and Conduct (Act 94-782)

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

Teacher Assault (Act 94-794)

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

Drug Dealing (Act 94-783)

A person who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage or both suffered by a third person caused by or resulting from the use of the controlled substance by the minor if the sale, furnishing, or giving of the controlled substance is the proximate cause of the injury or damage.

Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (Act 94-784)

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

If a person is found to have violated a local board of education policy concerning drugs, alcohol, weapons, physical harm to a person or threatened physical harm to a person, the person may not be readmitted to the public schools until criminal charges, if any, have been disposed of by appropriate authorities and the person has satisfied all other requirements imposed by the local board of education as a condition for readmission.

Weapons in Schools (Act 94-817)

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

Firearms (16-1-24.3, Ala. Code, 1975) Local school boards are required to implement policies providing for the expulsion of students who possess firearms at school. (Note: "Firearm" has the same definition as in Section 921 of Title 18 of the United States Code and includes, but is not limited to, any weapon 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 such weapon; a firearm muffler

NOTICE OF RECEIPT

Please Print

_____, a student enrolled in
Name of Student

Name of School

and parent/guardian(s), _____
Name of Parent/Guardian(s)

hereby acknowledge by our signatures that we have received and read, or had read to us, the local school's handbook and the Jefferson County School District Code of Student Conduct, which contains a copy of "It's the Law." We understand that these policies apply to all students and parents in the public schools; to school campuses, the immediate vicinity of the school, school buses or other school-owned vehicles; and to school-related activities and events. We further acknowledge by our signature that we have read, or had read to us, the sections on Truancy and Attendance, the section on Internet Use, and the section on the Family Educational Rights and Privacy Act (pages 41-45) which allows schools to disclose directory information that is not considered harmful or invasive unless parents have advised the school that they do not want their student's information disclosed without their prior consent.

My child may access the Internet while at school according to the rules outlined in the Jefferson County Technology Acceptable Use Agreement for Students. _____ Yes _____ No

My child may have an online collaborative system account (email, documents, presentations, etc.) for educational purposes. _____ Yes _____ No

My child's photo or video image can be published in school publications and media (such as yearbook, school and school support organization newsletters, athletic programs, school newspaper, or school or school system website). _____ Yes _____ No

My child's photo or video image may be made available to newspapers, television and radio stations, and to other print or electronic media organizations and outlets in order to portray Jefferson County programs, activities, and students in an appropriate and favorable light and for other uses as may be designed to promote public interest in and support of Jefferson County Schools. _____ Yes _____ No

Please sign this page and have the student return it to the homeroom teacher. Keep the accompanying information for future reference.

(Signature) _____
Student Date

(Signature) _____
Parent/Guardian Date

(Signature) _____
Parent/Guardian Date

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

Teacher: _____

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or silencer; other destructive device, including an explosive, bomb, grenade, missile, mine or similar device; or any combination of parts designed or intended for use in converting any device into a destructive device and from which such a destructive device may be readily assembled.) See 18 U.S.C. §921.

Vandalism (Act 94-819)

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

Pistol Possession/Driver's License (Act 94-820)

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

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

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

The expressed enumeration or reservation by the Jefferson County Board of Education of specific rights and prerogatives in the Code of Student Conduct shall not foreclose or be deemed to restrict the authority of the Board to take such other lawful measures or actions as may deem necessary or appropriate to promote discipline and to preserve and protect public property and the health, welfare, and safety of students, employees, and members of the public or to accomplish the objectives of the Code of Student Conduct. The Code of Student Conduct is not intended to be a binding contract and no contracts or rights are created hereunder.

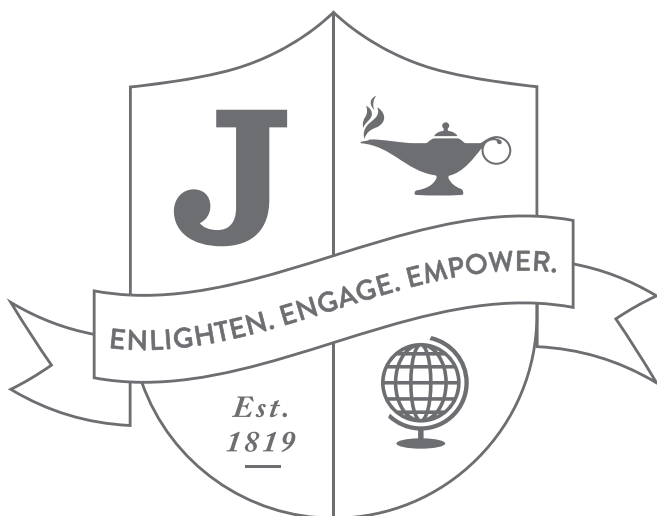
***The Jefferson County Board of Education
does not discriminate on the basis of race, color,
national origin, sex, disability, religion, or age
in its programs and activities and provides equal access
to the Boy Scouts and other designated youth groups.***

The following person(s) have been designated to handle inquiries regarding the non-discriminatory policies:

Compliance Officer 2100 18th Street, South Birmingham, AL 35209 205-379-2117 complianceofficer@jefcoed.com	Homebound/504 Services Dawna Hill, Supervisor 2100 18th Street, South Birmingham, AL 35209 205-379-2214 dhill@jefcoed.com
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4,500 Educators
56 Schools

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