

JEFCOED
JEFFERSON COUNTY BOARD OF EDUCATION

2100 18th Street South, Birmingham, Alabama 35209
205.379.2000 www.jefcoed.com



JEFFERSON
COUNTY SCHOOLS

Student and Parent Handbook 2022-2023

BOARD MEMBERS:

President Mrs. Carita Venable

Vice President Mr. Oscar S. Mann

Mr. Ronnie Dixon | Mrs. Donna Pike | Mr. Eddie Brown

Superintendent Walter B. Gonsoulin, Jr., Ph.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.

*This document has been revised for the 2022-2023
school year and supersedes all previous editions.*

Board Approved: March 24, 2022

INDEX

	Page(s)
Index	2-3
Website Information	3
Introduction	4
Jurisdiction of the School Board	4
DISCIPLINE	
Discipline:	4-18
Appeals	5
Disciplinary Action Definitions	6-7
Class I Classroom-managed Behaviors	7
Class I Disciplinary Actions	8
Class II Office-managed Infractions	8-10
Class II Disciplinary Actions	10-11
Class III Major Infractions	11-14
Class III Disciplinary Actions	14-15
Disciplinary Policy for Students With Disabilities	15
School Bus Transportation:	
School Bus Code – Responsibilities of Transported Students	15-16
Disciplinary Incident Definitions for Transported Students	17
Class I Minor School Bus Infractions	17
Class I Disciplinary Actions for Minor School Bus Infractions	17
Class II Intermediate School Bus Infractions	18
Class II Disciplinary Actions for Intermediate School Bus Infractions	18
Class III Disciplinary Actions for Major School Bus Infractions	19
GENERAL POLICIES and GUIDELINES:	
Attendance:	19-21
Responsibility of Parent for Attendance and Behavior	19
School Attendance	20-21
Responsibilities of Parents of Students in Jefferson County Schools	22
Change of Residence	22
Harassment:	28-33
Sexual Harassment Policy and Complaint Reporting Procedures	28-30
Anti-Harassment Policy & Reporting Form	30-33
Parent Information:	
Administration of Medications at School	24-25
Student Exclusion Due to Illness	25-26
Certificate of Immunization	26
Change of Residence	22
Dress and Grooming Guidelines	22-23
Gifted Education in Alabama	27-28
Non-Sufficiently Funded Checks	27

Charged Meal Procedures	27
Notification of Parent and Student Rights - FERPA	43-46
Complaint / Grievance	27
Responsibilities of Parents of Students in Jefferson County Schools	22
Safe and Drug-Free Schools	24
Schedule Change Fee	24
Communications	34
Student Information:	
Dress and Grooming Guidelines	22-23
Extracurricular Activities	23
Notification of Parent and Student Rights – FERPA	43-46
Responsibilities of Students and Students’ Rights	23
Schedule Change Fee	24
Student Publications	23
Communications	34
Technology:	34-39
Acceptable Use Agreement for Students	34-38
Cell Phone and Personal Device Possession and Use	38
Digital Learning	34
Media Web Release	39
Transfer:	40-43
JEFCOED Attendance Zone and Transfer Information	40-43
JEFCOED Court Approved Transfer Guidelines	42-43
Parental Notification of Civil Liabilities & Criminal Penalties	47-48
Restraint	47
Notice of Receipt	49

WEBSITE INFORMATION

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

www.jefcoed.com

Select the “Services” Tab. Select the “Student Services” page.

Select the document of your choice:

- Student and Parent Handbook
- Student Transfer Application Form
- Change of Address Form
- Reporting a Complaint of Bullying, Intimidation, Violence, & Threat of Violence Form

INTRODUCTION

The Jefferson County Board of Education believes in the ability of all students to learn and grow. The Board hopes to nurture a friendly, inclusive atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals. Ultimately, the goal of the Board of Education in outlining our expectations is to provide clear, consistent guidelines and procedures to maximize student learning. We implement a three-tiered framework of support both academically and behaviorally. In the event that students require additional support in one or both areas, we provide high quality instructional strategies and interventions in order to maximize learning opportunities for all students.

As students 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, at school bus stops, and at times and places including, but not limited to, school-sponsored events, field trips, athletic functions and other school-related activities. This includes remote learning and our virtual school. All regulations and prohibitions also apply to automobiles and other property brought onto Board property. In addition to the foregoing, application of this Student and Parent Handbook 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 Student & Parent Handbook 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.

DISCIPLINE

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 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.

Personal property, including but not limited to, vehicles, purses, wallets, gym bags, book bags, cell phones, personal items, clothing, and computers may be searched by authorized school officials when reasonable suspicion exists that the property contains prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk to the safety or welfare of the school. Board property may be entered, inspected and searched for any lawful purpose by Board officials or their designees at any time. Board owned or controlled property includes but is not limited to offices, desks, file cabinets, lockers, computers, files, documents, data, and devices.

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 Student and Parent Handbook and to effectuate its purposes, subject only to any restrictions which may be imposed by federal, state, or local law.

Violations of the Jefferson County Board of Education’s Student and Parent Handbook are generally grouped into three (3) classes — Minor, Classroom Managed Behaviors (Class I), Class II incidents, and Class III infractions. The disciplinary procedures for each reflect a system of graduated and matched consequences depending on the intensity and frequency of a problem behavior.

All Class I behaviors will be handled by the classroom teacher without the student being sent to the administrator. All Class II incidents are major violations and are subject to student suspension. 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

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 infraction committed by the student according to the Code of Conduct. Each student will be allowed to provide an explanation, to admit or refute any charges, and to provide a statement and the names of witnesses to the incident prior to any final disciplinary action taken.

For any infraction for which an in-school parental conference is required, it is the parent’s or custodian’s responsibility to make arrangements for the conference within forty-eight (48) hours of being notified of the problem.

For infractions which are being investigated as a Class III infraction, a disciplinary hearing will be held and the student will be notified of the hearing. It should be noted that any statement the student makes may be used to prove the student’s culpability regarding the charge. Any incidents involving alcohol, drugs, weapons, physical violence, 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.

If the principal or his or her designee believes the student to have committed a Class III Infraction, the student will be suspended, pending a hearing with 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 with the Student Services Department is to determine both whether a student committed the charged infractions and if so, the appropriate disciplinary action which should be taken. 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.

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 Infractions and other pertinent information to the office of the Director of Student Services.

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 or the Director of Exceptional Education or 504 Supervisor, if applicable, 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 and Learning Center as days missed from school after the original hearing date are unexcused.

DISCIPLINARY ACTION DEFINITIONS

This Student and Parent Handbook prescribes that certain disciplinary action may be taken in response to student problem behavior. The following descriptions should provide explicit explanations of ways discipline may be applied.

- **Required In-School Parental Conference:** A required in-school parental conference is a meeting at the school with the principal or his or her designee, parent(s), or custodian and student to resolve the disciplinary problem. After notification of the problem, it is the parent(s)' or custodian(s)' responsibility to make arrangements for the conference within forty-eight (48) 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.
- **Off-Campus Educational Programs:**
Students are subject to expulsion on any Class III infraction; however, at the Board hearing, a student may receive a REACH assignment as a discipline consequence as an alternative to being expelled. The REACH program is located at the Jefferson County Learning and Counseling Center in Ketona. A student may likewise be assigned to short-term detention at a regional site. REACH is a short-term program with an academic focus designed to allow students to catch up on class work while working on behavioral issues. 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. Any assignment to an off-campus educational program must be served at the assigned campus and may not be served remotely in lieu of reporting to the assigned campus.

Consequences for Class III infractions are carried over from year to year and school to school within Jefferson County Schools. A student who seeks to enroll with pending disciplinary consequences from another school or system is subject to the consequences assigned by the school or board and will be required to satisfy those consequences prior to attending a Jefferson County 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 and 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 Student and Parent Handbook 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 Student and Parent Handbook 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 (10) 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 for a 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.

CLASS I MINOR OFFENSES

CLASSROOM-MANAGED BEHAVIORS

- 1.01 ELECTRONICS POSSESSION OR MINOR UNAUTHORIZED USAGE**
Unauthorized possession of audio and/or video devices or other similar devices/materials, minor unauthorized use of Jefferson County electronic device such as searching for or visiting sites unrelated to academic instruction.
- 1.02 EXCESSIVE DISTRACTION OF OTHER STUDENTS**
Talking out, being out of seat or area, engaging in tasks other than teacher-led instruction
- 1.03 HORSEPLAY/RUNNING**
Running or physical contact that is not intended to hurt or be aggressive, but may cause harm to that student or other students or board employees.
- 1.04 MINOR INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION**
Minor, isolated incidents of kissing, hugging, hand holding, or other physical displays of affection
- 1.05 INCIDENTAL USE OF PROFANE LANGUAGE**
Language deemed profane, not directed at a student or board employee.
- 1.06 POSSESSION OF A LASER POINTER OR OTHER SIMILAR DEVICES**
- 1.07 MINOR DISRUPTION ON A SCHOOL BUS-** See Bus Code.
The violation of any school bus rule may result in a disciplinary action under the School Bus Code concurrently with and in addition to any other disciplinary action prescribed for a Class I behavior.
- 1.08 NONCONFORMITY TO DRESS CODE**
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 infraction.
- 1.09 UNEXCUSED TARDIES**
- Elementary: Reporting late to or departing early from school a total of six (6) times.
 - Secondary: 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 infraction.
- 1.10 UNSAFE CONGREGATIONS**
Any unauthorized assembly or meeting that disrupts the learning environment or obstructs vehicular/pedestrian traffic.

CLASS I - MINOR SCHOOL/CLASSROOM-MANAGED BEHAVIORS

First Behavior:	Elementary /Secondary	Teacher/student conference, parental contact.
Second Behavior:	Elementary /Secondary	Teacher/student conference, parental contact, additional strategy such as prompting, reminders, goal sheet
Third Behavior:	Elementary /Secondary	Required in-school parental conference and revised preventative strategy.
Fourth Behavior:	Elementary /Secondary	Required in-school parental conference. In-school (ISD) or Saturday detention for ½-1 day or up to three (3) hours out of school detention (outside the regular school day-i.e.- before school or after school).
Fifth Behavior:	Elementary /Secondary	Required in-school parental conference. Up to one (1) day in-school or Saturday detention or up to four (4) hours out of school detention.
Sixth Behavior:	Elementary /Secondary	Multiple Class I behaviors-same as Class II incident.

For elementary students, the accumulation and progression of Class I behaviors will reset at the beginning of each nine (9) week grading period. For secondary students, reset will occur at the beginning of each semester.

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

CLASS II - INTERMEDIATE OFFENSES OFFICE-MANAGED INCIDENTS

2.00 INTENTIONAL PHYSICAL AGGRESSION TOWARD STUDENT

Intentionally hitting, pushing, kicking, or otherwise being physically aggressive with another student. Up to **3 days suspension.**

2.01 CHEATING / PLAGIARISM

Using the work of another student or outside materials for academic purposes, or failing to properly reference others' work.

2.02 MAJOR VIOLATION OF ACCEPTABLE USE AGREEMENT

Any major violation of the Student Network Access and Acceptable Use Agreement including but not limited to:

- A. Searches for, visits, or transmits restricted websites, applications, social media, or other digital content on an electronic device;
- B. Successfully or unsuccessfully attempts to bypass internet or network filters by using proxies or other resources;
- C. attempts to access accounts or computers under another individual's credentials;
- D. records, transmits, or posts photographs, images, or video of a person or persons on campus during school activities and/or during school hours without authorization by school administration;
- E. deliberately causes damage of less than \$100.00 to public property.

In addition to consequences for a Class II described herein, the student's technology or computer privileges may be modified, suspended, or terminated.

2.03 CRIMINAL MISCHIEF / VANDALISM

Intentional and deliberate action resulting in injury or damages of less than \$100.00 to public property or the real estate or personal property of another. Restitution will be required.

2.04 DEFIANCE OF AUTHORITY

Refusing the direct, explicit instruction given by 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 DISRUPTIVE CONDUCT

Any act which substantially disrupts the learning environment or poses a threat to the health, safety or welfare of students, staff, or others.

2.06 FALSE INFORMATION

Knowingly making a false statement to a board employee

2.07 HARASSMENT

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

- A. directs abusive or obscene language or makes an obscene gesture towards another student;
- B. directs abusive or obscene language or makes an obscene gesture towards a staff member (K-5); See 3.15 for (6-12)
- 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;
- 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; or
- F. touches another with sexual connotations or makes written or verbal propositions to engage in sexual acts.

See Anti-Harassment Policy and Reporting Form.

2.08 INTERMEDIATE BUS INFRACTIONS: See bus Code.

The violation of any school bus rule may result in a disciplinary action under the School Bus Code concurrently with and in addition to any other disciplinary action prescribed for a Class II behavior.

2.09 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.

2.10 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. 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 infraction (see 3.08).

2.11 STEALING

The intentional unlawful taking, possessing, and/or carrying away or the attempted 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.

2.12 TOBACCO

The possession, distribution, sale/transfer, or use of tobacco products.

2.13 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 the 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 Infraction.

2.14 SKIPPING ASSIGNED CLASS

Students who are present on campus for the school day but do not attend one or more classes or assigned programs during the day without an authorized excuse from a school official.

2.15 GAMBLING

2.16 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.

2.17 BUYING OR SELLING UNAUTHORIZED ITEMS AT SCHOOL

2.18 MULTIPLE CLASS I BEHAVIORS

More than five (5) recurring, documented minor violations of the Student and Parent Handbook.

**CLASS II - INTERMEDIATE OFFENSES
OFFICE-MANAGED INCIDENTS**

First Infraction:	Elementary	Required in-school parental conference Up to four hours of out of school detention (outside the regular school day-i.e.- before school or after school), up to two days of in-school detention depending upon availability at the local school.
	Secondary	An in-school parental conference may be required. Up to six hours of out of school detention or one-day suspension, or three days of in-school detention depending upon availability at the local school. (Exception - Infraction 2.00 which may result in up to 3 days suspension).
Second Infraction:	Elementary	Up to six hours of out of school detention; three days of in-school detention depending upon availability at the local.
	Secondary	Up to eight hours of out of school detention or two-day suspension, or four days of in-school detention. (Exception- Infraction 2.00 which may result in up to 3 days suspension).
Third Infraction:	Elementary	Required in-school parental conference. One day suspension. (Exception- Infraction 2.00 which may result in up to 3 days suspension). REFERRAL TO TIER 2 BEHAVIORAL SUPPORT
	Secondary	Required in-school parental conference. Three days suspension. REFERRAL TO TIER 2 BEHAVIORAL SUPPORT

Fourth Infraction:	Elementary	Required in-school parental conference. Two days suspension. (Exception- Infraction 2.00 which may result in up to 3 days suspension).
	Secondary	Required in-school parental conference. Five days suspension.
Fifth Infraction:	Elementary	Required in-school parental conference. Three days suspension.
	Secondary	Same as Class III infraction.
Sixth or more Infraction:	Elementary	Same as Class III infraction.

CLASS II INFRACTIONS 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 INFRACTIONS

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

Intentionally starting or maintaining a fire.

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

Threatening the use of a bomb or any explosive device by any means of communication regardless of whether or not a bomb actually exists.

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

Intentional and deliberate action resulting in injury or damages of \$100.00 or more to public property or the real estate or personal property of another. Restitution will be required.

3.07 DRUGS

- Unauthorized possession of drugs or drug paraphernalia (including, but not limited to, syringes, water pipes, roach clips, pot pipes, bongs, rolling papers, e-cigarettes, or vaping devices, 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.

- Transfer of drugs or drug paraphernalia;
- Sale of drugs or drug paraphernalia;
- Use of drugs or drug paraphernalia;
- The attempt to use, buy, possess, or sell drugs or drug paraphernalia;
- 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 including, but not limited to, tampering with or unnecessarily discharging a fire extinguisher.

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!”*

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. This includes, but is not limited to, recording, transmitting, or posting photographs, images, or video of students engaged in a physical altercation occurring at school or during a school activity.

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, possessing, and/or carrying away or the attempted unlawful taking, possessing, and/or carrying away of property 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 the 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 Student and Parent Handbook 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 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. See Anti-Harassment Policy and Reporting Form.

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, including a replica or imitation of a firearm or other object that may be reasonably perceived to be a weapon..

3.25 WILLFUL DISOBEDIENCE

Recurring, intentional violation of the Student and Parent Handbook 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. For any Class III that occurs on the school bus or at a school bus stop, the student may be removed permanently from the school bus in addition to other consequences as determined at the disciplinary hearing. 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 custodian(s) will be allowed to attend the Class III Hearing.

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

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 or the Director of Exceptional Education or 504 Supervisor, if applicable, within five days of the hearing. While the appeal is pending, the student is expected to begin his or her assignment at the Jefferson County Counseling and Learning Center as days missed from school after the original hearing date are unexcused.

Students transferring into 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 who withdraw from a Jefferson County School with a pending Class III hearing or discipline consequence.

Felony charges or charges involving a firearm – 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, or is charged with an offense involving a firearm, the student’s parent/custodian should contact the Director of Student Services or the Exceptional Education Director or 504 Supervisor, if applicable, to determine appropriate school placement while the charge is pending or court-ordered placement is served. Students charged with a felony will not be allowed back on any school property until the appropriate placement is determined. If a student is placed on court-ordered probation with terms that preclude in-person attendance at the student’s school, the Student Services Director and the Director of Exceptional Education or 504 Supervisor, if applicable, will determine the student’s placement during the probationary period.

Graduating seniors who are under suspension or assigned to an off-campus educational program at the time of graduation **may be denied** participation in the commencement exercises.

A student who has previously attended the Jefferson County Counseling and Learning Center and commits a third (3rd) 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 or 504 team will conduct a manifestation determination. Based on the decision of the team, the conduct issue will be addressed in accordance with federal and state law. If it is determined that the infraction is not a manifestation of the student’s disability, The Student Services Department will recommend a disciplinary consequence. If it is determined the infraction is a manifestation of the student’s disability, then the IEP or 504 team will determine the disciplinary consequences.

The parent may appeal the disciplinary consequence decision to the Director of Exceptional Education for students with an IEP or the 504 Supervisor.

SCHOOL BUS CODE

1. The School Bus Code has been adopted to enhance safety for all students, board staff, and the general public. The school bus and bus stop are 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 concurrent with and in addition to any other disciplinary action prescribed in this handbook.**
2. Transportation services are a privilege, not a right.
3. Transportation is available to all Jefferson County students that live beyond the legally prescribed two (2) mile walking distance from their zoned school.
4. 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.

5. Each student will ordinarily be transported to or from a bus stop in proximity to his or 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. In situations deemed as emergencies by the Superintendent, students may be transported by a school bus from their school to another location.
12. **BUS EXPECTATIONS:**
 - a. Walk on the left, facing traffic, to the bus stop and stay off the roadway at all times while waiting for a bus.
 - b. Be at your stop ahead of the scheduled bus arrival time and prepared to board the bus.
 - c. Wait until the bus comes to a **COMPLETE** stop and a signal from the driver before attempting to get on or off.
 - d. Cross the roadway, if necessary after leaving a bus, in the following manner:
 - i. Make certain that the bus is stationary.
 - ii. 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 the proper signal to cross.
 - iii. Upon signal from the driver, look to both the right and left and proceed across the roadway in front of the bus. Never cross behind the bus!
 - e. Stay seated in your assigned seat at all times.
 - f. No food or drink on the bus.
 - g. No talking during railroad crossings

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 Student and Parent Handbook. **Failure to comply with the following rules may result in an office referral and may result in permanent removal from the bus. Generally, there is no appeal of disciplinary 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 meeting with the school principal or his or her designee.**

CLASS I - MINOR SCHOOL BUS INFRACTIONS

- 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 Incidental use of profane or indecent language.
- 1.07 Failure to follow proper procedure at bus stops.
- 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, backpacks or cases. No items should hang from bags, cases or backpacks as it constitutes a safety hazard, (i.e., key chains, toys, scarves).

**CLASS I DISCIPLINARY ACTIONS FOR
MINOR SCHOOL BUS INFRACTIONS**

1st BUS INFRACTION:	Conference with student, warning, parent notification
2nd BUS INFRACTION:	Conference with student, up to ONE (1) day bus suspension, parent contact required.
3rd BUS INFRACTION:	Conference with student, up to TWO (2) day bus suspension, parent conference required.
4th BUS INFRACTION:	Conference with student, up to THREE (3) day bus suspension, and in-school conference with parent required.

**MORE THAN FOUR CLASS I BUS INFRACTIONS WILL BE CONSIDERED A CLASS II INFRACTION
(SEE BELOW)**

Class I Bus Infractions may not be appealed beyond the local school.

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

CLASS II - INTERMEDIATE SCHOOL BUS INFRACTIONS

- 2.00** Intentionally hitting, pushing, kicking, or otherwise being physically aggressive with another student.
- 2.03** Cutting, scratching, writing on, or otherwise defacing any part of the bus. Restitution will be required before the student rides the bus again.
- 2.04** Defiance of Authority- Refusing the direct, explicit instruction given by a school board employee or other adult in the school in an official capacity such as a School Resource Officer or substitute teacher.
- 2.07** With intent to harass, annoy, intimidate, or alarm whether socially, physically, or emotionally, a student:
 - A. directs abusive or obscene language or makes an obscene gesture towards another student;
 - B. 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;
 - C. uses any form of written or electronic communication in a manner likely to harass or cause alarm;
 - D. 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; or
 - E. touches another with sexual connotations or makes written or verbal propositions to engage in sexual acts.

See Anti-Harassment Policy and Reporting Form.
- 2.08** 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. May be deemed a Class III if the act has potential to cause great harm to passengers (including the student committing the infraction), the driver, or property surrounding the bus.
- 2.08** 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 Infraction – (3.06, 3.16)
- 2.08** Failing to keep head and hands inside the bus windows at all times.
- 2.08** Entering or leaving the bus without the consent of the driver.
- 2.08** Tampering with door handles and other safety equipment at any time unless directed to do so by the driver or the aide.
- 2.08** More than FOUR Class I bus violations in one school year constitutes a Class II bus violation
- 2.10** Bringing prohibited objects onto the bus.
- 2.12** Using tobacco in any form on the bus.

CLASS II DISCIPLINARY ACTIONS FOR INTERMEDIATE SCHOOL BUS INFRACTIONS

1st INTERMEDIATE BUS INFRACTION	Conference with student, up to five (5) days bus suspension, parent will be contacted.
2nd INTERMEDIATE BUS INFRACTION	Conference with student, up to seven (7) days bus suspension, parent conference required.
3rd INTERMEDIATE BUS INFRACTION	Conference with student, up to ten (10) days bus suspension, parent conference required.
4th INTERMEDIATE BUS INFRACTION	Conference with student, removal from bus for remainder of year, parent conference required.

Class II Bus Infractions may not be appealed beyond the local school.

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 INFRACTIONS

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 Major Infractions will be disciplined according to the Student & Parent Handbook and may be removed permanently from the school bus in addition to other consequences as determined at the disciplinary hearing. Exceptional Education and Section 504 students will be disciplined according to current policies for students with disabilities.

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.)

SCHOOL ATTENDANCE

Regular and punctual attendance is essential to a student's academic success and is required by state law. School 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. Students who are engaged in remote or virtual instruction are expected to attend classes, actively engage in instructional activities, and complete all assignments.

Jefferson County Schools, like all public schools in the state of Alabama, are evaluated, in part, on student attendance. Each school is assessed by the number of students who are chronically absent under the current state definition. Accordingly, students should be present at school each day 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 do makeup work after school hours, in which case advanced notice will be given to allow 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 student's scheduled 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. Observance of a 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. Any student who has been chronically absent by the state's current definition in a class or course lasting an entire academic year, may be denied credit in the course or retained in a grade. For semester-length courses, failure due to excessive absences is based on missing fifty percent (50%) or more of the current state definition of chronic absenteeism. The state currently defines chronic absenteeism as eighteen (18) or more absences. The denial of credit may result if a student has eighteen (18) or more absences from a class or course lasting an entire academic year or nine (9) or more absences from a semester-length course.

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, accumulates ten (10) or more consecutive unexcused absences or fifteen (15) or more unexcused absences during the semester. This may result in the suspension of the student's driver's license.

Early Warning and Referral to the Jefferson County Family Court

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 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.

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 to 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 the school zone. 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 in the **Attendance Zone and Transfer Information** section. A Change of Address form is required and may be obtained at www.jefcoed.com. Tuition will be required for students moving out of the Jefferson County School District who 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, hair picks, bandanas, visors, and sunglasses must be removed and placed in the locker or designated area and remain during the school day. Students may not wear a hood during the school day.
2. 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.
3. Students are to wear clothing in the manner for which it is designed. Pants must be worn at the waist.
4. 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).
5. 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).
6. Back, chest, and midriff must be covered.
7. Bracelets, belts, and other clothing and accessories with spikes, studs, or chains are not allowed.
8. Insignias, buttons, clothing, backpacks, or other articles of personal property, which are suggestive of alcohol, tobacco, vulgarities and violence, are drug-related, or are demeaning to other persons are not allowed at school or during school-sponsored events..

9. No open holes or shreds in pants above the knee.
10. Clothing must be worn over leggings/jeggings or tights and must be of appropriate length (no shorter than mid-thigh).
11. 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.
12. Shoes appropriate to the school setting, with student safety the primary concern, must be worn at all times.
13. Book bags/backpacks and athletic bags must be placed in the locker or designated area and remain there during the school day unless approved otherwise by an administrator. **Backpacks/book bags may not have wheels unless written approval is given by a physician due to medical reasons or by permission of the school administrator as deemed necessary as described in this handbook in Healthcare Services.**

See **Student Code of Conduct for consequences of not adhering to the Jefferson County Schools Dress Code 1.08**

RESPONSIBILITIES OF STUDENTS AND STUDENTS' RIGHTS

- 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 and procedures as set forth in this Student & Parent Handbook; 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 resources 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, career technical student organizations, some academic and scholastic teams, after-school 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 August 1st. Changes will be made at the discretion of the local school administrator. Changes made after August 1st will incur a charge of \$30.00 for high schools and \$15.00 for middle schools.

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 Student and Parent Handbook 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 Student and Parent Handbook. 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 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.

See Code of Conduct for consequences in the event students do not adhere to this policy.

HEALTH CARE SERVICES

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 hand delivered to the school nurse/office by the student's parent/guardian** or other responsible adult. All medications must have a School Medication Prescriber/Parent Authorization form properly completed or medications will not be accepted 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/or carry-on-person due to a "chronic illness" such as diabetes, asthma, etc. A valid medication authorization form must be on file at the school that indicates permission from the physician and parent for a student to self administer and /or carry-on- person. The student must be able to demonstrate proper administration of the medication and the parent and student signature is required on the self administration/self carry contract . Students found possessing unauthorized medications will be subject to disciplinary action under Section 3.07 of the Student and Parent Handbook.*
- **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, chapstick)** 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.
- **Sunscreen:** Students can possess and use FDA regulated over-the-counter sunscreen at school and school-based events without the need for parent or doctor's permission if the student is able to self-apply the sunscreen. Any student, parent, or guardian requesting that a school board employee apply sunscreen to a student shall present to the nurse a Parent Prescriber Authorization Form (PPA) containing a parent or custodian signature. A physician signature or physician order shall not be required. ACT NO: 2017-278 (Effective May 16, 2017).
- School personnel will not administer **natural remedies, herbs and/or nutritional supplements** without the explicit order of an authorized prescriber, parent authorization, verification that the product is safe to administer to children in the prescribed dosage and reasonable information regarding therapeutic and negative effects.
- **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 judgment 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 first dose on any NEW medication should NOT be given at school.
- The schools will not supply any Prescription or OTC medication to staff or students.
- All unused medications not picked up by parent/guardian by the **last day of each school year or date indicated by the local school nurse will be discarded** according to appropriate disposal guidelines.
- Any student requiring medical procedures such as tube-feeding, diabetic care, urinary catheterizations, etc., must have the appropriate Prescriber/Parent Authorization form on file with the school nurse. If a student has a medical diagnosis requiring nursing care, please contact the local school nurse.
- When a student will be attending an alternative school, it is the parent's responsibility to notify the alternative school if their student requires medication at school and to transport the student's medication and paperwork to and from the student's base school to and from the alternative school.
- If your student has any **food allergies** that requires diet modifications or substitutions, a "Diet Prescription for Meals at School" form will need to be completed and signed by both the physician and parent and turned into the school nurse

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

STUDENT EXCLUSION DUE TO ILLNESS

Jefferson County Schools follows the Exclusion and Readmission Criteria for Communicable Diseases in Schools and Childcare Centers set forth by the Alabama Department of Public Health which can be found at the following website: <https://www.alabamapublichealth.gov/infectiousdiseases/assets/CountySchoolsInfection2pg.11.17.15.pdf>. The Jefferson County School District follows the Alabama Department of Public Health issued guidelines regarding Covid-19 in the Back to School toolkit that can be found on the following link: <https://www.alabamapublichealth.gov/covid19/schools.html>. In addition, without documentation of a defined illness the following chart details criteria for when a student should be excluded from school. Should a student develop any contagious signs or symptoms while at school or the local school nurse or administrator deem a student too ill to

remain at school, school personnel will contact the parent/guardian or authorized adult and require that the student be taken home.

SYMPTOM	JEFEOED EXCLUSION PERIOD
Diarrhea/Vomiting	Until 24 hours after the last episode of diarrhea/vomiting or until the individual provides medical documentation that the cause is not infectious.
Fever (100° degrees or higher)	Until 24 hours after the last episode of fever without anti-fever medication
Rash	Your child should not attend school until rash has been diagnosed and treated for 24 hours.
Pink Eye	Until treated for 24 hours
Head Lice	Until treatment and there are no live bugs present on scalp

CERTIFICATE OF IMMUNIZATION

Parents of JEFEOED students are required to provide an up-to-date Certificate of Immunization (“Blue Card”) detailing proof of immunization or a Certificate of Exemption issued by the Alabama Department of Health before attending school and throughout the student’s scholastic career, as appropriate. Immunization certificates are available from the Jefferson County Department of Health at 1400 Sixth Avenue South Birmingham, AL 35233 205-933-9110 and from local physicians or military clinics. Please visit the Alabama Department of Public Health’s website for the immunizations required to enter school, the link to the website is as follows:

<https://www.alabamapublichealth.gov/immunization/schedules.html>

MENINGOCOCCAL DISEASE

Meningococcal disease is any illness caused by the bacteria Neisseria meningitis. It is the leading cause of bacterial meningitis in children two (2) – eighteen (18) years of age in the U.S. Meningococcal disease can be very serious, even life threatening in forty-eight hours or less. Symptoms of meningococcal disease are similar to influenza (flu) and may include: sudden onset of a high fever, increased sensitivity to light, headache, rash, stiff neck, confusion, nausea, vomiting, severe aches and pain in the muscles, joints, chest or belly. Meningococcal disease is spread person to person by sharing respiratory secretions, through kissing or coughing, close or lengthy contact, and among people who share a room or live in the same household. Adolescents eleven (11) through eighteen (18) years of age are routinely recommended for two (2) doses of meningococcal conjugate vaccine (MCV4). Preteens should get the first dose of MCV4 at their eleven (11) – twelve (12) years of age check-up and a booster dose of MCV4 is recommended at sixteen (16) years of age. Teenagers who missed a dose and are heading off to college as a freshman living in a residence hall. Ask your doctor about getting the vaccine now. For more information on this and other vaccine recommendations go to: www.adph.org/immunization

IMPACT OF HEAVY BACKPACKS

Carrying too heavy a backpack may affect children’s health and have long term effects. Research shows that children carrying more than 10% of their body weight is damaging to their spinal and postural health. For more information visit the website at: <http://www.bacsupport.com>

NON-SUFFICIENTLY FUNDED CHECKS

Jefferson County Board of Education will gladly accept checks. The following checks will not be accepted: post-dated checks, two-party checks, or hold checks. If a check is returned to Jefferson County Board of Education due to non-sufficient funds, the check will be turned over to the Jefferson County District Attorney's Office for collection.

CHARGED MEAL PROCEDURES

The Jefferson County School District realizes that students may forget or lose lunch/breakfast money. To make it easy for parents to view charges, fund accounts, and get notified of low balances, we have partnered with Titan School Solutions. There is no charge for parents to create, monitor, or receive emails regarding low student meal balances. Parents may also utilize the mobile app on their mobile devices to monitor accounts. Parents will still be notified in writing and by the school district automatic messaging system of negative student balances and will be afforded a reasonable opportunity to clear the bad debt. The Jefferson County Child Nutrition Program offers four ways for a parent to fund their student's account:

1. Pay online using Titan's Family Portal at <https://family.titank12.com/>
2. Utilization of the Titan Family Connect mobile application
3. Personal Check or Cashier Check (no third party checks)
4. Cash

It is unlawful for the Child Nutrition Program to absorb unpaid meal charges. Parents are responsible for providing funds for student accounts. If parents need financial assistance paying for school meals, a meal benefit application for free/reduced price meals must be completed. The meal application only takes a few minutes to complete and can be located on line at www.jefcoed.com. The online application is recommended as upon completion it is immediately transmitted to the Child Nutrition for processing. In the event a preference is for a printable application that is also located on the Child Nutrition district webpage as well as at your child's school. Simply complete the application and return to the school. The school will then forward the application to the Child Nutrition Department. As a reminder applications for meal benefits can be completed at any time during the school year. If a parent elects not to complete a meal benefit application or provide funds for student meals after a reasonable amount of time, an alternative meal may be provided at the discretion of the principal after the parent has received notification of the outstanding meal charges.

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.

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. These children and youth require services not ordinarily provided by the regular school program. 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 assessed through an individual or group test of intelligence or creativity.
- **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.
- **Characteristics** - A behavior rating scale designed to assess gifted behaviors is completed by a classroom teacher.

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 core content course.
- **Grades 9-12:** Gifted students are served through advanced courses (including Advanced Placement and International Baccalaureate), dual enrollment (where available), career/college counseling, mentorships and independent studies.

For more information, contact:

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

or the Gifted Education 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

SUMMARY OF TITLE IX

COMPLAINT PROCESS AND PROCEDURE

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

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

- (1) An employee of the school system conditioning the provision of aid, benefit, or service of the school system on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an educational program or activity of the school system; or

- (3) Sexual assault, dating violence, domestic violence, or stalking as defined under various federal statutes.

The filing of a Formal Title IX Complaint initiates the Title IX Complaint Process and Procedure, which includes a full investigation. Complainants and Respondents are entitled to have an advisor of their choice to assist them during this process. That may be a parent/guardian, trusted third-party, or attorney. If you have any questions or to file a Title IX Complaint, please contact the Title IX Coordinator at titleixcoordinator@jeffcoed.com, or 205-379-2201.

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

Summary of the Grievance Procedure:

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

- e. If the Respondent is found responsible by a preponderance of the evidence, discipline will be imposed.
6. Any appeal of the decision must be submitted in writing to the Title IX Coordinator within **five (5) calendar days** of the final decision, and must be based on one of the following:
 - a. Procedural irregularity that affected the outcome of the matter.
 - b. Conflict of interest or bias of the Title IX Coordinator, the investigator, or the decisionmaker.
 - c. Newly discovered evidence that could affect the outcome. That evidence must be provided at the time of the appeal. Speculation about the potential of additional evidence is not a basis for appeal.

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

For more information, please see the District’s Title IX Policy, which is available online at www.jefcoed.com. The Title IX Coordinator may be reached at TitleIXCoordinator@jefcoed.com, or 205-379-2201.

ANTI-HARASSMENT POLICY

JCBE Policy File: 6.24

Section 1. Bullying, Intimidation, Violence, and Threats of Violence Prohibited - No student shall engage in nor should any be subjected to bullying, violence, threats of violence or intimidation by any other student that is based on any of the specific characteristics set forth in this policy. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the Student Code of Conduct and applicable law, subject to the investigating school administrator’s authority and decision.

Section 2. Definitions

- a. “Bullying” means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to: cyberbullying or written, electronic, verbal, or physical actions that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in this policy. To constitute bullying, a pattern of behavior may do any of the following:
 - Place a student in reasonable fear of harm to his or her person or damage to his or her property;
 - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student;
 - Have the effect of substantially disrupting or interfering with the orderly operation of the school whether the conduct occurs on or off school property, online, or electronically;
 - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function; or
 - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- b. “Hostile environment” means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.

- c. “Violence” means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- d. “Threat” means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.
- e. “Threat of violence” means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.
- f. “Intimidation” means an unjustified threat or other action that is intended to cause fear or apprehension in a student.
- g. “Student” as used in this policy means a person who is enrolled in the Jefferson County public school system.

Section 3. Description of Behavior Expected of Students

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

Section 4. Consequences for Violations

A series of graduated consequences for any violation of this policy will be those outlined in the Student and Parent Handbook 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 may be made on a Board-approved complaint form available in the handbook, on the website, or at the school’s office. The complaint must be delivered to the principal or the principal’s designee either by mail or personal delivery. Incidental or minor violations of the policy may be presented and resolved informally.

The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal’s designee is authorized to inform the student’s parent or guardian of the report unless at the discretion of the school principal or the principal’s designee the apparent cause of the threat of suicide is child abuse or other significant harm from a parent or guardian.

- b. Upon receipt of the complaint, the principal or the principal's designee will determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions may be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violations(s) may also be imposed by the principal or the school system.
- 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 may be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Student and Parent Handbook. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy may be subject to disciplinary sanctions as outlined in the Student and Parent Handbook.

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

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 bullying, violence, threats of violence, or intimidation found elsewhere in Board policy or procedure, including the Student and Parent Handbook. This policy shall not be construed to allow bullying, violence, threats of violence, or intimidation for any reason not specifically listed in this policy or to prohibit the Board from disciplining students for acts of bullying, violence, threats of violence, or intimidation not specifically listed herein. Students who engage in bullying, violence, threats of violence or intimidation not specifically covered by this policy may be subject to appropriate disciplinary action in accordance with the Student and Parent Handbook.

[Reference: Ala. Code §16-28B-1, *et seq.* (1975)]

The form below for Reporting Bullying, Intimidation, Violence, and Threats of Violence can be obtained at school or online at www.jefcoed.com

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

This form may be used by a student or a student's parent or guardian to submit a complaint regarding Bullying, Intimidation, Violence, and Threats of Violence as defined by state law and school system policy (Board Policy 3.43 [Jamari Terrell Williams Student Bullying Act Policy]).

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

Student's Name: _____ School: _____

Home Phone: _____ Email address: _____

Home Address: _____

Preferred method of contact (provide address, email, or phone number): _____

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

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

Identify the person(s) whose actions led to the filing of the complaint, and all witnesses or other persons having information that is relevant to the complaint.

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

OTHER INFORMATION:

- I believe the incident in question was motivated by the following characteristic(s) (Check All That Apply):

___ Race

___ National Origin

___ Sex

___ Disability

___ Religion

___ Other _____

- The incident resulted in a threat of suicide by the victim: ___ Yes ___ No

Attach copies of documents or other evidence that is relevant to the complaint. Attach additional paper if needed for question responses.

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

Student Signature: _____ Date: _____

OR

Parent/Guardian Signature: _____ Date: _____

Deliver or Mail to the Principal's Office

Revised: March 2019

COMMUNICATIONS

The Jefferson County Board of Education and its employees may notify parents/custodians, and students of information through electronic or written communications. Although the Board may elect to use various methods of providing those communications to parents and custodians, it is the ultimate responsibility of each student to notify his or her parent or custodian of all 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.

DIGITAL LEARNING

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. 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.

JEFCOED ACCEPTABLE USE AGREEMENT

The 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. The AUA applies to all technology resources for remote learner use or virtual school use. 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 custodian 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, students agree to abide by the Acceptable Use Agreement and all Board policies, rules, and regulations regarding the use of technology. Signature(s) on the Notice of Receipt page for school registration indicates receipt, understanding and agreement to all of the following terms, conditions and requirements:

Access

The Jefferson County Board of Education's technology resources are made available to users 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 may result in cancellation of those privileges. Suspected inappropriate use may result in cancellation of privileges, pending investigation. The district Technology Director and/or school system administrators will determine when inappropriate use has occurred and may deny, revoke, or suspend specific user privileges and accounts accordingly.

- B. Individuals may only use accounts, files, software, and technology resources that are assigned to, provided, or approved for him/her. Individuals may not attempt to log in to the network as another person or use a computer that is logged on as another person.
- C. Individuals may not reduce the efficiency of use for others or attempt to modify 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. Individuals identified as a real or suspected security risk may be denied access.
- 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 user or the school.
- E. Modification or alteration of the Board's resources without authorization of the technology director is strictly prohibited. Users may not modify system settings or install software without specific authorization from the technology director.
- F. Users are not permitted to connect or install any computer hardware, components, or software, without prior approval from the district technology director.

Internet

- A. All school rules and guidelines for appropriate technology usage shall apply to Internet usage.
- B. Users may not access, capture/record, view, download, transmit or attempt to access, capture/record, view download, or transmit 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 users. Any attempt to disable, modify or circumvent this software or other limiting device is strictly prohibited.
- E. Successful or unsuccessful attempts to bypass Internet or network filters by using proxies or other resources are a violation of this agreement.
- F. Faculty and staff should screen all Internet resources before distributing them for use for instructional purposes.

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 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.

- 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.
- G. All passwords are required to be kept private.

Care of Devices

- A. The device is the property of Jefferson County Schools and all users should follow the procedures outlined in the JEFCOED Acceptable Use Agreement.
- B. Students are responsible for the care of the device(s) assigned to them.
- C. Adding stickers, markings, or other cosmetic alterations is prohibited.
- D. Identifying information on the device added by the school or manufacturer may not be removed.
- E. Students should only use the device(s) assigned to them.
- F. Damaged or malfunctioning devices must be turned in to the school for evaluation and/or repair as soon as the damage or malfunction is discovered.
- G. Cords and cables should be inserted carefully into the device to prevent damage.
- H. Devices should not be left unattended, in an unlocked locker, or in a vehicle.
- I. Students should protect the device from extreme heat or cold, food or liquids, small children, and pets.
- J. In case of theft, the school must be notified immediately so a police report can be filed.
- K. Deliberate damage to a device and/or device accessories, including but not limited to, cases, cords, and headphones, as determined by the school administrator or Director of Technology may result in disciplinary action in accordance with the Student & Parent Handbook and restitution may be required.

Copyright and Plagiarism

- A. All users are expected to abide by copyright laws and to follow the *Fair Use Guidelines for Educational Multimedia*. If students do not know if use of online material is legal or ethical, ask teachers or administrators 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 may result in disciplinary actions and/or 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 Workspace for Education, Schoology (LMS), and single sign-on applications such as Clever and ClassLink.

- A. Accounts for these services are provided to all users through a controlled environment that is for Board use only. A Google Workspace for Education unique account will be assigned to each student.
- Email and collaborative accounts are provided for educational purposes only.
 - Students will create, save, and collaborate in these environments via email, documents, presentations, quizzes, classroom assignments, and more.
- B. All school rules and guidelines for appropriate technology usage shall apply to online collaborative systems, including the Learning Management System (LMS).

Devices

- A. Personally owned devices will not be allowed to access the Internet via the JEFCEOD network. **Personal hotspot/wifi access is not allowed while on school property for personally-owned or district devices.**
- B. Personally owned or district 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 school administration.
- C. The school or district assumes no responsibility for personal devices.
- D. Technical support will not be provided for personal devices.
- E. Students are not allowed to loan, trade, or sell devices.

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 JEFCEOD Student & Parent Handbook
- 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 AND PERSONAL DEVICE POSSESSION AND USE

The Jefferson County Board permits students to bring cell phones to school as authorized by the local school administration.

Cell phone or personal device possession or use in an inappropriate manner which does not follow the Student Devices guidelines, will result in the following. The device will be taken from the student, and placed in an appropriate location until the parent reclaims it. A parent may reclaim any device 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 devices that are taken. If the device is suspected to contain illegal or inappropriate material, the administrator has the right to inspect the contents of the device. Any illegal or inappropriate material found on the device may lead to further disciplinary action.

Violation of the rules regarding cell phone and personal device possession may result in disciplinary action. Please review the section on disciplinary actions for details. The use of cell phones, personal hotspots, and personal computers is prohibited during the school day.

Personal devices 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. **Personal device 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 the local school administrator.**

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 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

The school and/or school district may 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 JEFCEOED 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. Notification must be made within 15 days of enrollment.

Web Release

A teacher, the school, and/or the school district may publish the image and/or intellectual property of students to various official websites operated by the district, including official online school newspapers and/or social media pages. 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 JEFCEOED the right and permission to publish their child's image and/or intellectual property on its various official websites, online school newspapers, official social media pages, and official teacher blogs, then these images and/or intellectual property may be used in web publications without limitations, or reservation, or any fee. Notification must be made within 15 days of enrollment.

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.

JEFCOED 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 submitted to the Department of Student Services by June 1. An application is available at www.jefcoed.com and must be **received** by the Department of Student Services by the deadline, or it will not be approved. 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 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 for 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. 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 infraction.

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

JEFCOED 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;
 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 custodian is employed by the Board on a full time basis;
 2. The student resides with the employee parent or custodian and the employee parent or custodian 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 transfer will be allowed if there is space available and if:
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" infraction (See Student and Parent Handbook).
- 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 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.
 - J. 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
Under the Family Educational Rights and Privacy Act (FERPA) &
Protection of Pupil Rights Amendment (PPRA):**

Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the school receives a request for access.

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

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

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

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

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

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

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Jefferson County Board of Education to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Notice for Directory Information Under FERPA

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the school system, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the school system may disclose appropriately designated "directory information" without written consent, unless you have advised the school system to the contrary in accordance with the school system's procedures. The primary purpose of directory information is to allow the school system to include information from your child's education records in certain school publications. Examples include:

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have

notified 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 that they do not want their student's information disclosed without their prior written consent.

If you do not want Jefferson County Board of Education to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify 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. The Jefferson County Board of Education has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

• *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income, other than as required by law to determine program eligibility.

• *Receive notice and an opportunity to opt a student out of–*

1. Any other protected information survey, regardless of funding;

2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This 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.)

Inspect, upon request and before administration or use –

1. Protected information surveys of students and surveys created by a third party;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The Jefferson County Board of Education will directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The school system will make this notification to parents at the beginning of the school year if it has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above

Parents who believe their rights under the PPRA have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Jefferson County Schools does not conduct invasive physical examination or screenings. However, vision screenings may be scheduled throughout the year. Please contact your local school regarding these screenings. Parents wishing to “opt out” of vision 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 school system’s website.

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.

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 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 Student and Parent Handbook 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 Student and Parent Handbook. The Student and Parent Handbook 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:

<p>Title IX Coordinator 2100 18th Street, South Birmingham, AL 35209 205-379-2201 titleixcoordinator@jefcoed.com</p>	<p>Homebound/504 Services Dr. Cherith Fluker, Supervisor 2100 18th Street, South Birmingham, AL 35209 205-379-2214 cfluker@jefcoed.com</p>
---	---

