
***CODE
OF
STUDENT
CONDUCT***

***Eufaula City Schools
2010-2011***

CODE OF STUDENT CONDUCT

EUFAULA CITY SCHOOLS

EUFAULA, ALABAMA

Approved : **June 22, 2010**

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Dear Students and Parents

In Eufaula, we feel that discipline is an important part in creating a positive learning environment. The Code of Student Conduct is issued so that parents will work with their children to ensure that little time is spent in addressing discipline or dress code issues so that schools can focus on teaching and learning.

We hope that you will work together with us to use this handbook as a valuable teaching tool in helping children learn consequences result from the choices they make. Punitive actions for rule violations are intended so that students learn from their mistakes and are able to move forward in a positive manner. As a student progresses in the public schools, it is reasonable to assume that an increase in age and maturity will result in the student's assumption of greater responsibility for his/her actions. While the expectation of student behavior identified in this handbook applies to all students in grades kindergarten through twelve, disciplinary action may differ between elementary and secondary students due to differences in ages and levels of maturity. The contents of this handbook will:

- describe roles of the home, student, school and school personnel.*
- address student discipline, identifying classifications of violations and disciplinary actions*
- establish a dress code for students*
- review Board policies for students and laws relating to Education*
- conform to the mandates provided in The Education for All Handicapped Children Act; The Rehabilitation Act of 1973; and The Alabama Exceptional Child Act.*

Please review the contents of this handbook carefully with your child(ren) and bring any questions you have to the principal of your child's school. Best wishes for a safe and productive school year.

Sincerely,



*Barry R. Sadler, Ed.D.
Superintendent*

Eufaula City Schools

EUFULA, ALABAMA

Belief Statements

Vision:

To provide learning environments that motivate adults and students to stretch themselves to be continuous learners.

Mission:

To promote student learning by providing a safe, nurturing environment which promotes high expectations and attainment of personal aspirations.

Objectives:

- *100% of ECS students graduate with the knowledge and skills to successfully pursue post-secondary educational opportunities and gain meaningful employment.*
- *100% of ECS students and teachers value a shared love of life-longed learning.*
- *100% of ECS students are empowered by the benefits of strong community partnerships.*
- *100% ECS students master rigorous curricula rooted in state and national standards.*
- *Eufaula City Schools provides a secure and nurturing school environment that promotes an atmosphere of cultural appreciation and diversity.*

Parameters:

- *Instructional decisions will be based on individual needs of students.*
- *We will accept accountability for student learning.*
- *We will design high quality learning experiences.*
- *We will provide a safe learning environment.*
- *We will optimize technology to maximize learning.*

Beliefs:

- *Each person is unique, capable of learning and deserving of dignity and respect.*
- *Excellence demands sacrifice.*
- *Education is vital to a successful life.*
- *A safe and nurturing environment promotes learning.*
- *Every person shares responsibility for the realization of a quality education and the success of the learning community.*
- *Parents and the community must partner with the schools to provide the best opportunities for children to be successful.*
- *Teachers must be competent, committed, and caring.*

CHAPTER I
ROLES OF THE PARENTS, STUDENTS,
SCHOOL AND SCHOOL PERSONNEL

In order for effective teaching and learning to take place in our schools, there must be a cooperative relationship among students, parents, guardians, and educators. This relationship may be described as:

Parents and Guardians who:

- keep in regular communication with the school authorities concerning their child's progress and conduct.
- insure that their child is in daily attendance and promptly report and explain an absence or tardiness to school officials.
- provide their child with the resources needed to complete classwork.
- assist their child in being healthy, neat and clean.
- bring to the attention of school authorities any problem or condition which affects their child or other children.
- discuss report cards and work assignments with their child.
- maintain up-to-date home, work and emergency telephone numbers at the school, including doctor, hospital preferences, and an emergency health care form.
- attend scheduled parent-teacher conferences.

Parent/Individual who gives guardianship to another will not be:

- called when the child is ill.
- notified when the child has a parent conference.
- permitted to meet and discuss the child's school progress with school officials.
- listed on any school publication as parent of the child.
- called if there is a severe behavioral problem.
- invited to be "family" at family events.
- allowed to accompany the child on a field or other trip.
- permitted to sign excuses for the child.
- permitted to meet with teacher/administrator on any matter including educational progress of the child

Parent/Individual who accepts guardianship of a child will:

- be contacted on any and all school matters.
- be responsible for the attendance of the child and summoned to court, if the child is not in regular attendance.
- be responsible for all written authorization regarding the child.
- be considered as the parent of the child.
- not be permitted to include the parent in school matters at conferences.

Students who:

- attend all classes daily and are punctual in attendance.
- are prepared to come to class with appropriate working materials.
- are respectful to all individuals and to all property.
- refrain from profane or inflammatory statements.
- conduct themselves in a safe and responsible manner.
- are clean, neat and appropriately dressed.
- are responsible for their own work, classroom and the school.
- show a positive, cooperative attitude toward school.

Schools that:

- encourage the use of good guidance procedures.
- maintain an atmosphere conducive to good behavior.
- exhibit an attitude of respect for students.
- plan a flexible curriculum to meet the needs of all students.
- promote effective discipline based upon fair and impartial treatment of all students.
- welcome and encourage participation by parents and guardians in the school affairs.
- encourage the school staff, parents and guardians, and students to use the services of community agencies.
- encourage the school staff, parents and guardians to keep in regular communication with the school.

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- seek to involve students in the development of policies.
 - endeavor to involve the entire community in order to improve the quality of life within the community.

School Personnel who:

- are regular in attendance and punctual.
- are prepared to perform their duties with appropriate materials and lesson plans.
- are respectful to all individuals and of all property.
- refrain from profane or inflammatory statements.
- conduct themselves in a safe and responsible manner.
- are clean, neat and appropriately dressed.
- abide by the rules and regulations set forth by the school and School Board.
- seek changes in an orderly and recognized manner.
- strive to use a variety of informal disciplinary and guidance methods, prior to, during and after formal disciplinary action including:
 - students' program adjustment.
 - referral to guidance personnel for group or individual counseling with counselors, peer counseling, psychological evaluations, and other services deemed appropriate.
 - conferences and/or contacts between administrators, parents and guardians, teachers and students.
 - referral to special education or appropriate agencies for special problems.
 - continuous improvement of professional knowledge and skills.
 - positive, cooperative attitudes toward parents and guardians, students, co-workers, and the total school program.

**CHAPTER II
STUDENT DISCIPLINE**

CLASSIFICATION OF VIOLATIONS

Violations of the *Code of Student Conduct* are grouped into three (3) classes, minor, intermediate, and major, and are applicable to all students of the School System. Before determining the classification of a violation, the principal or designee will consult with the involved student(s) and school personnel. Once the classification of the violation is determined the principal or designee will implement the disciplinary procedure.

Each classroom teacher will deal with general classroom disruption by taking in-class disciplinary action, by telephoning the parent(s) or guardian(s) when feasible, and/or by scheduling conferences with the parent(s) or guardian(s) and other school staff. Only when the action taken by the teacher is ineffective, or the disruption is severe, should the student be referred to the principal or his/her designee. Failure to bring notebook, pencil, homework; or failure to do work in class are not cause for disciplinary referrals; however, defiance of a teacher in regard to these areas is cause for discipline referral. Parents or guardians should be notified by the teacher of students who consistently exhibit poor work habits, and/or these students should be referred to a guidance counselor.

The following provides a description of disciplinary problems that may occur and administrative options that may be taken by school officials. (See Glossary for definitions of disciplinary terms.) School officials will not be held responsible for the safe keeping of any items that are confiscated, that are a violation of the *Code of Student Conduct*.

MINOR OFFENSES – CLASS I

1.01 Excessive distraction of other students.

Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or to any other students.

Examples: talking excessively, interrupting class functions, chewing gum, provoking other students.

1.02 Illegal organization.

Any on-campus activities of fraternities, sororities, secret societies or non-affiliated school clubs.

1.03 Minor intimidation of a student.

The intentional, unlawful threat by work or act to do harm to another student, coupled with an apparent ability to do so, and the performance of some act which creates a well-founded fear in the person that such harm is likely.

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- 1.04 **Participation in games of chance for minor sums of money and/or other things of little value.**
 - 1.05 **Excessive tardiness.**
Repeatedly reporting late to school or class.
 - 1.06 **Unintentional and/or non-directed use of profane or obscene language.**
 - 1.07 **Non-conformity to dress code.**
 - 1.08 **Minor disruption on a school bus.**
 - 1.09 **Inappropriate public display of affection.**
Including, but not limited to, embracing and kissing.
 - 1.10 **Unauthorized absence from class or classes.**
 - 1.11 **Intentionally providing false information to a School Board employee.**
Including, but not limited to, student information data and the concealment of information directly related to school business.
 - 1.12 **Continued refusal to complete class assignments.**
 - 1.13 **Failure to follow instructions.**
Examples: Failure to carry correspondence home, failure to obey directions in the hallways, assemblies, etc.
 - 1.14 **Unauthorized use of school or personal property.**
 - 1.15 **Littering or defacing of school property.**
 - 1.16 **Possession of radios, tape players, I-Pods, MP3s, cards, electronic games, laser pens, lights, cigarette lighters, matches, etc. without written administrative approval** and will result in the confiscation of said articles which will only be returned to student's parents or legal guardian.
 - 1.17 **Sitting in parked vehicle after arriving at school or returning to vehicle during the day without permission.**
 - 1.18 **Disrespect by student toward a School Board employee.**
 - 1.19 **Sexual Harassment:** any physical, verbal, or visual misconduct of a sexual nature which creates an intimidating, hostile, or offensive educational environment.
 - 1.20 **Cheating (see Cheating/Plagiarism on page 20)**
 - 1.21 **Any other violation which the principal may deem reasonable to fall within this category after consideration of extenuating circumstances.**

DISCIPLINARY ACTION/MINOR OFFENSES – CLASS I

Administrative Options for Elementary Students (Grades K-5)

1. In-school conference and parental or guardian contact when warranted.
2. Parental contact and disciplinary action.
3. In-school disciplinary action such as change in student's seating, corporal punishment, detention, in-school suspension, probation, suspension at the discretion of the principal or designee, or work assignments before or after school. **(Beginning with the 2nd ISS referral students may not ride the bus).**

Administrative Options for Secondary Students (Grades 6-12)

1. In-school conference and parental or guardian contact when warranted. Special circumstances may warrant disciplinary action as outlined under subsequent offenses.
2. In-school disciplinary action such as change in student's seating, corporal punishment, detention, in-school suspension, assignment to Alternative placement, Saturday School, probation, suspension at the discretion of the principal or designee, or work assignments before or after school. **(Beginning with the 2nd ISS referral students may not ride the bus).**
3. Repetitive Class I offenses will become a Class II offense.

INTERMEDIATE OFFENSES – CLASS II

2.01 Defiance of School Board employee's authority.

Any verbal or non-verbal refusal to comply with a lawful direction or order of a School Board employee.

2.02 Use or possession of tobacco products.

2.03 Simple assault on a School Board employee.

The intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, the performance of some act which creates a well-founded fear in the other person that such violence is imminent.

2.04 Battery upon students (fighting).

Threatening or appearing to threaten to cause bodily harm to an individual. After investigating the incident, an administrator will determine assignment(s).

2.05 Vandalism.

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

2.06 Stealing – Larceny – Petty Theft – Gambling

The intentional, unlawful participation in gambling activities involving amounts less than \$100. Stealing tests, gradebooks, falsifying records, communicating answers or trying to gain unfair advantage for the purpose of improving grades.

2.07 Pushing or Shoving

Intentionally and deliberately pushing or shoving another student in an aggressive fashion but stopping short of a full fight and stopping the aggressive behavior immediately when directed by a school official.

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

2.09 Threats – Extortion.

Verbally or by written or printed communication, or by use of a weapon or facsimile of a weapon or any device which could be mistaken for or interpreted as a weapon, maliciously threatening an injury to the person, property, or reputation of another, with the intent to extort money of any pecuniary advantage whatsoever, or with the intent to compel the person so threatened or any other person to do any act or refrain from doing any act against his or her will. Note: Completion of the threat, either by the victim's complying with the demands or the carrying out of the threats against the victim, constitutes a Class III offense.

2.10 Trespassing

Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; is warned by an authorized person to depart and refuses to do so.

2.11 Use of obscene manifestations/language, racial remarks, and/or instigating a disruptive situation or provoking other students by using verbal, written, or gestures directed toward another person(s).

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- 2.12 **Directing obscene or profane language or racial remarks to a School Board employee.**
- 2.13 **Leaving class or campus without permission, or skipping school.**
- 2.14 **Unsolicited written or verbal proposition to engage in sexual acts.**
- 2.15 **Possessing and/or igniting fireworks, firecrackers, or smoke bombs.**
- 2.16 **Harassment to include one student hitting another but stopping before fighting between the two individuals.**
- 2.17 **Speeding (exceeding any posted campus speed limit) or reckless driving.**
- 2.18 **Any misuse of computers.**
Students are to use only their passwords and keep their passwords confidential. Students are to use only the computer programs that are in their class files of each server. Students are not to insert a disk into any computer without the permission of the media specialist/teacher.
- 2.19 **Cameras, pocket pagers and/or cellular phones.**
The possession of a camera, pocket pager, cellular phone, or electronic device used as a communication tool, except for health and other extraordinary needs previously approved by the school principal. (Possession means on your person, in your property, or locker [excluding vehicle]). Students are allowed to take **cameras**, cell phones, pagers, electronic devices on school sponsored trips.

First offense: student warning, confiscate item for three days, schedule a required parent conference after the third day; Second offense and subsequent offenses: ISS assignment, item confiscated for a minimum of 30 school days.
- 2.20 **Open disrespect of a School Board employee.**
- 2.21 **Forgery of school documents, parent signature, doctor excuses etc.**
- 2.22 **Sexual Harassment: Any sexual advances, request for sexual favors, use of vulgar or sexually explicit verbal or written comments, gestures or conduct, obscene or sexually explicit pictures, sexually oriented “kidding,” teasing, or practical jokes directed toward another person or offensive to a third party observer.**
- 2.23 **The wearing or displaying of colors or clothing, making hand signals or body gestures, and/or using verbal language or chanting that would suggest gang affiliation.** Students will be sent to Out of School Suspension for one day, and fifteen days at Alternative Placement (6-12) or other Class II Administrative Options.
- 2.24 **Any other offense which the principal may deem reasonable to fall within this category after consideration of extenuating circumstances.**

DISCIPLINARY ACTION/INTERMEDIATE OFFENSES –CLASS II

Administrative Options for Elementary Students (Grades K-5)

1. Parental or guardian contact and disciplinary action.
2. In school suspension (**Beginning with the 2nd ISS referral students may not ride the bus**).
3. Corporal punishment.
4. Suspension for one (1) to three (3) school days.
5. Alternative Placement.
6. Recommendation for expulsion.

Administrative Options for Secondary Students (Grades 6-12)

1. Appropriate disciplinary action which may include referral to Juvenile Court.
2. Assignment to In-School Suspension (3, 5, or 7 days) or Alternative Placement (**beginning with the 2nd ISS referral students may not ride the bus**).
3. Suspension (3, 5, or 10 days).
4. Referral to Juvenile Court (No later than the 2nd Out of School Suspension).
5. Recommendation for Expulsion.

MAJOR OFFENSES – CLASS III

3.01 Drugs

Unauthorized possession, transfer, use or sale of drugs, drug paraphernalia or alcoholic beverages. (Possession means on your person, in your property, locker or vehicle.)

3.02 Arson

The willful and malicious burning of any part of Board property.

3.03 Battery upon a Board employee

The unlawful and intentional touching or striking of a Board employee against his or her will, or the intentional causing of bodily harm to a School Board employee.

3.04 Robbery

The taking of money or other property which may be the subject of larceny from the person or custody of another by force, violence, assault, and instilling the fear of same.

3.05 Stealing – Larceny – Grand Theft

The intentional unlawful taking and/or carrying away of property valued at \$100 or more belonging to or in the lawful possession or custody of another.

3.06 Gambling

The intentional unlawful participation in gambling activities involving amounts of more than \$100.

3.07 Burglary of school property

Entering or remaining in a structure or conveyance with the intent to commit an offense therein during the hours the premises are closed to the public.

3.08 Criminal mischief

Willful and malicious injury or damages at or in excess of \$200 to public property or to real or personal property belonging to another.

3.09 Possession of firearms

Any firearm (including a starter gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device. Expulsion of minimum of one year if student is found to be in violation of this major offense. (See Gun-Free Schools Act page 45).

3.10 Discharging of any pistol, rifle, shotgun, airgun or any other device

3.11 Possessions of weapons

Possession of weapons: (possession means on your person, in your property, locker or vehicle) Weapons include but are not limited to the following:

1. A firearm, or any other device from which a projectile is discharged by explosive powder.
2. A realistic replica of any firearm.
3. Air gun, blank gun (starter's pistol), gas operated gun.
4. Explosive device of any type including but not limited to fireworks or ammunition.
5. Knife, irrespective of the blade length, or any other item that utilizes a razor blade or other blade, replacement or fixed; or metal fingernail file.
6. Numchucks (nunchaku), throwing stars, fighting claws or other weapons utilized in martial arts.

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7. Any device capable of discharging a projectile of any kind.
 8. Any other object not specifically listed which is primarily meant and adapted for attack and for the infliction of injury.

Use of cutting devices are allowed when issued by a teacher for classroom use such as biology, art, etc., and is used under the strict supervision of the teacher.

3.12 Bomb threats

Any such communication(s) concerning School Board property which has the effect of interrupting the educational environment.

3.13 Explosives

Preparing, possession or igniting explosives on School Board property.

3.14 Sexual acts

Acts of sexual nature including but not limited to, battery, intercourse, attempted rape, or rape.

3.15 Aggravated battery – Serious fight

Intentionally causing bodily harm, disability or permanent disfigurement; use of deadly weapon; any significant physical conflict in which injury occurs or fighting continues after being warned to stop by a school Board employee: fighting is a violation of the Code of Alabama 13A-11-7 and is considered disorderly conduct. Students guilty of this type of fighting will be Out of School Suspended for three days and assigned to Alternative Placement for a minimum of thirty days, followed by a report being filed with the Eufaula Police Department and a referral to the Juvenile Court authorities or other Class III Administrative Options.

3.16 Inciting or participating in major student disorder

Leading, encouraging or assisting in (major) disruptions which result in destruction or damage of private or public property or personal injury to participants or others.

3.17 Unjustified activation of a fire alarm system

3.18 Offensive touching of another person

3.19 Open defiance of a teacher or Board employee

3.20 Any gross abuse of computers or computer programs

Students are not to take any parts of a computer or damage a computer in any way.

3.21 Possession of gang paraphernalia or insignia, writing gang insignia on personal or school property, exhibiting threatening, hostile, or bullying behavior, etc. Students will be recommended for expulsion and/or three days OSS and thirty days at Alternative Placement (6-12).

3.22 Any sexual harassment that is a violation of the Code of Alabama.

3.23 Any other offense which the principal may deem reasonable to fall within this category after consideration of extenuating circumstances.

DISCIPLINARY ACTION/MAJOR OFFENSES – CLASS III

Administrative Options for Elementary Students (Grades K-5)

1. Immediate suspension
2. Referral to law enforcement
3. Investigate to see if expulsion is warranted
4. Expulsion
5. If expulsion not warranted, ISS or Alternative Placement, consideration will be given to the age of the child, seriousness of the offense, and prior offenses. (Students who are in long term ISS [3 days or more] may not ride the bus).
 - A. Grades K-1 minimum of 5 days
 - B. Grades 2-3 minimum of 10 days
 - C. Grades 4-5 minimum of 15 days

Administrative Options for Secondary Students (Grades 6-12)

1. Immediate suspension
2. Referral to law enforcement
3. Investigate to see if expulsion is warranted
4. Expulsion
5. Expulsion of a minimum of one year if student is found to be in violation of 3.09 Possession of Firearm.
6. If expulsion not warranted, long term Alternative Placement. (A re-entry conference with the principal is required before returning from Alternative Placement)

EUFAULA CITY SCHOOLS BUS DISCIPLINE PROCEDURES

Class I Offense/Minor

1. Failure to remain seated
2. Talking in a loud or disrespectful manner
3. Hanging arms or body out of windows
4. Loud talking at railroad crossings
5. Any other Class I minor offense

Class I Administrative Steps

- First Referral: Principal/Student conference – Warning
Second Referral: Principal/Student/Parent conference – 3 days suspension from riding bus
Third Referral: Principal/Student/Parent conference – 10 days suspension from riding bus
Fourth Referral: Principal/Student/Parent conference – 30 days suspension from riding bus
Fifth Referral: Principal/Student/Parent conference – suspension from riding the bus for the remainder of the school year.

Class II Offense/Intermediate

1. Refusing to obey driver
2. Fighting (see section 2.04 Class II Offenses)
3. Profanity
4. Throwing objects
5. Damaging or defacing bus
6. Refusal to identify self
7. Lighting matches
8. Smoking on bus
9. Spitting
10. Pushing
11. Tripping
12. Any other Class II offense

Class II Administrative Steps

- First Referral: Principal/Student/Parent conference – 3 days suspension from riding bus
Second Referral: Principal/Student/Parent conference – 10 days suspension from riding bus
Third Referral: Principal/Student/Parent conference – 30 days suspension from riding bus
Fourth Referral: Principal/Student/Parent conference – suspension from riding the bus for the remainder of the school year.

Class III Offense/Major

1. Possession of firearms or weapons
2. Possession of illegal drugs
3. Any other Class III offense

Class III Administrative Steps

- First Referral: Principal/Student/Parent conference – suspension from riding the bus for the remainder of the school year, and follow Class III administrative options in the *Code of Student Conduct*.

Certain acts of misconduct will result in additional punitive action. This action will be decided according to the administrative options for Class I, Class II, or Class III offenses as defined in the *Student Code of Conduct*.

PROCEDURES FOR THE ADMINISTRATION OF SUSPENSION AND EXPULSION

OUT OF SCHOOL SUSPENSION

The Board of Education recognizes its authority to maintain good order and discipline within the schools of the School System. Therefore, the Board gives the school principal the authority to suspend a student. The principal shall advise the Superintendent of all student suspensions.

The principal shall make an immediate effort (same day) to contact the student's parents or guardians about the suspension. No suspended student shall be allowed to leave the school premises during the school day until the student's parent, guardian, or proper school authorities assumes responsibility for him/her. When a student's parent, guardian, or other designated individual(s) cannot be notified, the student must remain on the school premises until the end of the school day. At the end of the school day, the student will return home via normal transportation methods.

PROCEDURES AND REGULATIONS

Authority

The school principal or designee has the authority to suspend students from school for up to three (3) days and up to ten (10) days with the permission of the Superintendent when an expulsion recommendation is to be considered. Immediate removal of the student from school premises is justified only when his/her presence threatens himself/herself, endangers school property, or seriously disrupts the orderly educational process. If immediate removal is necessary, the parents or guardians must be notified by phone or personally by the attendance supervisor or other school officials. In extreme emergencies, principals are given the authority to call upon law enforcement officials to remove such students. The principal shall advise the Superintendent by phone regarding forced removals and shall follow the oral contact with a written confirmation to the Superintendent.

Notification

Prior to suspension, the student will be made aware of the charges and given an opportunity to respond to them. If the evidence indicates that the student committed the offense warranting suspension, the principal or designee may proceed with the suspension. The school principal shall provide the student with a written statement outlining the reasons for the suspension prior to departure from campus, with copies to the student's parent or guardians and the Superintendent within 2 days stating the reason(s) for such action.

Length

The suspension of a student shall not exceed three (3) school days except as follows:

- Any student suspended more than three times during a school year shall be required to appear with parents or guardians before the Superintendent and school principal to explain his/her situation. The Superintendent or designee shall schedule the conference within five (5) school days after being notified by the school principal. If the student or parent(s) or guardian(s) fail to appear as ordered, expulsion proceedings may be initiated.
- If an incident or violation, or series of incidents or violations are serious enough to warrant suspension, said suspension may not exceed ten (10) school days pending Board action on an expulsion recommendation. Provided the Board does not render a decision within the ten (10) school day period, the student shall be readmitted to school until such time that the Board renders a decision. The principal, after expulsion recommendation consideration, may readmit the student to school within the ten (10) school day period based on mutual agreement of the principal and Superintendent. In such case, the principal and Superintendent will have decided not to recommend expulsion. Long term placement at Alternative Placement may be considered as an option if expulsion is deemed not warranted.

Terms

- While suspended, a student may not attend school functions or enter school property for any reason during or after the school day.
- When a student is suspended, his/her teachers must be notified immediately concerning the date and duration of the suspension. Teachers shall not give make-up work to students who are suspended from school.

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- A suspended student must comply with the full length of the suspension unless the principal approves an alternative.

Exceptional Students

Provided an exceptional student commits an offense which warrants short-term (up to five (5) school days) suspension, and if the exceptional student has reached ten (10) cumulative days of suspension, then the I.E.P. Committee shall be convened to determine if the offense is related to the exceptionality; if not, the student may be suspended for up to three (3) school days as any other student. If it is determined that the offense is related to the exceptionality, the student shall not be suspended or expelled. Special education students suspended or expelled for more than ten (10) school days shall be provided an alternative educational program.

Readmission

When a student returns to school after the first suspension in an academic year, the readmission must be preceded by a pre- or post-conference with the principal or designee. The conference must include the parents or guardians, unless otherwise approved by the principal. A student returning after the required conference with the Superintendent and school principal is not required to submit to a second conference with the school principal.

The student is readmitted on approval of the principal or designee and is given an admission slip to return to class.

EXPULSION

The Board may expel a student from school when in its judgment, a student has engaged in a serious rule violation(s). The authority to expel shall be retained solely by the Board. The principal shall make a recommendation to the Superintendent for the expulsion of a student(s) who has violated rules which would warrant such action. Upon conferring with the principal, the Superintendent or designee shall consider the recommendation or require alternative measures. The local school principal may suspend a student pending the outcome of the Superintendent's decision regarding expulsion.

If the Superintendent concurs with the principal's recommendation to expel, the recommendation will be forwarded to the Board by the Superintendent. If a student awaiting an expulsion hearing withdraws from Eufaula City Schools prior to the hearing, the expulsion hearing will still be held.

All due process criteria specified in Board Policy shall be observed in any expulsion proceeding as well as any preliminary steps prior to the hearing.

PROCEDURES AND REGULATIONS

Responsibilities of the Principal

1. Immediately following an incident or violation of school regulations which may result in a recommendation for expulsion by the principal, the principal, upon verbal approval of the Superintendent, is authorized to suspend the student for a maximum of ten (10) school days pending a recommendation of expulsion by the Superintendent at a subsequent Board hearing.
2. The principal shall contact the Superintendent personally or by phone to discuss the suspension and the facts which substantiate recommendation for expulsion. Such facts should be based upon a thorough investigation by the principal. The Superintendent shall inform the principal of his/her concurrence or nonconcurrence with the proposed expulsion recommendation. If the Superintendent does not concur with the principal's recommendations, (1) the student shall be readmitted after the prescribed suspension period, (2) before the subscribed suspension period ends, and/or (3) after completion of alternative placement, based upon mutual agreement of the Superintendent and principal. When there is agreement by both administrators that expulsion proceedings should be initiated, the Superintendent and the principal shall be responsible for notifying the student and parents or guardians of their decision to present the matter to the Board.
3. The principal will immediately notify the student(s) and his/her parents or guardians of the recommendation to present the matter to the Board and the reasons for this action. A reasonable attempt will be made personally to explain to the parents or guardians the circumstances surrounding the recommendation. The principal will confirm the personal notice within 2 days by certified or registered letter. The letter should contain statements regarding the offense, the date, and location of the alleged rule violation(s).

Responsibilities of the Superintendent

1. The Superintendent may concur or reject the recommendation of the principal. If the Superintendent rejects the recommendation, the student shall be readmitted to school upon completion, of the prescribed suspension period or before, based upon mutual agreement of the Superintendent and principal. The Superintendent shall request an immediate conference with the parents or guardians and the student. In such case, the school principal or designee shall attend such conference. Prior to the conference, the Superintendent shall notify the school principal, the student, and parents or guardians about the conference and confirm the notification by registered or certified mail. The personal and written notification shall inform them of the rule violation(s) which could cause possible expulsion and to request the student and parents or guardians to attend the conference scheduled within 4 days of the suspension.
2. During the conference, the Superintendent may discuss with the student and parents or guardians whether a mutually agreeable alternative to expulsion is appropriate.
3. Following such conference, if it is deemed by the Superintendent that expulsion proceedings should continue, he/she shall be responsible for implementing the following notification procedures:
 - a. The Superintendent will provide written notice by registered or certified mail to the student and parents or guardians that a student disciplinary hearing to consider expulsion has been recommended to the Board and that hearing will be conducted within ten (10) school days of the initial suspension. This letter should be mailed at least three (3) to five (5) school days prior to the date set for the Board hearing. The notice will state the exact time, place, and date of the hearing and advise the student and parents or guardians that the student has a right to attend the hearing; to be represented by some other person; to present witness and testimony to the Board, to ask questions of any witnesses presenting evidence to the Board or about any matters at the hearing.
 - b. The notice should inform the student and parents or guardians that their intention to present matters at the hearing must be made known to the Superintendent within three (3) school days after receipt of notice, and that failure to express their desire to do so within the prescribed period of time will waive their right to present such matters. The Board may waive this three (3) school-day requirement if excuses or failure to comply are reasonable.
 - c. If a hearing is unable to be held within the prescribed 10 day period, the student shall be referred to the Alternative Placement until a hearing date can be arranged by the Superintendent that is acceptable to all parties.
4. The Superintendent shall personally or by letter inform each Board member of the recommendation to have a hearing to consider expulsion as soon as possible after the suspension.

Responsibilities of the Board

1. The Board will first allow the Superintendent, principal, and any witness requested by the Superintendent to present testimony relevant to the findings which resulted in the hearing. After the Superintendent, school officials, or other witnesses have presented testimony, the student will be permitted to question them concerning their statements and testimony. Testimony and cross-examination of witnesses should not exceed one hour.
2. Upon completion of the presentation by the Superintendent and witnesses, the student will be allowed to present matters relevant to the student's proposed expulsion. This would include the right to testify and call witnesses on the student's behalf. Presentation of evidence, testimony, and cross examination by the student should not exceed one hour.
3. The Board and Superintendent will then excuse all parties concerned to discuss the evidence presented against and for the student. Upon reconvening, the Superintendent shall recommend the formal action deemed appropriate and just. The Board will vote and authorize notification of interested parties within forty-eight (48) hours of the action taken. Such notification will specify the terms of any expulsion.

Exceptional Students

Provided an exceptional student warrants expulsion, said student's I.E.P. Committee shall be convened to determine if the offense is related to the exceptionality; if not, the student may be expelled but shall be provided an alternative educational program by the School System. If it is determined that the offense is related to the exceptionality the student shall not be expelled.

Terms

- Expelled students will lose academic credit if passing grades are not maintained; based on the combined judgments of the teacher(s) and principal.
- A student cannot request makeup work if expelled from school.
- A student may not participate in extra-curricular or other school activities during the period of the expulsion.
- A student may attend extra-curricular activities after school hours that are described as public activities. Public extra-curricular activities are defined as those activities for which a fee or charge is collected. While attending those activities, the student must abide by all regulations regarding the events. Any student who is expelled from school cannot visit or otherwise be in attendance on any school campus in the School System during the School day (7:30 a.m. – 4:30 p.m.) while expelled from school.

ASSIGNMENT TO ALTERNATIVE PLACEMENT

Assignment:

Assignment to Alternative Placement will be according to guidelines in the Administrative Options of the *Code of Student Conduct* concerning Class I, Class II, and Class III offenses; and in the provisions of the Hope Academy Handbook.

Reevaluation of Placement:

Any student assigned to Alternative Placement may have his/her assignment reviewed for consideration to return to regular school by the Principal and Superintendent based on exemplary behavior of student, age of student, previous disciplinary record, and student's attitude of contrition.

Transportation:

Parents are responsible for transporting their child to and from the Alternative Placement each day. Students are not allowed to arrive or leave with other students. Students are to report immediately to the Alternative Placement. Students are to be dropped off and picked up according to the Alternative Placement guidelines. A teacher will be on duty each morning and afternoon.

Rule Violations:

Violations of the *Code of Student Conduct* or Alternative Placement rules may result in extra days of assignment and/or detention before and/or after school, and/or referral to Juvenile Court.

School Hours:

8:00 a.m. to 2:30 p.m.

Lunch:

Students may purchase a sack lunch prepared by the Eufaula High School lunchroom, bring their own lunch, or receive their free or reduced lunch. Students should bring the correct change for their lunch each day. Students are not allowed to bring large bags of chips, cookies, drinks, candy, etc.

Materials:

Students assigned to the Alternative Placement must bring their books, pen, and paper.

Attendance:

A doctor's excuse will be required for absences from the Alternative Placement. An unexcused absence may result in five additional days for each absence and referral to Juvenile Court.

Parental Responsibility:

Parents are responsible for their children's behavior and attendance as specified in Act 93-67; Alabama Code 16-28-2.2 passed by the Alabama Legislature. Parents will be required to sign an acknowledgement of receipt of Alternative Program Guidelines at the time their child is assigned to the Alternative Placement.

Safety:

Alternative Placement students will be screened on a daily basis with a metal detector to provide a safe and secure atmosphere.

Location:

The Alternative Placement Program is part of the Hope Academy and is located at 333 State Docks Road.

CHAPTER III DRESS CODE

School is a place of business and students should dress accordingly. Students are expected to maintain the highest possible standard of personal hygiene. This includes personal cleanliness (for example, daily bath and oral hygiene) as well as wearing neat and clean clothes. Students are also expected to choose their clothes in good taste, wearing only those clothes which are appropriate for the educational environment.

All students are expected to comply with the Dress Code. For compelling reason, such as medical requirements, the principal or Superintendent, may, at their discretion, review an individual situation to determine whether a modification of a provision is required for the health and safety of a particular student or other compelling reasons.

The School Administration will judge the appropriateness of any “fad” or questionable article of apparel. Special consideration will be given for elementary students as defined in the schools student handbook.

A. HEALTH AND SAFETY

1. Shoes must be worn. Flip flops are not allowed.
2. Shoe laces must be tied securely.
3. Jewelry that creates a hazardous condition shall not be worn. (Studded bracelets etc.)
4. Students will not wear dark glasses inside the school building, unless required to do so for medical reasons pursuant to doctor’s written orders.
5. Body piercing jewelry is restricted to ears only for boys and girls.
6. Hair should be clean and out of the student’s eyes. Hairstyles should be neat and appropriate. Extreme styles as determined by the Administration will not be allowed. By definition, extreme styles may be mohawks, names, letters, or numbers cut in hair or extreme styles as determined by the Administration. Male students with facial hair must keep it neat and well groomed. Students will be given until the next school day to comply with the hairstyle provisions of the Dress Code before disciplinary action will be taken, unless disruptive behavior resulting from the hairstyle requires immediate action.

B. COMMON COURTESY

1. No hats or caps in the building unless they are a part of an ROTC uniform. No bandannas or head coverings will be worn. **(This includes but is not limited to sweatshirt/jacket hoods in grade 6-12).**
2. No unbuckled belts will be allowed.

C. DRESS vs. COSTUME

1. No halter tops, tank tops, togas, hospital gowns, pajama outfits, bedroom slippers, etc. will be allowed.
2. No costumes allowed except when approved as a school sponsored activity.

D. DECENCY AND MODESTY

1. No see-through shirts, blouses, or pants; no clothes that bare the midriff, sides or shoulders, **or show cleavage. Polo style shirts, shirts with a collar, or crew neck t-shirts must be worn and tucked in. Exceptions would be on pep rally days for players to wear jerseys.**
2. No decals, slogans, or sayings on clothes that contain references to illegal or immoral behaviors. Decals, slogans, or sayings that advertise alcohol, alcoholic beverages, illegal drugs, or tobacco products are not allowed.
3. No lewd or vulgar sayings on clothing will be allowed.
4. No hot pants, or scooter skirts will be allowed.
5. Shorts, skirts, and dresses must be longer than middle thigh **and high enough at the top to cover cleavage.** Slits in shorts, skirts, and dresses must remain below middle thigh.
6. Pants must be worn securely above the hips, **with a belt that is visible. (A belt will not be required at the Primary School).**
7. Boys or girls will not be allowed to wear sleeveless shirts or dresses in grades 6-12.
8. Proper undergarments must be worn with all clothing.
9. Jogging pants/wind suits are allowed as long as they are loose fitting.
10. Clothing shall not be so tight or so loose as to be overly revealing.
11. Overalls must be worn with the straps buckled over the shoulders, with the sides buttoned up.

Any student who fails to dress appropriately will not be allowed to attend class until proper clothes can be secured. If necessary, parents will be called to bring clothes to school. Until proper clothing can be secured, the student will be referred to In-School Suspension and will be responsible for all classwork missed. Nonconformity to the dress code is a Class I offense of the *Code of Student Conduct*.

**CHAPTER IV
STUDENT POLICIES**

ALCOHOL/DRUGS

It shall be the policy of the Board that no student shall use, be under the influence of, or have in possession any alcoholic beverage, marijuana, hallucinogenic drugs, narcotics of any kind, or any substance, other than prescription drugs specifically prescribed for the students, which may alter behavior.

The above policy shall apply in or on school properties during the regular school day and to all school sponsored activities.

The regular school day is defined as the normal hours schools are open to students for instructional purposes. The regular school day begins for students at the time of arrival on the respective school premises (school-owned property, school bus, parking lot, etc.). The school day ends for students upon departing school premises (school-owned property, school buses, parking lots, etc.). A school activity is defined as any activity (play, athletic event, recital, etc.) under the sponsorship and supervision of a school or the School System.

The administration will make arrangements to cooperate with the local, state, and federal narcotic officers in the detection, prevention and prosecution of any and all possible violations. All local school principals are instructed to cooperate in accordance with law enforcement agencies and are to report to them any and all information that would be considered beneficial in their efforts to control illegal drug use.

Students violating this policy may be subject to punishment by law and/or disciplinary action by appropriate school officials.

Certified school personnel shall organize and maintain programs of education designed to make students fully aware of the hazards of alcohol and drugs.

ANTI-HARASSMENT POLICY

Section 1. Harassment, Violence, and Threats of Violence Prohibited.

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

Section 2. Definitions.

- (a) The term “harassment” as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth in Section 3(b) below. To constitute harassment, a pattern of behavior may do any of the following:
- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
 - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
 - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
 - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
 - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- (b) The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- (c) The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
- (d) The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.

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- (e) The term “student” as used in this policy means a student who is enrolled in the Eufaula City school system.

Section 3. Description of Behavior Expected of Students.

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

Section 4. Consequences for Violations.

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

Section 5. Reporting, Investigation, and Compliant Resolution Procedures.

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

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

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

ATTENDANCE POLICY

It is the belief of the Eufaula City Board of Education that regular school attendance is important to all students and to the school system. It is further believed that course content and grading procedures should be structured in such a fashion that regular attendance is necessary in order to successfully complete course requirements.

Subject to parental guidance, each student must be responsible for his/her own attendance. Administrators and teachers will make every effort to encourage regular attendance by students and to solicit assistance from parents and guardians in accomplishing this objective.

An absence is defined as non-attendance (except for in-school activities which are excused by school personnel) in a regularly scheduled class or activity, regardless of the reason for such non-attendance.

According to the Alabama State Department of Education's Attendance Manual, the following are reasons for which an absence from school may be excused:

- Illness.
- Death in immediate family.
- Inclement weather which would be dangerous to the life and health of the child as determined by the principal.
- Legal quarantine.
- Emergency conditions as determined by the principal.
- Prior permission of the principal upon request of the parent or legal guardian.

All other absences are considered to be unexcused.

To make up work missed due to an absence:

Single day's absence: Make-up work must be completed within two days of returning to school.

Longer absences: Make-up work must be completed within five days of the student's return to school unless special arrangements are made with the teachers involved.

A note must be brought within two days of returning from an absence or the absence will be unexcused. Students should request make-up assignments for each absence. Work cannot be made up if absences are unexcused or result from disciplinary action.

Kindergarten students who accumulate more than twenty absences (excused or unexcused) in one school year may be withdrawn from class for the remainder of the school year.

Students in grades 1-8 who accumulate more than twenty absences (excused or unexcused) in any academic year may be denied promotion.

Students in grades 9-12 who accumulate more than six unexcused absences in any full credit course or who accumulate more than four unexcused absences in any half credit course may lose credit in those courses.

TRUANCY

(Alabama State Board of Education Administrative Code 290-3-1)

The Eufaula City Schools and the Barbour County Juvenile Court will cooperate in the operation of the Early Warning Truancy Prevention Program. The Eufaula City Schools will use the following procedures when addressing truancy.

1. First Truancy/unexcused absence (WARNING)
 - a. The parent/guardian shall be notified by the school principal or designee that the student was truant and the date of the truancy.
 - b. The parent/guardian shall also be provided with a copy of Alabama's compulsory school attendance law and advised of the penalties that can be applied and the procedures that shall be followed in the event that other unexcused absences occur.

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2. No earlier than the fifth unexcused absence (CONFERENCE)
 - a. The parent, guardian, or other person having control of the child shall:
 - i. Participate in the early warning program provided by the juvenile court.
 - ii. Participation in the early warning program is mandatory except where an emergency exists or prior arrangements have been made.
 - iii. Failure to appear at the early warning program shall result in the filing of a complaint/petition against the parent under *Code of Alabama 1975, 16-28-12 (c) failure to cooperate*, or a truancy against the child, whichever is appropriate.
 2. No earlier than the seventh unexcused absence, but within ten (10) school days (COURT)
 - a. File complaint/petition against the child and/or parent.

AUTOMOBILE USE

Students driving cars to school must park them in the approved student parking spaces. Students are not to sit in parked cars after arriving on campus. Cars are not to be moved during the school day without administrative approval. All cars should be locked after arriving in the morning.

Students in middle schools will not be permitted to drive cars to school.

CHEATING/PLAGIARISM

Cheating/Plagiarism is defined as copying or using another's work and representing it as one's own. Cheating/Plagiarism is an unacceptable behavior and will result in a zero on the material being tested in the subject in which the cheating occurred.

Penalties for cheating/plagiarism shall apply to all involved as follows:

1st Offense—zero and parent notification by the teacher.

2nd Offense—zero and a Class II discipline referral to the principal/assistant principal (**see 2.06 under Class II Offenses**).

Any subsequent cheating will be considered a Class II offense.

DANGEROUS WEAPONS

The Board authorizes the Superintendent or designee to initiate suspension proceedings against any student found in possession of a dangerous weapon while on school premises, school buses, or at any school sponsored event, during or after school hours. When the student is found in possession of a weapon, the Superintendent shall be notified immediately and the following procedures shall be implemented:

1. The principal or designee shall conduct a brief but adequate hearing, and if the student is found to have a weapon in his/her possession, said student shall be suspended.
2. The parent(s) or legal guardian(s) of the student shall be notified and the student released in his/her custody or with his/her knowledge. If the situation warrants, the student may be released in the custody of the juvenile or civil authorities. In any event, parent(s) or guardian(s) shall be notified immediately of the action taken.
3. Within three days after policy violation, a conference shall be arranged by the principal. Included in this conference shall be the student, parent(s) or guardian(s), juvenile or civil authorities (depending on age of student), principal, and Superintendent's designee. Others may be present if deemed necessary by school officials. If it is impossible to arrange a conference within three days, the Superintendent shall extend the suspension (not to exceed a total of ten [10] school days) or readmit the student.
4. After the conference is held and all evidence is weighed, the student and parent(s) or legal guardian(s) shall be notified by the school principal concerning the future status of the student.

DUE PROCESS

Students shall be treated with fairness in all discipline matters and shall be accorded procedural due process when the discipline measures of corporal punishment, short- and long-term suspension or expulsion are applied. Before being punished for violation of a Board policy or local school rule and regulation, the local school Principal or designee shall ensure that students are accorded the following minimal due process:

The Informal Process

1. The student shall be given oral or written notice of the charges(s) against him/her.
2. The evidence supporting the charge(s) shall be explained to the student.
3. The student shall be given an opportunity to present his/her own version of the facts concerning the charge(s).

The disciplining authority (Principal, teacher, etc.) may impose appropriate discipline measures immediately following the informal due process hearing stated above.

The Formal Process

When a student is facing possible long-term suspension (more than 10 school days) or expulsion, the Board shall ensure that the following formal due process procedures are accorded the student:

1. The right to a hearing before the Board,
2. The right to be represented by counsel,
3. The right to cross-examine witnesses,
4. The right to a written record of the hearing, and
5. The right to a written record of the Board's decision.

Formal Process for Exceptional Students

Prior to the application of the above procedures to an exceptional student, said student's I.E.P. committee shall be convened to determine if the student's behavior warranting punishment is related to the exceptionality. In the event it is determined that the student's behavior is not related to the exceptionality, the student shall be treated as any other student, except that, an exceptional program student may not be suspended or expelled for more than ten (10) school days without being provided an alternative educational program. If it is determined that the offense is related to the exceptionality, the student shall not be punished corporally, suspended, or expelled.

EQUAL EDUCATION OPPORTUNITY STATEMENT

It is the official policy of the Eufaula City Board of Education that no person shall, on the grounds of race, color, disability, sex, religion, national origin, age, or creed be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity or employment.

EXCEPTIONAL STUDENTS PROGRAM

The Board authorizes the Superintendent to prepare and maintain a comprehensive plan for the development and implementation of individual instructional programs for all exceptional children of school age residing within the school district who are in need of specialized assistance.

The Superintendent shall be instructed to include within this plan procedures which fully comply with the equal protection and due process clauses of the U.S. Constitution as these relate to identification, testing procedures relative to assignment, actual assignment and instruction, and other legal aspects concerning exceptional children.

All development and implementation procedures shall comply with specified State and Federal statutes concerning education programs for exceptional children.

The Board is required to provide free appropriate public education for all eligible children with disabilities, ages 3 through 21 years, inclusive, in accordance with the Individuals With Disabilities Education Act, Section 504 Of The Rehabilitation Act of 1973, the Americans With Disabilities Act and all amendments thereto.

FREE SPEECH/EXPRESSION

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

Student responsibilities in this area are:

- To respect the rights of others and to express disagreement in a manner which does not infringe upon the rights of others and does not interfere with the orderly educational process.
- To act in a manner which preserves the dignity of all persons.
- To plan for, seek approval of, and conduct activities which are consistent with the educational objectives of the school.

Student rights are:

- To form and express viewpoints through speaking and writing in a manner which is not obscene, slanderous or libelous.
- To affirm identity with the American ideals as are exemplified in the Constitution of the United States.
- To refrain from any activities which violate the precepts of their religion.

GRADES

A grade report for the purpose of transmitting an evaluation of student progress to the student and his/her parent(s)/guardian(s) shall be issued at least four (4) times during the scholastic year to all students enrolled in grades K-12. All grade reports used by the Eufaula City Schools shall be approved by the Superintendent.

Grade reports shall be sent home by students each nine (9) weeks as defined by the annual school calendar. Grade Reports are not to be altered or reproduced in any manner by students. Violation of this policy by students will result in disciplinary action by school officials. Any corrections needed on Grade Reports shall be made by the teacher responsible for the specified Grade Report.

JURISDICTION OF THE BOARD OF EDUCATION

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

- Transportation on school buses
- Field trips
- Club or organization meetings
- Occupants in an automobile driven or parked on school property
- School groups representing the school system in educational events
- Other school-sponsored events including but not limited to athletic events (football, baseball, basketball games, etc. on and off campus), dances, plays, etc.
- Usual and customary parking area at facilities used for school sponsored activities

The *Code of Student Conduct* is in effect during the time a student is transported under the sponsorship of the school system and during the time he/she is attending school, is attending a school sponsored event, or is participating in a school sponsored event as noted above. The student shall be under the control and supervision of the principal, the teacher, or other staff member in charge or the bus driver as assigned.

Eufaula City Schools students who commit acts of harassment, violence, vandalism, threats, or physical harm to School Board employees, on or off school property, during school hours or non-school hours will be held responsible for these acts according to the discipline policies of the Eufaula City Schools *Code of Student Conduct*.

Eufaula City School student(s) found to have violated a local school board policy concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, whether this took place, on or off school property, during school hours or non-school hours, may not be readmitted to Eufaula City Schools until (1) criminal charges or offenses arising from the conduct, if any, have been disposed of by appropriate authorities and (2) the student has satisfied all other requirements imposed by the Eufaula City School Board of Education as a condition for readmission.

METAL DETECTORS

Use of metal detectors to minimize the risk of weapons on campus is determined to be a desirable technique for campus security. No student or teacher should be subject to the dangers inherent in a knife, firearm, or other potentially dangerous object being carried onto the campus by another person.

This policy sets forth guidelines for the use of metal detectors. Deviation from the guidelines is permitted in all cases based on the sound use of discretion by the individual using the metal detector and by that person's supervisor.

Metal detectors may be used either at random without cause at times to be determined by the principal or as otherwise prescribed by the Board of Education or they may be used for minor reasonable suspicion on a selective basis. Care shall be exercised to be sure that the selection of students to be subjected to the detection process as part of a random sweep shall be demonstrably according to chance.

Surveillance solely with a metal detector shall not be considered a search governed by other policies of the Board relating to search of students and other persons on campus. Nevertheless, no person shall selectively use a metal detector on one student or nonrandomly selected group of students except:

- Alternative Placement students; OR
- On reasonable suspicion that a weapon will be found; OR
- Due to reasonable personal fear based on circumstances present or past that a weapon may be present.

RACIAL, SEXUAL, RELIGIOUS, AND ETHNIC HARASSMENT AND VIOLENCE POLICY

It is the policy of the Eufaula City Schools that racial, sexual, religious/ethnic harassment and violence will not be tolerated under any circumstances. We firmly believe that all persons are to be treated with respect and dignity. Harassment and violent incidents will be responded to in a manner that effectively deters future incidents.

Racial, sexual, religious/ethnic harassment and violence refers to unwelcome and unwanted behavior related to sex, race, religion, or ethnic group that makes the recipient feel afraid, embarrassed, helpless, angry, unsafe, or upsets the recipient to the point that he/she cannot learn, cannot teach, or be effective at school or at his/her job.

Harassment and violence is prohibited between staff members, between staff members and students, between students, and from members of the public directed, at students or staff on school property or at school-sponsored events. Some examples of harassment and violence may include, but are not limited to: unwelcome patting, pinching, or physical contact; obscene gesturing or calling someone gay; ethnic or racial slurs; or threats, insults, or assaults against someone due to their sex, race, religion, or ethnic group.

If a staff member or student feels that his/her emotional well being, his/her sense of safety and security or sense of self-worth is being affected by such conduct, a complaint may be filed by contacting his/her principal. If the principal is not available, the complaint may be filed with the Director of Administrative Services by calling 687-1100.

SEARCHES BY SCHOOL OFFICIALS

School Property

Desks and lockers are public property and school authorities may make regulations regarding their use. Students, however, have the right to a reasonable amount of privacy in their lockers and desks. No school official shall inspect or search lockers unless there is a reasonable suspicion to believe that articles are kept there that may endanger other individuals in the school or that such articles possessed are contrary to law or the regulations of the Board. If possible, the student(s) shall be present prior to any search of his/her desk or locker. When possible, a witness from the certified staff shall be present during the search when the student cannot be present.

Individuals

School officials (school Principal or designee only) may make searches of a student and attendant personal belongings if there is reasonable suspicion to believe that the student is carrying articles that may endanger other individuals in the school or that such articles possessed are contrary to law or the regulations of the Board. If a student is searched, it shall be in private by a school official of the same sex with a certified staff member of the same sex present. Any such action shall not deliberately be intended to embarrass, harass, or intimidate the student.

Vehicles

School officials may search selected vehicles while on school property when there is reasonable suspicion to believe or plain-view evidence that the vehicles contain articles that may endanger other individuals or are contrary to law or regulations of the Board. If possible, the student(s) shall be present prior to any search of his/her vehicle. When possible, a witness from the certified staff shall be present during the search when the student cannot be present.

By Law Enforcement Officials

The Board respects the rights of all persons in the schools and will uphold those rights. At the same time, school property cannot be regarded as a sanctuary from enforcement of the law. School officials should seek to cooperate with law enforcement officials in their effort to enforce the law.

STATE DEPARTMENT OF EDUCATION CRITERIA FOR INTERVENTION FOR DISCIPLINE AND SAFETY

- Failure of a school or school system to implement policies, rules, laws, and regulations relative to discipline and safety
- Failure of a school or school system to adequately address the concerns of students, parents, employees, principals, superintendents, or local boards of education as determined by the State Superintendent of Education.

The State Department of Education may intervene in a school system if evidence is presented that a request for school discipline and safety issues is presented to a principal and no action taken, then presented to the Superintendent and no action taken, then presented to the local school board and no action taken. If these steps are taken without resulting in satisfactory action, a request may be made by a local PTA/PTO, a majority of the school employees of that school, the student government association of a school, the school principal, the superintendent, or the local school board of education. The Eufaula City Schools will make every effort to provide a safe and disciplined school for the children who attend.

STUDENT ACTIVITIES AND CLUBS

The participation in school-related activities is an important part of each student's educational and developmental process. Activities shall be encouraged and well-planned and should not interfere with the regular academic program. School sponsors are required to submit a request for each curricular activity that occurs outside the regular school day and/or school to the principal, superintendent, and the local board of education for approval.

All school activities shall be under the direct control and supervision of the local school Principal. Each school shall be expected to monitor and coordinate activities within the guidelines and plans set by the Board.

Student activities shall be governed by these organizations' eligibility requirements, state requirements, local school requirements, and applicable policies of the Board.

Rules for Student Activities and Clubs:

- Clubs and activities must be open to all students. If a student qualifies, he has the right to join.
- They cannot interfere with school activities.
- They cannot haze club members.
- Meetings must be held on the school grounds except for special meetings or events which are approved by the administration.
- The faculty sponsor has to be at all meetings.
- All money collected by the student club must be handled through the school. All School Board policies or rules must be followed.
- All clubs shall have a constitution.

Students who are placed in the Alternative Placement for disciplinary reasons are not allowed to actively participate in any extra-curricular clubs, or any athletic teams, nor are they allowed to attend any functions sponsored by the school during the time of placement.

The Board of Education recognizes that a shared responsibility exists between school officials and public safety authorities for maintaining an orderly and safe environment for students and others who attend school related activities. To that end, the Board of Education reserves the right to deny access to school-related activities to anyone, either student or others, who in the opinion of the school officials and/or the public safety authorities constitute a risk to the safety or security of those attending the activity.

STUDENT GOVERNMENT

Effective student governments are the forums for the training and involvement of students in the democratic processes. Members of the school community share the responsibility for shaping governments into positive instruments for student involvement.

Student responsibilities are:

- To become knowledgeable of School Board and individual school policies governing the actions of students.
- To conduct election campaigns in a positive, mature manner with all due respect provided opponents.
- To vote for student government officers and representatives who are responsive to the needs of the school and who will work constructively toward the resolution of such needs.
- To attend regularly scheduled meetings, if elected as a student representative, and to exhibit appropriate conduct at all times.

Student rights are:

- To form and operate a student government within the respective schools under the direction of a faculty advisor.
- To have access to policies of the School Board and the individual school.
- To seek office in student government, or any school organization, regardless of race, sex, color, creed or political beliefs.
- To attend, as student government officers and representatives, official student government meetings upon approval of such meetings by the school principal.

STUDENT GRIEVANCES

Students shall be assured the opportunity for an orderly presentation and review of grievances.

Level One - The resolution of a grievance through free and informal communications as close as possible to the point of origin is encouraged. A student with a grievance may first take it to his immediate teacher or Principal. Both shall be consulted prior to further resolution procedures.

Level Two - In the event the aggrieved person is not satisfied with the disposition of his grievance at Level One, he/she may file an appeal in writing with the Superintendent or his/her designee within five (5) days of the meeting at Level One. Within ten (10) days from receipt of the grievance, the Superintendent shall request a conference with the aggrieved or render a written decision.

Level Three - In the event the aggrieved person is not satisfied with the disposition of his grievance at Level Two, he may request the Superintendent or his/her designee to schedule a brief hearing before the Board of Education at its next regular meeting in closed session.

The aggrieved person may select a representative to accompany him at each level, may ask such representative to state the facts in written form, and may request a written decision at each level outlined above.

The grievance procedure must be initiated at the level at which the grievance occurred, and all requirements specified must be observed by students and school officials.

For the discussion and consideration of a grievance, time and place shall be selected which will not interfere with regular scheduled classes of school-related activities. The faculty and administration shall make an honest effort to resolve student grievances as quickly as possible at the most immediate level of supervision.

STUDENT PUBLICATIONS

Education is the process of inquiring and learning, acquiring and imparting knowledge, and exchanging ideas. One of the important roles of the school is to provide effective avenues through which students may express themselves on a wide range of subjects.

Student responsibilities are:

- To refrain from publishing libelous and obscene materials.
- To seek full information on the topic about which they write.
- To observe the accepted rules for responsible journalism under the guidance of the faculty advisor.

Student rights are:

- To participate, as part of the educational process, in the development and distribution of publications.

STUDENT RECORDS

It is the policy of the Eufaula City Board of Education to assure the custodial parent or guardian and eligible student access to student education records and to restrict the release of such records and/or directory information to third parties as set forth in the Family Educational Rights and Privacy Act of 1974.

Parents or eligible students have a right to inspect and review their student education records and to see who has accessed their records.

Access to records will be granted within a reasonable length of time, not to exceed 45 days. A fee, to be determined by each school, may be charged for copies of records. One transcript will be provided to a college, university, or other post-secondary institution free of charge. Subsequent transcripts shall be provided for a fee determined by the high school Principal. Eufaula City Schools shall keep a record of every person who has requested or obtained access to a student's records. The access record shall specifically indicate the legitimate interest of each person. The access record shall be available only to parents and school officials responsible for the custody of student records and auditing and enforcement officials.

In order to insure proper access and disclosure procedures, Eufaula City Schools shall adhere to the following:

- a. The Eufaula City Board of Education shall inform parents and students of their right to inspect and review student records.
- b. Parents and eligible students shall be permitted to inspect and review their student education records.
- c. Neither educational records of students nor directory information shall be released without the consent of the individual or his/her parent or legal guardian to any individual, agency, or organization other than to persons with legitimate educational interests.
- d. Any time a permanent record is copied, the name of the recipient will be recorded on the record prior to the copying.

The parent or eligible student may request that a record thought to be in error be amended. In most cases, requests can be resolved informally by presenting the matter orally or in writing to the school Principal who shall decide whether to amend within ten (10) working days. If not amended, the Principal shall inform the student or parent, in writing, of his/her right to a hearing. A hearing may be requested by the parent or student by writing to the Superintendent specifying the discrepant information and the desired change. The written communication shall be signed by the eligible student or parent requesting to amend the education record. A hearing shall be arranged by the Superintendent or designee within ten (10) working days upon receiving the request. The Superintendent may request the Principal or other school employees attend the hearing.

The parents or student shall be provided the opportunity to present evidence. The burden of proof to amend the record is placed on the person requesting the change.

The Superintendent's or designee's decision, based solely upon the evidence presented, shall be made within ten (10) working days of the hearing. In cases in which the request to amend the education record is denied, those requesting the change may submit a written explanation which shall remain permanently attached to the unamended record.

SURVEILLANCE CAMERAS

Surveillance cameras and video tapes may be used in disciplinary procedures within the jurisdiction of the Board of Education.

VISITS BY LAW ENFORCEMENT AGENCIES

Law enforcement officers have the right without giving prior notice to come on a school campus under the jurisdiction of the Board of Education for the purpose of detecting the presence of illegal drugs. Law enforcement officers have the right to come on campus to interview students as suspects or witnesses. School officials will not delay, hinder or obstruct law officers from the performance of their duties. Before any such interview, the principal or designee will carefully ascertain the officer's identity, official capacity, and the authority under which he/she acts.

The Board of Education authorizes site administrators to release minor students into the custody of law enforcement officers upon presentation of a court order or warrant for the student's arrest or to remove a student from school premises if the officer or school administrator has reason to believe that the student has violated the law.

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

CHAPTER V LAWS RELATING TO EDUCATION

GUN-FREE SCHOOLS ACT

The Gun-Free Schools Act of 1994 requires all school boards of education to have a policy and procedure for the expelling of students for a period of one year who are determined to have brought to school or have in their possession a firearm in a school building, on school grounds, on school buses, or at other school sponsored functions. Students who are expelled for violation of this Act shall not be allowed to attend regular school classes in any public school in the State during the expulsion period. Discipline of students with disabilities who violate firearm possession policies should be in accordance with the requirements of individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act.

In compliance with the Gun-Free Schools Act of 1994 (GFSA) it is the policy of the Eufaula City Board of Education that any student determined to have brought a weapon to school as defined in Section 921 of Title 18 of the United States Code shall be expelled from the regular school program for a period of not less than one year.

Weapons as defined by Section 921 of Title 18 of the United States Code include:

1. any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
2. the frame or receiver of any weapon described above
3. any firearm muffler or firearm silencer
4. any explosive, incendiary, or poison gas
 - (a) bomb
 - (b) grenade
 - (c) rocket having a propellant charge of more than four ounces
 - (d) missile having an explosive or incendiary charge of more than one-quarter ounce
 - (e) mine
 - (f) similar device
 - (g) any combination of parts either designed or intended for use in converting any device into any destructive device and from which a destructive device may be readily assembled.

NOTIFICATION OF RIGHTS UNDER FERPA

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

1. The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) 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 or misleading. Parents or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them 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 consent to disclosures of personally identifiable information contained in 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. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official 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 District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

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

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

5. FERPA requires that Eufaula City Schools with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, Eufaula City Schools may disclose appropriately designated “directory information” without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Eufaula City Schools to include this type of information from your child’s education records in certain school publications. Examples include:

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local education agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with three directory information categories—names, addresses and telephone listings—unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

NOTE: If a parent does not want Eufaula City Schools to disclose directory information from your child’s education records without your prior written consent, you must notify the school office within ten days of receipt of this booklet to take his/her child’s name off the directory list. Eufaula City Schools has designated the following information as directory information:

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

THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include 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 parents; 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 obtained from students for marketing or to sell or otherwise distribute the information to others.
- *Inspect*, upon request and before administration or use—
 1. Protected information surveys of students;
 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.

Eufaula City Schools has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure or use of personal information for marketing, sales, or other distribution purposes. Eufaula City Schools will directly

notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes. Eufaula City Schools will also directly notify parents and eligible students, such as through the Code of Student Conduct, U.S. Mail, or email, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in :

- Collection, disclosure, or use of personal information 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/eligible student who believe their rights have been violated may file a complaint with:

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

PARENTAL RESPONSIBILITY (ACT 93-672; Alabama Code 16-28-2.2)

The Alabama Legislature passed Act 93-672 stating that parents are responsible for enrolling their children in school, ensuring that they attend school regularly, and that they conduct themselves properly as pupils.

The Eufaula City School System recognizes the privilege and responsibility of parents and guardians in supporting and demanding responsible behavior from their children. In an effort to ensure parental awareness and acceptance of that responsibility, reasonable efforts will be made to contact parents regarding Class II and III misconduct. Reasonable efforts will be made on Class I offenses also if such misconduct is continuing and notification is needed.

Reasonable efforts may include one or more of the following: telephone calls, copies of referrals, parental conferences, letters to parents, registered mail and, when possible, home visits. In the event of continued misbehavior, parents may be asked to sit in class with their child. Petitions may be filed with the Juvenile Court if the child is in need of supervision beyond that given by the parent or guardian.

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; Alabama Code 16-28-12)

Each parent/guardian or other person having control or custody of a child required to attend school who fails to require the child to enroll, to regularly attend school, or to compel the child to properly conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of 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; Alabama Code 13-A-6-21)

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

Drug Dealing (Act 94-783; Alabama Code 6-5-72)

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

Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (Act 94-784; Alabama Code 16-1-24.1)

The school principal shall notify appropriate law enforcement officials when a person violates local board of education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If any criminal charge is warranted, the principal is authorized to sign the appropriate warrant. If that person is a student, the local school system shall immediately suspend that person from attending regular classes and schedule a hearing within 5 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; Alabama Code 13-A-11-72)

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 switchblade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, black-jack, bludgeon or metal knuckles.)

Vandalism (Act 94-819; Alabama Code 6-5-380)

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

Pistol Possession/Driver's License (Act 94-820; Alabama Code 16-28-40)

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

UNSAFE SCHOOL CHOICE OPTION

1. Definitions: A transfer option school (TOS) in the state of Alabama is one in which for three (3) consecutive school years the school has expelled one percent (1%) of the student population or five (5) students (whichever is greater) for violent criminal offenses committed on school property during school hours or committed at school-sponsored activities. The words "transfer option school," "TOS" or "TOS school" shall mean a "persistently dangerous school" as those words are used in the No Child Left Behind Act of 2001, Public Law 107-110, Title IX, §9532(a) and (b). For the purpose of this definition, a "violent criminal offense" shall mean homicide; robbery; assault in the first and/or second degree; sexual battery (including rape) as these offenses are defined in the Criminal Code of Alabama (see § 13A-6-1, et. Seq., Ala.Code 1975); and use of a handgun, firearm component, explosive, knife, and other "unknown weapons" as defined by the Student Incident Report (SIR).
2. A student who becomes a victim of a violent criminal offense committed on school property during school hours or at school-sponsored activities shall be given an opportunity to transfer to a safe public school within the LEA. The LEA shall notify the student's parent/guardian of the right to transfer as soon as practicable, not to exceed ten (10) calendar days from the date of a final determination by the school board or its designee that a violent criminal offense has occurred. All LEA transfer procedures will be observed. It shall be the policy of the Alabama State Department of Education (SDE) to notify the LEA annually when one or more of its schools have been identified as a transfer option school. Each Superintendent or his or her designee shall orally notify the Prevention and Support Services Section of the State Department of Education within twenty-four (24) hours of the decision that a violent criminal offense has occurred, followed by written confirmation. The State Department of Education will assist the LEA in resolving all safety issues. At a minimum, an LEA that has one or more schools identified as persistently dangerous must:
 - (a) Step 1 Notify parents/guardians of each student attending the school within ten (10) working days that is has been identified as a transfer option school and offer students the opportunity to transfer to a safe public school within the LEA if another school is available.
 - (b) Step 2 Complete the transfer for those students who opt to do so within 20 working days.

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- (c) Step 3 Develop a corrective action plan to be submitted to the SDE for approval within 20 working days of the LEA's receipt of status.
- (d) Step 4 Implement the corrective action plan.

Once a school has been identified as a transfer option school, it can return to safe status by (1) completing Steps One through Four above and (2) completing two consecutive years with less than one percent (1%) of the student population or five (5) students (whichever is greater) expelled for violent criminal offenses as defined in its policy.

ASBESTOS NOTICE

The Asbestos Hazard Emergency Response Act of 1986 requires all not for profit schools in the United States to have an Asbestos Management Plan. This plan is available to the general public at the Central Office and each school.

IMPORTANT INFORMATION ON MENINGOCOCCAL DISEASE AND VACCINE

What is meningococcal disease?

Meningococcal disease is a serious illness, caused by bacteria. It is the leading cause of bacterial meningitis in children 2-18 years old in the United States.

How do you catch the disease?

The bacteria that cause meningococcal disease are very common. The disease is most common in children and people with certain medical conditions that affect their immune system. College freshman living in dormitories also have increased risk of getting the disease. The disease is spread through exchange of respiratory droplets or saliva with an infected person including kissing, coughing, sneezing, and sharing drinking glasses and eating utensils. In a few people, the bacteria overcome the body's immune system and pass through the lining of the nose and throat into the blood stream where the cause meningitis. Meningitis is a term that describes inflammation of the tissues surrounding the brain and spinal cord.

What are the symptoms of the disease?

- Fever
- Headache
- Stiff neck
- Red rash
- Drowsiness
- Nausea and vomiting

Meningococcal vaccine: Who should get the vaccine and when?

MCV4, or the meningococcal vaccine, is recommended for all children 11-12 years of age and for unvaccinated adolescents at high school entry (15 years of age). High school seniors should also consider obtaining the vaccine prior to entering college, especially if they are planning on living in a dormitory. Please consult your physician or local health department for more information.

For more information on this and other vaccine recommendations go to:

www.adph.org/immunization

GLOSSARY

After-school Detention Hall

The principal or his/her designated person(s) has the authority to assign students to a designated room (detention hall) on campus at the end of the regular school day for a reasonable and specified period of time as a disciplinary action. The parent(s) or guardian is responsible for providing transportation in these cases. A reasonable attempt will be made to notify the parent(s) or guardian prior to the assignment of a student to detention hall. If the parent(s) or guardian can be notified on the day of the misbehavior, the student will be assigned on that day; if not, the student will be assigned on the following day.

Administrative Hearing - Expulsion

An administrative hearing involving expulsion recommendations will be conducted by the Superintendent and/or his/her designated person(s) to determine whether the expulsion recommendation is valid for presentation to the Board of Education.

Corporal Punishment

When disciplinary actions require the use of corporal punishment as a corrective technique, the student will be given the reason for the punishment and an opportunity to explain his/her actions prior to the administration of corporal punishment. The student's refusal to accept corporal punishment will be deemed a Class III offense and treated accordingly. (See "Disciplinary Actions/Major Offenses - Class III.")

If corporal punishment must be used, it must be administered by the principal or assistant principal and must be reasonably administered without anger or malice. One witness should be present during the administering of corporal punishment. Where possible, the witness shall be of the same sex and same race as the student receiving the punishment. For each incident of corporal punishment, the principal will prepare a written report to be kept on file.

Disciplinary Probation

Disciplinary probation is a period of time specified by the principal or his/her designated person(s) during which a student must correct his/her behavior while abiding by all regulations that govern student behavior. The principal or his/her designated person(s) has the authority to place a student on disciplinary probation for a reasonable and specified period of time. The staff members involved in the action will assist in monitoring the student's adjustment to the school environment. The principal and appropriate central office staff will establish probation standards that will describe the conditions under which the student will correct his/her behavior within a reasonable and specific period of time. School counseling, parent involvement and other forms of assistance will be a part of the probation standards and agreement.

Expulsion

Expulsion is defined as "the removal of the right and obligation of a student to attend public school under conditions set by the school board." The principal has the final authority to recommend to the Superintendent's office the expulsion of a student.

In-school Suspension Program / Alternative Placement

In-school suspension is a structured disciplinary action in which a student is isolated or removed from regular classroom activities but is not dismissed from the school setting. The principal or his/her designated person(s) has the authority to assign students to the in-school suspension program for a reasonable and specified period of time. The principals and their staffs should determine the scope of in-school suspension in their respective schools. Alternative Placement assignment will be for the time assigned by the school principal.

Physical Restraint

The principal or his/her designated person(s) has the authority to use reasonable physical force to restrain a student from abusing or attempting to abuse himself, other students, teachers, administrators, parents, guardians or other staff members. This action may be taken when it is necessary to maintain discipline or to enforce school rules. This must be done in a reasonable fashion to protect all parties involved. Law enforcement officials may be called to assist in the enforcement of this action.

Saturday School

Saturday School assignment will be a disciplinary option for middle and high school students for Class I offenses. Saturday School will be 8:00—12:00. Failure to attend Saturday School will be a Class II (2.01) offense.

School Board Hearing

The School Board hearing involving expulsion recommendations will be conducted in accordance with School Board policy.

School Board Hearing Officer

The Superintendent or his/her designated person(s) will review recommendations from principals for expulsions and request a conference with the person(s) involved, which may include principals, teachers, parents, guardians and students.

School Bus Suspensions

The principal or his/her designated person(s) has the authority to deny a student the privilege of riding a school bus based on the misconduct of the student on the school bus. This action will be for a reasonable and specified period of time.

Suspension

The Eufaula City Board of Education defines suspensions as "the temporary removal of a student from a school for violation of school policies, rules, or regulations, or otherwise causing interference with or disruption of the orderly operations of the school." The school principal or his/her designated person(s) will have the authority to suspend a student from school. The suspensions will be enacted in accordance with the prescribed policy and procedures. (See "Procedures for the Administration of Suspension and Expulsion" on page 21.) Suspensions will be viewed as serious and the student will be removed from school immediately. If there are extenuating circumstances in which a suspended student is not removed from school immediately, the principal or his/her designee will assume full responsibility for the student until at such time he/she is removed.

Work Assignment

The principal or his/her designated person(s) has the authority to assign supervised activities related to the upkeep and maintenance of school facilities as a disciplinary action for a reasonable and specified period of time. Work assignments are not intended to interfere with any student's regular class schedule. The parent(s) or guardian will be responsible for providing transportation in these cases.

The parent(s) or guardian will be notified prior to the student's placement in a work assignment.

Writing Assignments

Repetitive writing of sentences as consequence for violating school rules will not be used. If writing assignments are used as part of consequences, they will be used as a teaching and learning tool. For example, a student may be required to write an essay on discipline or appropriate behavior in the classroom, or he may be required to write a plan on how to correct his/her behavior.

**EUFAULA CITY SCHOOLS
DIRECTORY FOR ADDRESSING CONCERNS**

Concerns regarding disciplinary actions should be addressed with the appropriate school principal listed below:

Ms. Suzann Tibbs Principal	Eufaula Primary School 520 Pump Station Road	687-1140
Mr. Reeivice Girtman Principal	Eufaula Elementary School 422 Sanford Avenue	687-1134
Ms. Barbara Lee Principal	Admiral Moorer Middle School 101 St. Francis Road	687-1130
Mr. Steve Hawkins Principal	Eufaula High School 530 Lake Drive	687-1110

If concerns cannot be handled at the school level, contact:

Mr. David Williams Director of Administrative Services	Eufaula City Schools	687-1100
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The Eufaula City Schools are obligated to provide an atmosphere in which high performance can be achieved within a framework of high expectations. This task can be achieved only if an appropriate amount of time and resources are given to maintaining an environment of discipline conducive to the teaching / learning process.

Parents and students are urged to be supportive of this *Code of Student Conduct* and committed to the concept of the "right to learn."

ACKNOWLEDGEMENT

I, _____ enrolled
in _____
(name of student)

_____ School and
my _____
(name of school)

parent/guardian hereby acknowledge by our signatures that we have received (hard copy or electronically) and read, or had read to us, the foregoing *Code of Student Conduct*.

(Signed) _____
Student

(Signed) _____
Parent/Guardian

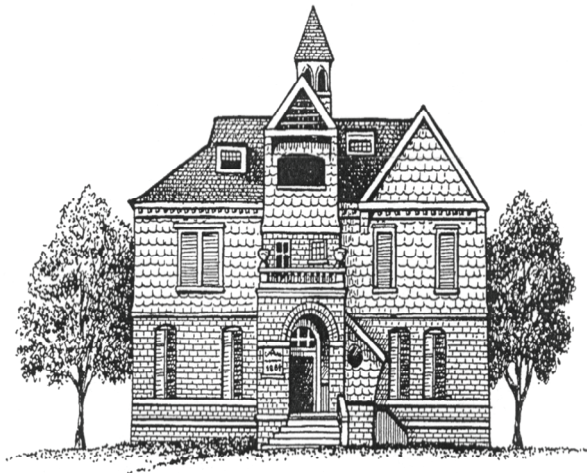
(Signed) _____
Parent

Date _____

NOTE: The student is to sign the above statement. If the student lives with both parents, both parents are also to sign the statement. If the student lives with only one parent or guardian, only one is to sign with the student. Failure to return or sign this acknowledgement will not relieve a student or the parent(s)/guardian of the student from the responsibility for knowledge of the contents of the code and will not excuse non-compliance by the student with the provisions of the code.

Please detach this page after signing and have the student return it to the homeroom teacher.

Approved by the Eufaula City Board of Education 06/22/10



*Building Our Future on a
Tradition of Excellence*

It is the official policy of Eufaula City Schools that no persons shall, on the grounds of race, color, disability, sex, religion, national origin, age, or creed, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program, activity or employment.