

ELBA CITY SCHOOLS

Elba

Student Code of Conduct
2023-2024

ELBA CITY SCHOOLS CODE OF CONDUCT

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BOARD OF EDUCATION AND CENTRAL OFFICE STAFF

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Special Education Coordinator

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Chief School Financial Officer

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Administrative Assistant

Mrs. Betsy Martin

Members of the Board

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Mrs. Kristy Astemborski, Vice-President

DeAnn Grantham

Miranda Russell

Mr. Greg Sowell

DIRECTORY OF SCHOOLS

Elba Elementary School

145 Tiger Drive

Elba, Alabama 36323

Principal: Mrs. Kenya Martin

334-897-2814

Elba High School

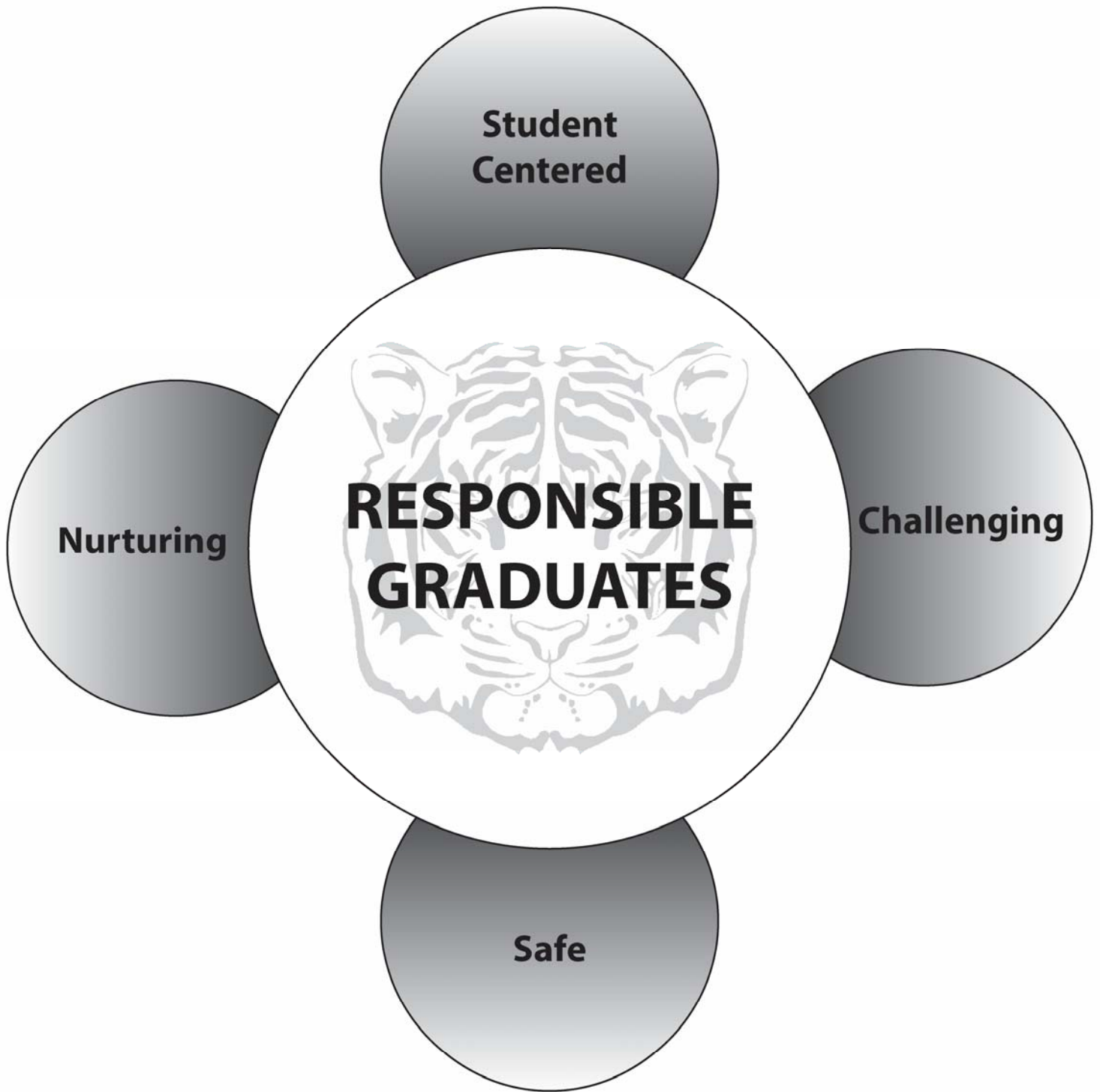
131 Tiger Drive

Elba, Alabama 36323

Principal: Mr. Wynn Grimes

Assistant Principal: Mr. Jason Tucker

334-897-2266



INTRODUCTION

The mission of Elba City Schools is to provide a challenging education in a student centered, safe, nurturing environment. The needs of students are addressed through rigorous, relevant curriculum and effective instruction that produces graduates who contribute responsibly in a global community. The intent of this handbook is to ensure that both students and parents are aware of the system's expectations for students as it pertains to a safe, orderly, and nurturing learning environment. Therefore, the adherence of the content of this handbook is of utmost importance to the successful functioning of Elba City Schools. The regulations described in this handbook are in the best interest of protecting the health, safety, and general welfare of our students.

STUDENT RIGHTS AND RESPONSIBILITIES

Student responsibilities:

To respect the rights of others and to express disagreement in a manner that does not infringe upon the rights of others and does not interfere with the orderly educational process.

To act in a manner that preserves the dignity of patriotic observances.

To plan for, seek approval of, and participate in activities which are consistent with the educational objectives of the school.

JURISDICTION OF THE BOARD OF EDUCATION

Elba City School students are subject to the rules and regulations of the Elba City Board of Education during the school day, while in attendance at school-related activities and while being transported to and from school on school-related activities in school vehicles. Jurisdictional control over the student may be extended to the immediate vicinity of the school whenever the conduct of the student is deemed to have an effect on the health, safety, and welfare of the school community.

The Elba City Board of Education possesses the responsibility to offer an education which shall be provided in an orderly, healthy atmosphere, both physical and emotional, and in which treatment of students is both firm and fair in all matters pertaining to school life.

Every student shall comply with all rules and regulations of both the State and the Board pertaining to student behavior. Codes of student conduct shall be based on maintaining school a proper atmosphere for learning within each school year. Codes of conduct shall be consistent with the policies of the Board, which in turn, shall be in full compliance with State and Federal provisions.

ATTENDANCE

It is the belief of the Elba 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 so that regular attendance is necessary in order to successfully complete course requirements.

An absence is defined as non-attendance (except for in-school activities excused by school personnel) in a regularly scheduled class or activity regardless of the reason for such non-attendance. Students in Elba City Schools will be allowed five (5) absences due to parent notes per semester. Students who have six (6) or more absences in a semester in a class shall be referred to the attendance committee and may lose credit. Excused absences do not count toward these five (5) days.

Students in grades five through twelve may be required to attend Saturday School after the sixth (6th) absence in a semester to make up for lost seat time in the classroom.

Alabama State Department of Education Truancy Definition

A parent, guardian, or other person having charge of any child officially enrolled in Alabama public schools (K-12) shall explain in writing the cause of any and every absence of the child **no later than three (3) days following return to school**. A failure to furnish such explanation shall be evidence of the child being truant each day he or she is absent. A child shall also be deemed truant for any absence determined by the principal to be unexcused based upon the State Department of Education's current School Attendance Manual. The school will accept and excuse a maximum of ten (10) parent notes. Seven (7) unexcused absences within a school year constitute a student being truant for the purpose of filing a petition with the Court.

The Interagency Committee on Youth Truancy Task Force recommendations known as the Early Warning Truancy Prevention Program timeline for reporting truancy shall define the truancy status of any student as follows.

FIRST TRUANCY/UNEXCUSED ABSENCE (WARNING)

Parent/guardian shall be notified by the school principal or his/her designee that the student was truant and the date of the truancy. Parent/guardian shall also be provided with a copy of Alabama's compulsory school attendance laws and advised of the penalties that can be applied and the procedures that shall be followed in the event that other unexcused absences occur.

NO EARLIER THAN THE FIFTH UNEXCUSED ABSENCE (CONFERENCE)

The parent/guardian or person having control of the child shall participate in the early warning program provided by the juvenile court. Attendance at this conference shall be mandatory except where prior arrangements have been made or an emergency exists. Failure to appear at the early warning program shall result in the filing of a complaint/petition against the parent under the Code of Alabama (1975), *16-28-12(c) (failure to cooperate), or a truancy against the child, whichever is appropriate.

NO EARLIER THAN THE SEVENTH UNEXCUSED ABSENCE, BUT WITHIN TEN (10) SCHOOL DAYS (COURT)

File a complaint/petition against the child and/or parent/guardian, if appropriate.

CHILD UNDER PROBATION

The school attendance officer should be notified by the juvenile probation officer of all children in the school system under probation supervision by the juvenile court and is consistent with State Statute Code of Alabama (1975), * 12-15-100 and 105. Where a child under probation is truant, the school attendance officer should immediately notify the juvenile probation officer.

Excused Absences

The State Department of Education accepts the following as excused absences:

1. Illness of the student
2. Death of the immediate family
3. Inclement weather as determined by the superintendent
4. Legal quarantine
5. Emergency conditions as determined by the superintendent
6. Prior permission of the principal and consent of the parent or guardian
7. School related absence or school function.

Codes for Excused Absences are as follows:

1. 1XP – Child is ill (Excuse written by the parent)
2. 1XD – Child is ill (Excuse written by a physician or by the school nurse*)
3. 5X – Inclement weather as determined by the superintendent
4. 7X – Death in the family, legal quarantine, emergency conditions as determined by the principal, legal proceedings, (court documented)
5. 8S – School related absence or school function
6. 8X – Prior permission of the principal and consent of parent or guardian (request must be made at least one week in advance)

***School nurse may only excuse student for the day student was sent home. Additional days are at the discretion the doctor.**

Make-up Work

The full responsibility to make-up work lies with the student. If a student misses an announced test or assignment for any reason, including attendance at a school related function, the student must make up all missed assignments or make arrangements with his/her teacher to make up all work within five (5) days of their return. Students may make up all missed work if the absence is excused or the absence was due to suspension from school for disciplinary reasons. Students may make up all missed work if the absence is excused/unexcused or the absence was due to suspension from school for disciplinary reasons.

Extended Absences

Cases of extended hospitalization or sickness requiring a student to remain homebound or absent for more than 8 days in a semester by order of a physician will be dealt with at the discretion of the instructional and administrative staff. School officials will work with the student and parents to arrange for completion of assignments and tests on a regular basis. If the student fails to keep up with the assignments and tests, the arrangement will be terminated.

Attendance Incentive Program

The exemption policy was designed to reward students in grades seven through twelve for perfect or near perfect attendance while maintaining an A or B average. Students who have an A (90-100) average, with no more than three (3) absences in a particular class will be exempt from the final exam in that class. Students who have earned a B (80-89) average, with two (2) absences will be exempt from the final exam in that class.

Also, three (3) tardies will equal one (1) absence in a class and will count against a student for exemption. For example: Student A has two (2) absences and three (3) tardies with a B (80-89) average, then Student A would NOT be exempt from exams because the total is three (3) absences.

Perfect Attendance

To be eligible for a Perfect Attendance Certificate in grades K-12, a student must have been present and on time every day for the entire school year. A student who has checked out early or has been tardy for school will not have perfect attendance.

Student Tardies

Due to the disruption to the learning environment and loss of instructional time, tardiness will not be tolerated. Therefore, prompt arrival at school is expected of all students. Students in grades 7-12 who are not in the classroom by 7:50 are considered tardy and must be checked in through the front office to get a tardy slip stating the reason for being tardy. **Students in grades K-6 who are not in the classroom at 7:50 must be signed in by a parent.** Tardies due to medical and dental appointments that could not be arranged before or after school will be excused provided the school receives a doctor's written explanation of the tardy. According to the Alabama Code 12-15-111, a parent's or guardian's failure to ensure that a student is in the classroom on time is evidence of a child being in need of supervision.

Parents or guardians found to be in violation of Section 12-15-111 of the Alabama Code shall be guilty of a misdemeanor and, upon conviction, the juvenile court may suspend any sentence, remit any fine, or place the person on probation pursuant to such orders, directives, or conditions, for his or her discipline and supervision as the juvenile court deems fit.

Upon the fifth unexcused tardy, the parent will be referred to Early Warning Court.

Early checkouts are equally disruptive to the learning environment and will be addressed similarly.

Disciplinary Actions

4th Tardy = One day ISS

5th Tardy = Two days ISS

6th Tardy = Three days ISS

7th or More = Further actions as needed by attendance officer, principal, or Elba City Schools.

Check-Ins and Check-outs

Grades K-6

If it is imperative to check a student out of school before the regular dismissal time, we request that you: 1) send a note to school that morning; 2) pick up your child before 2:40 to avoid bus and car traffic 3) come to the office and sign the dismissal register; and 4) wait for the office personnel to call your child to the office.

Grades 7-12

Check –In

Students who arrive after the 7:50 bell in the morning must check in through the main office. An excuse from the parent or guardian giving the reason for the tardy/ absence should be turned in when the student signs in. If no excuse is presented when the student arrives on campus, any class absence and/or tardies will be listed as unexcused.

Check-Out

The Elba School System encourages each parent or guardian to limit the number of times his/her child checks in or out of school. Excessive check-ins and check-outs may result in a negative impact on the child's progress. Early dismissal that is unexcused will be counted as an unexcused absence. If a student becomes ill at school, an attempt will be made to contact the parents or guardian. The check-out note does not constitute a written excuse for the absence. The student should bring a separate note upon returning to school stating the reason for the absence.

No student shall be permitted to leave the Elba City school grounds during the school day for school business/activities without the principal's/designee's prior approval and written consent from the student's parent(s)/legal guardian provided an acceptable reason is established. Due to the disruption to the learning environment and loss of instructional time, tardiness will not be tolerated. Students checking out of school to go to lunch will be counted as an unexcused absence.

The principal or the designee shall establish definitely the identity and authority of any person who requests the release of a student from school. If the person requesting the release of the student is a person other than the parent/guardian having custody of the child, the principal or designee concerned shall not release the child without the verified authorization of the parent/guardian who has custody of the child.

Transfer Students

To allow transfer of credits and/or determine the appropriate class/grade placement of a student transferring to this system from a non-accredited or home school, the following shall be implemented:

- I. Credit for all elective courses shall be accepted without validation.
- II. Uncontested credit for core courses of language, mathematics, science and social studies shall be transferred as follows:
 - A. Using all available records and nationally-standardized tests, if available, the principal or his/her designee shall determine the appropriate placement and then notify the student and the parent/guardian.
 - B. Upon agreement by the parent/guardian, the student shall be assigned to the class and/or grade agreed upon.
 - C. For any initial core course the student completes successfully in this system, he/she shall be permitted to transfer in that subject area all previous credits earned at a non-accredited or home school. (Example: Successful completion of eleventh grade English in this system would allow the student to transfer ninth and tenth grade English if completed successfully at the non-accredited school or home school.
- III. Contested credit for core courses shall be transferred as follows:

If the parent/guardian disagrees with the placement decision, the principal or designee shall supervise the administration of the school's most recent final examination or other appropriate assessment for each prerequisite to the core course in which the parent/guardian is requesting enrollment. All transfer students will be required to take a comprehensive placement exam.

- IV. In the event of the existence of controversial records/transcripts and/or the absence of any official or notarized records/transcripts, the student shall take placement tests consisting of the school's previous final exams for core courses. All transfer students must pass any mandated state assessments and meet all other requirements for graduation.

GUIDANCE SERVICES

Philosophical Basis:

Personal concerns of students can seriously limit educational development. Schools have the responsibility to provide a guidance program and to make relevant and objective information available to students in such a manner that will enhance educational development.

Student responsibilities:

- To use guidance services for their own educational and personal improvement.
- To schedule appointments with guidance personnel in advance unless the problem or concern is an emergency.
- To work cooperatively with guidance personnel.

Student rights:

- To be informed as to the nature of the guidance services available in school.
- To have access to individual and group guidance.

SPECIAL EDUCATION

The Elba City Board of Education will provide educational and related services to students with disabilities who qualify under state and federal guidelines. Such students are encouraged to take full advantage of, or to respond to educational programs and opportunities because of a physical, mental, emotional, social, or learning exceptionality, as determined by a multi-disciplinary team which reviews psychological, educational, and/or physical evaluation results provided by qualified specialists. Exceptional students include students with intellectually disabled, hearing impairments, speech or language impairments, visual impairments, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities and students who are classified as gifted.

- I. Upon recommendation of the Superintendent, the Board shall adopt a plan for the provision of education programs for all Elba City School System students with disabilities and gifted students.
- II. The plan for special programs and procedures for exceptional students shall include screening procedures, pre-referral activities, referral procedures, eligibility criteria, program placement, program dismissal, and descriptions of program organization and operations.
- III. The Elba City School System exceptional student education program shall conform to the provisions adopted by the Board and shall function in accordance with the provisions of state and federal law, State Board of Education rules, and other applicable provisions of Board rules.

SECLUSION AND RESTRAINT POLICY

Policy Purpose

1. The Elba City School System acknowledges that maintaining a school environment conducive to learning requires that the environment be orderly and safe. Accordingly, physical restraint of a student may sometimes be necessary in order to protect the student or other individuals.
2. The purpose of this policy is to ensure that physical restraint is administered only when needed to protect a student and/or member of the school community from imminent, physical harm, and to prevent or minimize any harm to a student as a result of the use of physical restraint.
3. The Elba City School System places an emphasis under this policy on the prevention and de-escalation of inappropriate behavior, which reduces the risk of injury to students and staff.

Definitions

1. **Physical restraint** is direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to a student in order to promote safety or to prevent self-injurious behavior; providing physical guidance or prompting to a student when teaching a skill; redirecting attention; providing guidance to a location; providing comfort; or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.
2. **Chemical restraint** is any medication that is used to control violent physical behavior or to restrict the student's freedom of movement that is not a prescribed treatment for a medical or psychiatric condition of the student.
3. **Mechanical restraint** is the use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation.

Seclusion is a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. Seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student; time-out as defined herein; in-school suspension; detention; or a student-requested break in a different location in the room or in a separate room.

4. **Time-out** is a behavioral intervention in which the student is temporarily removed

from the learning activity. Time-out is appropriately used and is not seclusion when:

- (a) The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.
- (b) The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however, each time-out should not exceed 45 minutes.
- (c) The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student and has sight of the student while in time-out.
- (d) The time-out space is free of objects that unreasonably expose the student or others to harm.

Prohibitions

1. The use of physical restraint is prohibited in the Elba City School System and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. Physical restraint is prohibited when used as a form of discipline or punishment.
2. All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress during the restraint. Any method of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs is prohibited in the Elba City School System and its educational programs.
3. The use of chemical restraint is prohibited in the Elba City School System and its educational programs.
4. The use of mechanical restraint is prohibited in the Elba City School System and its educational programs.
5. The use of seclusion is prohibited in the Elba City School System and its educational programs.

Requirements

1. Each local school's principal or his/her designee and each educational program of the School System that utilize physical restraint under this policy will provide staff with guidelines and procedural information regarding physical restraint and will arrange for the appropriate training of those designated staff members that may be called upon to physically restrain a student. This training of designated staff members shall be provided as a part of a program which addresses prevention and de-escalation techniques as well as positive behavioral intervention strategies. The training of designated staff members will be based on evidence-based techniques and strategies when possible. Each local school's principal or his/her designee or program coordinator shall be responsible for providing periodic reviews.
2. Each local school's principal or his/her designee and each educational program that utilize physical restraint will maintain written or electronic documentation on training provided at the local school regarding physical restraint and the list of participants in

each training session. Records of such training will be made available to the Alabama Department of Education or any member of the public upon request.

3. Each local school's principal or his/her designee and each educational program that utilize physical restraint is responsible for generating and maintaining incident and debriefing reports of the use of restraint as well as reports of any prohibited use of seclusion and chemical, mechanical, or physical restraint at the local school and for gathering/reporting data to the Elba City Board of Education and to the Alabama Department of Education annually. The use of physical restraint will be monitored by each local school's principal or his/her designee or program's coordinator on an on-going basis to ensure fidelity of implementation. Follow-up training will be provided following any situations in which procedures are not being followed.
4. Each local school's principal or his/her designee that utilize physical restraint shall ensure that following an incident of restraint of a student, all school personnel involved in the incident and appropriate administrative staff participate in a debriefing session for the purpose of planning to prevent or reduce the reoccurrence of the use of restraint. A student's parent or legal guardian will be provided notification of this debriefing session and afforded the opportunity to attend or to request that the debriefing session be rescheduled. The debriefing session shall occur no later than five school days following the imposition of physical restraint, unless the debriefing session is delayed, at the request of a student's parent or legal guardian, so that the parent or legal guardian may attend.
5. Each local school's principal or his/her designee and each educational program that utilize physical restraint will provide written notification to a student's parent or legal guardian when physical restraint is used on a student within a reasonable time following the restraint not to exceed one school day from the use of restraint.
6. Each local school's principal or his/her designee and each educational program will provide written notification to a student's parent or legal guardian when their child is removed from his/her school or program setting by emergency, medical, or law enforcement personnel within a reasonable time following the removal not to exceed one school day from the removal.
7. Each student's parent or legal guardian will be provided information regarding the school or program's policies governing the use of physical restraint. This information will be provided to parents at the beginning of each school year or upon the student's enrollment if the student enrolls after school has started. To effectuate this requirement, the School System's website and student code of conduct will contain the following statement:

As a part of the policies and procedures of the Elba City School System, the use of physical restraint is prohibited in the Elba City School System and its programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Physical restraint is expressly prohibited when used as a form of discipline or punishment. The use of other physical restraint, chemical restraint, mechanical restraint, or seclusion is prohibited in the Elba City School System and its educational programs.

The use of restraint may occur along with other emergency actions such as the school seeking assistance from law enforcement and/or emergency medical personnel which could result in a removal of the student by such personnel.

Significant violations of the law including assaults on students and staff will be reported to the police. As soon as possible after the restraint or removal of a student (and no longer than one school day following the occurrence), the parent or legal guardian will be provided written notification.

Clarifications

1. Nothing in this policy shall be construed to interfere with the School System's or school personnel's authority to utilize time-out as defined herein or to utilize any other classroom management technique or approach, including a student's removal from the classroom that is not specifically addressed as part of this policy.
2. Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28-12.
3. Nothing in this policy shall be construed to prohibit the School System's or school personnel's right to take reasonable action to diffuse or break up a student fight or altercation.
4. Nothing in this policy shall be construed to prohibit the School System or school personnel from taking reasonable action to obtain possession of a weapon or other dangerous objects on a student or within the control of a student.
5. Nothing in this policy shall be construed to eliminate or restrict the ability of school personnel to use his or her discretion in the use of physical restraint as provided in this policy to protect students or others from imminent harm or bodily injury.
6. Nothing in this policy shall be construed to create a criminal offense or a private cause of action against any local board of education or program or its agents or employees.
7. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel or to interfere with the rights the School System or school personnel from seeking assistance from law enforcement and/or emergency medical personnel.

Gifted Education

Gifted students are those who perform at or who have demonstrated the potential to perform at high levels in academic or creative fields when compared to others of their age, experience, or environment. These students require services not ordinarily provided by the regular school program. Students possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor.

Teachers, counselors, administrators, parents or guardians, peers, self, or any other individuals with knowledge of the student's abilities may refer a student. Additionally, all second grade students will be observed as potential gifted referrals using a gifted behavior checklist.

For each student referred, information is gathered in the areas of Aptitude, Characteristics, and Performance. The information is entered on a matrix where points are assigned according to established criteria. The total number of points earned determines if the student qualifies for gifted services.

To make a referral, contact the Special Education Coordinator at 334-897-2801.

FREE SPEECH/EXPRESSION

Philosophical Basis:

Citizens in our democracy are guaranteed self-expression under the First (1st) and Fourteenth (14th) Amendments of the Constitution of the United States; therefore, in a democratic society, one of the basic purposes of education is to prepare for responsible self-expression.

The Elba City Board of Education shall make every effort to provide for the free expression of ideas by students unless this interferes with the educational process. No student shall have the right to interfere with the educational process of other students.

All students shall be free to express their points of view in an orderly manner in keeping with democratic ideals. All students shall have the freedom to exercise the right of free speech and to protest deprivation thereof, through proper channels, providing that such protection does not interfere with the educational program of the School System or result in harm to other individuals.

All students shall have the responsibility to grant the same rights and responsibilities to other individuals, to develop tolerance for the viewpoints or opinions of others, and to recognize the rights of other individuals to form or hold different points of view.

GRADES

Philosophical Basis:

An academic grade should reflect the teacher's most objective assessment of the student's academic achievement. Academic grades will not be used as a means of maintaining discipline in the place of order in a classroom.

Student Responsibilities:

1. To become informed of the method of grade determination in each class.
2. To maintain standards of academic performance equal to ability, and to make every effort to improve performance upon receipt of notification of unsatisfactory progress.

Student rights:

1. To receive a teacher's grading criteria at the beginning of each course.
2. To receive periodic progress reports.

Curriculum

- I. The Elba City School System curriculum shall be determined by:
 - A. Alabama State Department of Education Courses of Study;
 - B. Students' needs and interests;
 - C. Regular evaluation of curriculum effectiveness; and,
 - D. Applicable Alabama statutes, State Board of Education rules, and the Elba of Education priorities.
- II. The Superintendent may appoint such committees and special study groups as may be necessary to assist in determining the educational needs of the system.
- III. The Superintendent shall designate appropriate staff members who are responsible for the development and coordination of the curriculum of the system.
- IV. The Superintendent shall cause to be developed and regularly updated a program of instruction for all grade levels.
- V. The responsibility and right of an instructional staff member to present information of a controversial nature is hereby recognized. The teacher shall not present controversial material or issues which are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the question without bias or prejudice and shall permit each student to arrive at his/her own conclusions.
- VI. When dealing with political issues, the positions of all parties will be presented on a non-partisan basis.
- VII. The Superintendent shall recommend and the Board shall approve standards relating to graduation requirements, dual enrollment, promotion and retention, grading systems and methods of reporting.
- VIII. All course materials and verbal or visual instruction shall conform to the requisites and intent of Alabama law and the state Constitution. All instructional materials, including teachers' manuals, films, tapes, electronic media, or other supplementary instructional material, shall be available for inspection by parents/guardians of the children engaged in such classes.
- IX. The Superintendent or designee shall develop procedures to ensure that all aspects of curriculum development are implemented.
- X. There shall be a systematic and comprehensive evaluation of the instructional program and all related areas.

Valedictorian, Salutatorian, Honor Graduates Policy

The following criteria shall become effective for the 2014-2015 school year in determining who may be eligible for Valedictorian, Salutatorian, and Honor Graduates in the Elba City School System.

- Be pursuing the Alabama High School Diploma with Advanced Academic Endorsement;
- Maintain a cumulative numeric, weighted average of 90 or above in grades 9 - 12 for all classes; and
- Pass the minimum number of units required by the State Department of Education and the Elba City Board of Education.

The honor graduates will be recognized as honor graduates. The honor graduate with the highest weighted GPA (weighted courses are all advanced courses and AP course) will be designated as the valedictorian. The honor graduate with the second highest weighted GPA will be designated as the salutatorian. In case of a tie, individual student's ACT scores will be used to break the tie. The names of the Valedictorian, Salutatorian, and Honor Graduates shall be announced after all final grades are in for the fourth nine weeks.

Student Records

Elba City Board of Education rules and procedures for maintaining student records shall be consistent with Alabama statutes, State Board of Education rules, and federal laws relating to Family Educational Rights and Privacy Acts and Privacy Rights of Parents and Students. The Superintendent shall be responsible for interpreting this rule and the school principal shall be responsible for controlling and supervising student records, following all rules on student records, and interpreting rules on student records to the school staff, students, and the community. Data shall be protected from unauthorized use at all times.

SCHOOL ACTIVITIES

Extra-curricular activities are considered an important part of the total school experience; however, the main emphasis should be on academics. Therefore, a student must be in attendance at school no less than 3.5 hours for student participation in extra-curricular activities unless with prior approval of the school principal. Clubs and organizations will be organized only with the advice and approval of the administration and should evolve from the curriculum needs. When it is determined that formation of a club or organization is in the best interest of the students of Elba City Schools, a time, place and faculty sponsor will be provided. In order for a club to become or remain active, the club must have definite goals, objectives, activities, and a yearly evaluation. In the annual review of the club, if the administration does not feel that it has accomplished its goals, then the club will be disbanded. No club meetings or activities shall be scheduled without advance written approval of the club sponsor and the school principal.

School Activities / Organizations

All Elba City School System student clubs and organizations shall be approved by the principal before they can operate within a school.

- I. All student clubs and organizations shall comply with the following:
 - A. All clubs and organizations must clearly establish and adhere to membership approved by the principal.

- B. The charter and constitution of each student club or organization shall set forth the purposes, qualifications for members, and the rules of conduct and shall be maintained on file for immediate reference by all students and instructional personnel of the school.
- C. There shall be no type of hazing in any club or organization within the school. Hazing shall be defined as any action or situation which recklessly, intentionally, or potentially endangers a student's mental or physical health or safety.
- D. Dues shall be reasonable and not prohibitive.
- E. All meetings shall be held on Elba City Board of Education property, unless waived upon the faculty sponsor's request and principal's approval of special meetings and events.
- F. An Elba City School System faculty sponsor/designee shall be present at all meetings and functions.
- G. All social events shall be adequately chaperoned.
- H. All monies accruing to any school club or organization shall be accounted for through the school's internal accounting system.

A student club or organization shall not conduct any activity or act which violates Alabama statutes, Elba City Board of Education rules, or the regulations of the local school.

Any school club or organization which engages in an initiation ceremony for its members shall prepare and submit the program of initiation exercises to the faculty sponsor for review and approval by the school principal.
- I. Secret societies, social clubs, sororities, fraternities, or any similar organizations are prohibited.

Field Trip Policy

The Elba City Board of Education Board delegates to the Superintendent the responsibility for development of administrative criteria governing field trips. Only those field trips, however, that grow out of the instructional program or are otherwise related to the program are permitted on school time. Other trips such as those involving band and athletic activities should be confined to non-school time except where the school is engaged in an activity, competition, or contest that requires use of school time.

- I. All local and in-state field trips, including travel associated with athletic contests, must be approved in advance by the school principal with prior notification given the Superintendent. Notification of such travel should be received, when possible, by the Superintendent at least seven (7) days prior to the anticipated travel date.
- II. All out-of-state and overnight field trips, including travel associated with athletic contests, must be approved in advance by the principal and the Superintendent. Requests for out-of-state and overnight travel must be submitted to the Superintendent at least thirty (30) days prior to the anticipated travel date when possible.
- III. Requests for approval of all field trips, including travel associated with all school sponsored events and activities must be submitted on School System Field Trip Request Forms. Upon approval of any field trip, the school principal shall be responsible for notifying the Superintendent through the submission of a copy of an approved School System Field Trip Request Form.
- IV. Before any trip as noted above is taken, a completed and signed School System Parental Permission Form shall be secured from each student planning to go on the field trip. Students who have not submitted a signed Parental Permission Form shall not be allowed to take the trip. Students participating in a series of trips, such as football, basketball, etc., may submit one Parental Permission Form to cover all trips associated with the activity.
- V. Field Trip Transportation Using School System or Common Carriers: In order to reduce the costs of field trips for students, Elba City School System buses should be used for local field trips when possible. Privately owned buses/common carriers may be used for trips extending beyond the normal school day based on prior approval by the Superintendent. Approval for the use of privately owned buses/common carriers must be secured from the principal prior to discussions of the trip with students. Private buses/common carriers should be used only when School System buses are unavailable or impractical. When School System buses are used, the following provisions will apply:
 - A. Field trip buses, when available, shall be operated according to terms and conditions that apply specifically to such buses. Reservations must be made through the principal or designee with the teacher/sponsor preparing the Field Trip Request Form for approval by the principal.

- B. At least one system employee approved by the principal and superintendent must ride the bus and accept responsibility for seeing that all rules and regulations governing school buses are carried out.
- C. All field trip bus passengers must be enrolled in school, be an employee of the school, or be designated as chaperoned by the field trip sponsor and approved by the school principal.
- D. The principal of each school is responsible for handling the scheduling of such trips.
- E. Mileage and other applicable cost factors (driver, substitute driver, etc.) for each field trip will be computed by the Board based on the current, approved rates with billings submitted to schools on a monthly basis.
- F. Only adult drivers with a commercial driver's license will be permitted to drive field trip buses with the cost of paying the driver to be borne by the school or class making the trip(s).
- G. The field trip sponsor should return the School System-owned bus in a clean condition as determined by the Director of Transportation.
- H. Due to energy regulations, allocations, proration, and other financial problems, the Board may cancel trips, increase prices, or curtail the use of buses. Principals will be notified if changes occur.
- I. At the discretion of the principal, a student may not be allowed to attend a field trip due to behavior, office referrals, etc.

Student Publications

Elba City School System school principals may approve establishment of a school newspaper or magazine for students.

- I. The principal shall be responsible for supervising the publication of newspapers, magazines, yearbooks, and programs and for ensuring these publications do not impede or otherwise interfere with the educational purpose of the school.
- II. The principal shall not allow advertisements of intoxicants or tobacco products or other products which would be inappropriate for the intended audience.

Student Dress Code

The administration of Elba City Schools maintains the absolute authority in making subjective judgments about dress and personal appearance. In general, any garment, apparel, and/or any type of grooming that attracts undue attention to the wearer, and that would tend to hamper the school in carrying on its regular schedule of activities, distracts or disturbs classes, interferes with the health of students, or disrupts the learning atmosphere in any way, is not permissible. **Students should be in compliance with the dress code when they arrive on campus (before he/she enters the building). The dress code will be enforced from the time students arrive on campus until they leave campus.** Students not in compliance with the dress code will have to change before they will be allowed to class. Students should come to school clean, dressed neatly, and suitable for the weather. Students must appropriate dress and shoes for physical education classes.

All **kindergarten and pre-k students** need to have a season-appropriate change of clothes in their book bags at all times.

Students must be within the dress code parameters before being allowed to class.

Pants

All pants (including shorts and skirts) will be worn at the natural waist level. Oversized pants which drag the floor and/or present health and safety hazards, are not allowed. Pajama style pants are not allowed. Any student wearing pants with tears, rips or holes in them must ensure that NO SKIN or underwear show through the tears, rips, or holes above the knees.

Shorts/Skirts

Shorts and skorts should be no shorter than fingertip length with arms held at the side. Skirts and dresses should be no shorter than three (3) inches above the knee. No spandex shorts or any other tightly-fitted shorts or pants are permitted. Leggings/yoga pants may be worn under skirts, skorts, dresses, or shirts that meet the length requirements. Form fitting warm-up suits may not be worn. Pants and shorts will be worn at the natural waistline for all students attending Elba City Schools. Sagging pants are not allowed at any grade level.

Shirts/Tops

Coats, sweaters, sweat shirts and jackets that are excessively long may not be worn inside the building. The following types of shirts or tops are not allowed: shirts or tops that expose the midriffs when arms are fully extended above the student's head, sleeveless shirts or tops for male students, shirts or tops worn by female students that expose undergarments or are immodest, strapless tops, mesh tops, immodestly tight and revealing tops. Shirts or blouses should be modest and not reveal cleavage or mid-riff whether the student is standing, bending, sitting or when arms are fully extended. Tank tops are not permitted unless worn under a cover shirt.

Symbols/Wordings/Tattoos

Clothing, tattoos, or jewelry, which contain profane or immoral words, or drawings, references to drugs, alcohol, gangs, or any type of distracting or disruptive comments or symbols, are not allowed.

Jewelry/Accessories

Facial or tongue jewelry is not allowed. Dog collars, chains, bracelets with studs, long and/or heavy necklaces (Mardi Gras type beads) are not allowed. Jewelry in the mouth or on the teeth, unless prescribed by a physician or dentist, is not allowed. Sunglasses may not be worn inside the building unless prescribed by a physician. This includes on the face, head and around the neck.

Other Clothing Related Guidelines

Bandanas or other gang related clothing, etc. are not allowed. No article of clothing may be worn in a gang related clothing manner. (i.e. cocked caps, towels, rags, strings, etc.) Caps, hats, sweatbands, scarves, hoods, or other similar headwear are not allowed to be worn inside the building unless prescribed by a physician or during special days (i.e. Homecoming week). Combs, hair picks, hair socks, or curlers are not allowed to be worn. Hairstyles or hair color that cause distractions to the learning environment are not allowed. Facial hair is permitted provided it is maintained in a neat and orderly appearance. Shoes must be worn at all times. Bedroom shoes/house slippers are not allowed. Shoes should be appropriate for school and for participation in physical education.

Students will be in compliance of dress code or face disciplinary measures.

Cell Phone / Electronic Device Policy

The use of cell phones will not be permitted by students on school grounds unless they are being used for instructional purposes as determined by the teacher and administration. With permission and supervision by school personnel, a student MAY be granted the use of a cell phone for a non-instructional purpose, but only with PRIOR permission.

- Upon entering the building, cell phones are to be powered off and placed in a non-visible, secure place throughout the school day.
- No pictures or videos are to be taken using cell phones or other electronic devices during the school day.
- No music devices or computers are to be used by students unless approval has been granted by teacher and administration.
- Earphones or ear buds may not be used unless for instructional purposes.
- Any unauthorized videos/pictures taken during the school day are NOT allowed. Such videos/pictures, especially when posted to social media may result in out-of-school suspension. Any social media post from the school day, no matter what time they are posted, must be approved by administration or result in out-of-school suspension.

When on school campus, there should be no expectations of privacy in regards to student cell phones and/or electronic devices.

Policy Violation Consequences:

Unauthorized social media posts (not approved by the administration)

Any Offence—1 day up to 3 day out-of-school suspension (administrative discretion).

****All cell phone / electronic device offenses will be classified as Class II violations.**

1st Offense – 1 day of ISS and device held in office for two days. Parent signature is required for device to be returned.

2nd Offense – 5 days of ISS and device held in office for 5 days. Parent signature is required for device to be returned.

3rd Offense – 3 day out-of-school and device held in office for 10 days. Parent signature required for device to be returned.

Subsequent Offenses – 5 day suspension and device held in the office for the remainder of the year.

Refusal to release phone to board employee/unauthorized videos/pictures:

1st offense – 3 day out-of-school suspension

2nd offense – 5 day out-of-school suspension

3rd offense –Forty-five (45) day alternative school placement. An administrative hearing may be required before the student is allowed to return to school.

Elba City Schools will not be held accountable for lost and/or stolen electronic devices.

Alabama State Department of Alabama Guidelines for the Search of Digital Devices Seized During the Administration of a Secure Test

The possession of a digital device (including but not limited to cell phones, MP3 players, cameras, or other telecommunication devices capable of capturing or relaying information) is strictly prohibited during the administration of a secure test. If the student is observed in possession of a digital device during the administration of a secure test, the device will be confiscated. If a student is observed using a digital device during the administration of a secure test, testing for the student will cease, the device will be confiscated and is subject to search, the student will be dismissed from testing, and the student's test will be invalidated. Local education agency (LEA) personnel will make all students, parents, and/or guardians aware of this prohibition through inclusion of this policy in the Student Code of Conduct Handbook and other regularly used modes of communication.

Automobile Use

In compliance with Alabama Code 16-28-40, the Elba City Board of Education endorses the Alabama Department of Public Safety requirement of regular school attendance as a prerequisite for obtaining a driver's license or a learner's permit to operate a motor vehicle.

I. Requirements

School officials will verify enrollment status by completing Part I of the Student Enrollment/Exclusion Status form. Students who are age 17 - 19 who drop out of school will be reported to the Department of Public Safety, and their driver's license will be subject to revocation. The driver's license or learner's permit of any enrolled student who accumulates 10 or more consecutive absences or 15 or more cumulative unexcused absences in a given semester will be reported and will be subject to revocation.

II. Exemptions

Students who are suspended or expelled from school or imprisoned do not qualify for an exemption. However, students who are exempt from attending public school due to circumstances beyond the control of the student, as set out in Alabama Code 16-28-6, are exempt from the application of this policy. The Superintendent or his/her designee is the sole judge of whether or not the evidence presented satisfies legal requirements for exemption.

III. Appeal Process

The appeal of a decision regarding the enrollment status of a student shall be submitted to the local school. To appeal, the student shall submit to the school principal, within five (5) days of the issuance of enrollment status, written notification of intent to appeal, including a statement of reasons for the appeal. Except as otherwise provided herein, the appeal process shall follow the procedures stated in the Elba City School System Student Attendance Policy.

Student Grievances

Whenever an Elba City School System student believes that he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, students can resort to the more formal procedures as provided herein.

I. Definitions

A. *Complaint* shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. *Complaint* shall not apply to any matter in which the method of review is prescribed by law. *Complaints* are objections to a specific act or condition.

B. *Complainant* shall mean any student or group of students, directly affected by the alleged misinterpretation or violation, filing a complaint.

C. *Faculty/Staff and Administration* shall mean the employees of the Elba City Board of Education or representatives under the direct supervision of an employee of the school board.

D. *Day* shall mean a school/academic day.

II. **Time Limits** – The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

III. **Released Time** – The complaint procedure will normally be carried out during non-instructional time. If, however, the Board elects to carry out provisions during instructional time, the complainant shall not lose academic credit.

IV. Complaint Procedure

A. Informal Discussion – If a student believes there is a basis for complaint, he/she shall discuss the complaint with his/her principal or the designee of the principal, (except in cases of discrimination or harassment involving the principal or the designee), in which case the complainant shall report to the Superintendent or other person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.

B. Level One – If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her principal or designee. The principal or designee shall communicate his/her answer in writing to the complainant within ten (10) days of receiving the written complaint. Class complaints involving more than one (1) principal or designee and complaints involving an administrator above the building level may be filed by the complainant at level two.

C. Level Two – If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.

D. Board Appeal – If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the Elba City Board of Education, provided request for placement on Board agenda is filed within ten (10) days.

E. Confidentiality will be provided to the extent possible to any student or affected party who alleges discrimination or harassment.

Formal Disciplinary Actions and Procedures

Corporal Punishment

In order to establish and maintain an educational climate conducive to learning, the Elba City Board of Education permits reasonable corporal punishment (paddling) of students. If such punishment is required, it shall be administered only as a last resort, with extreme care, tact, and caution by the **principal or his/her certificated designee** according to the published Code of Student Conduct and the following stipulations:

- I. Corporal punishment shall not include more than three (3) licks (per infraction) administered to the buttocks.
- II. Corporal punishment will be administered privately (not in the presence of the class or other students) and in the presence of another certified professional employee.

Detention, Search, and Seizure

- I. Any instructional or administrative staff member shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that such student has committed, is committing, or is about to commit a violation of Alabama statutes, Elba City Board of Education, or a system's Code of Student Conduct.
- II. Desks, lockers and other equipment at school belong to the Elba City Board of Education and, although assigned to particular students for use, may be entered and searched by school officials whenever said school officials have reasonable belief that some substance or other material, which is illegal, harmful to the safety of the student or the student body as a whole, or significantly disruptive or dangerous to the overall discipline of the school, is contained therein.
- III. Students shall reasonably expect his or her person to be free from search in accordance with rights guaranteed by the U.S. Constitution. Therefore, any search of a student conducted by school officials shall be made only when reasonable belief that the student is in possession of weapons, stolen items, illegal drugs, or other items harmful to the safety of the student or others. Any search shall not be intended to embarrass, intimidate, or harass any student.
 - A. Elba City School System officials shall be authorized to search a student and the student's property including vehicles under the following conditions:
 1. Reasonable suspicion for a search exists.
 2. The search must be conducted in privacy by a person of the same sex, if at all possible.
 3. A third person of the same sex must be present during the search, if at all possible.
 - B. Parents or legal guardians shall be notified if the search results in the identification of any illegal paraphernalia.
 - C. If a reasonable suspicion exists for a search of an individual student and the student does not agree to the search, school officials shall not search the student.

The following procedure shall be followed:

1. The student shall be retained in the presence of school officials under constant observation and supervision.
2. Parents or legal guardians of the student shall be notified and requested to come to the school.
3. Parents or legal guardians shall be informed of the situation and asked to search the student.
4. If parents or legal guardians refuse to cooperate with school officials, appropriate law enforcement authorities shall be notified and proper suspension or expulsion procedures shall be initiated.

USE OF VIDEO SURVEILLANCE EQUIPMENT

To provide and maintain a safe and secure environment for students, staff, and authorized visitors, the Elba City Board of Education may use surveillance equipment on properties owned and or maintained by the school system. Properties include buildings and grounds as well as vehicles owned and/or operated by the Elba City School System.

Equipment shall not be used where there is an expectation of privacy, i.e. bathrooms, gym/locker rooms, and private offices. Training shall be provided for authorized persons in the use, maintenance and storage of equipment and tapes, and on applicable laws related to the use of surveillance equipment. Equipment may be used in classrooms with the written request of the teacher or with the principal's approval.

Individual schools shall establish a system for maintenance and storage of equipment and tapes. Equipment and tapes shall be stored in secure places with access by authorized persons only. All Elba City School System personnel, students, and parents shall be informed that they are subject to being videotaped while in school buildings, on school grounds, at school events, and on system owned/maintained vehicles. Any information obtained through the use of surveillance equipment shall be used only for school safety, disciplinary matters, law enforcement, or other lawful purposes.

USE OF METAL DETECTORS

In order to provide and maintain a safe and secure environment for students, school personnel and authorized visitors, the Elba City Board of Education may employ the use of metal detectors. Prior to implementing the use of metal detectors, training shall be provided for authorized persons regarding the use, maintenance and storage of said equipment and on laws and procedures for conducting searches.

In implementing the use of metal detectors, the following guidelines will be followed:

1. All metal detector searches shall be conducted by school board employees only.
2. Any information obtained through the use of metal detectors will be used only for school disciplinary or law enforcement purposes.
3. The metal detectors will be used by authorized personnel at any time there is reasonable suspicion that the student being searched has violated or is violating a particular disciplinary rule or public law relating to the possession of weapons. Any search of a student's person as a result of activation of the detector will be conducted in accordance with the Board's policy on student searches.
4. Random classroom searches are authorized.

Prior to implementing the use of metal detectors by authorized Elba City Board of Education employees, this policy will be communicated to all affected school personnel, students, parents and the community at-large.

INTERROGATIONS AND UNANNOUNCED VISITS BY LAW ENFORCEMENT

To provide and maintain a safe and secure environment for students, staff, and visitors, the Elba City Board of Education supports the requirement of The Alabama Administrative Code, §290-030-010-.06, to permit law enforcement agencies to make periodic, unannounced visits to any school within the school system. Such visits shall be for the purpose of detecting the presence of illegal drugs or serving warrants. Such visits shall be unannounced except to the superintendent of schools and principals of the individual schools that are subject to the visitation. In accordance with The Code of Alabama, 16-1-24.1, the possession of illegal drugs, alcohol, or weapons will result in immediate suspension from school and possible criminal charges being brought against the student(s).

I. Visits and/or Interrogations by Public Officials

When the school principal, designee, or law enforcement agency has evidence or reasonable cause to believe that a crime has been committed on campus such as possession of illegal drugs or weapons--law enforcement officials, to include juvenile authorities--may be allowed or requested to come to the school to investigate the incident. Visits by law officials shall be coordinated through the principal or designee. There shall be no requirement to announce the visit of a law official to anyone except the building principal and Superintendent.

A. Interrogations

When law enforcement officers make it known that they wish to talk to a student while under supervision of the school, the following procedure will be used:

1. The student will be called to the office of the principal.
2. The principal shall attempt to notify the student's parent or guardian by telephone of the situation.
3. If the principal is able to contact the student's parent or guardian, the parent or guardian, upon consultation with the principal and student, shall determine whether or not the student is to be questioned by the law enforcement officer while under the jurisdiction of the school, and under what circumstances, i.e. in the presence of the school principal or in the presence of the parent or guardian, etc.
4. If the principal is unable to contact the student's parent or guardian or if the parent or guardian is unable to come to the school within a reasonable amount of time, the principal shall permit the law enforcement official to talk with the student in the presence of the principal and or his/her designee.

B. Arrest Warrants

When an arrest warrant is presented by law enforcement officers, the school principal or designee shall make every effort to notify the parent or guardian of the student in question prior to the student's removal from the school premises.

II. Department of Human Services Officials

A. At the Request of School Officials

The school principal or designee may request personnel from the Department of Human Services to come to the school to assist in providing related services for students, provided at least one of the following criteria is met:

1. The student is an active client with the Department.
2. The student is in the legal custody of the Department.
3. The school principal or designee believes that the Department can provide services that will help the student.
4. There is evidence of child abuse/neglect or suspected child abuse/neglect.

B. At the Request of Human Services Officials

When the Department of Human Services officials make it known they wish to talk with a student while under the supervision of the school, the principal or designee shall seek to determine if, 1) the visit relates to child abuse/neglect or 2) the Department has legal custody of the student. If so, the Human Services Official shall be permitted to talk with the student. If it is determined that the visit does not relate to child abuse/neglect or matters pertaining to rights granted to a custodian, the principal or designee shall advise the Human Services Official that any talks or questioning should be conducted while the student is at home and not under the supervision of the school.

USE OF CANINE LAW ENFORCEMENT

In order to maintain drug-free schools and deal with problems associated with drug use and drug trafficking, the Elba City Board of Education allows law enforcement officials to make periodic, unannounced visits to any public school in the school system to detect the presence of illegal drugs or weapons. The superintendent and the principal shall be given prior notice.

In implementing the use of drug-sniffing dogs, the following guidelines will be followed:

1. Although reasonable suspicion is not necessary under the law in using dogs to sniff unoccupied automobiles, buses, and lockers, principals will use reasonable care in the search process.
2. Only the principal or designee with approval from the superintendent or designee shall implement the use of drug-sniffing dogs in schools.
3. In the search for drugs, drug-sniffing dogs will be handled by trained dog-handlers under the supervision of the principal or designee and an appropriate law enforcement official.
4. Dogs will not be allowed to sniff students or employees.
5. Dogs will not be brought into the school while large numbers of students are occupying the halls or other gathering places such as lobbies, buses, cafeterias, restrooms, and auditoriums.

DEADLY WEAPONS

Possession of a deadly weapon on school property or on a school bus with the intention to do bodily harm is a Class C felony. All persons, other than authorized law enforcement personnel, are prohibited from bringing or possessing any deadly weapon or dangerous instrument on school property and specific penalties for students and school personnel who violate this policy, notwithstanding any criminal penalties, may also be imposed.

The Elba City Board of Education authorizes the Superintendent or designee to immediately suspend any student found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury. Deadly weapons are not to be carried by students on school grounds, on school buses and/or at any school-sponsored event before, during or after regular school hours.

A student determined to have brought to school or have in his/her possession a firearm defined in Section 921 Title 18 of the U.S. Code in a school building, on school grounds, or at other school-sponsored functions shall be expelled for a period of not less than one (1) year. The Board and the Superintendent may modify the expulsion requirement on a case-by-case basis.

The Elba City Board of Education directs the Superintendent to provide the State Department of Education a description of the circumstances surrounding each expulsion pursuant to this policy. This description shall include:

1. The name of the school concerned;
2. The number of students expelled;
3. The types of weapons concerned.

No person found guilty of violating a weapons policy may be readmitted to the public schools of this state without psychiatric or psychological counseling and an accompanying report in writing to the Board that the person does not represent a threat to the safety of any student or employee of the school system.

Discipline of Elba City School System students with disabilities who violate this deadly weapons policy shall be determined on a case-by-case basis in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

Any person who violates the provisions of this policy may be arrested on the appropriate warrant signed by the principal of the appropriate school.

If pursuant to an Elba City Board of Education hearing, any person is found guilty of violating this policy, such person shall not be admitted to school until any criminal charges or offenses arising from such conduct have been disposed of by proper authorities, and such violator(s) have satisfied all other requirements imposed by the Board as a condition for readmission.

PROCEDURES FOR THE ADMINISTRATION OF OUT OF SCHOOL SUSPENSION AND EXPULSION

A student recommended for suspension or expulsion will be made aware of the charges and will be given an opportunity to respond. Any time a referral that warrants suspension or expulsion is submitted, a reasonable effort will be made by the school to either contact the parent(s) or guardian by a telephone call and/or by written notice delivered by the student or U.S. Mail. The student is responsible for notifying his/her parent(s) or guardian of all written communications from school. Failure to do so may result in further disciplinary action.

SUSPENSION AND/OR ALTERNATIVE SCHOOL ASSIGNMENTS

Authority

The school principal or his/her designated person(s) has the authority to suspend students from school.

Notification

Prior to suspension the student will be made aware of the charges and given an opportunity to respond to them. Written notices will be sent to the Superintendent and parent(s) or guardian stating the reason(s) such action was taken. Immediate suspension of a student is justified when the student's presence would threaten other students or himself/herself, endanger school property or seriously disrupt the orderly educational process. Administrators are given the authority to have the law enforcement agency remove uncooperative students.

Length

The suspension of a student is not to exceed ten (10) days except as follows:

1. Any student who has been determined eligible for special education may be suspended, but all procedural safeguards must be adhered to as set forth in Public Law 105-017 (IDEA - 04).
2. If an incident or violation causes or warrants referral for an administrative hearing, the suspension shall remain in effect until further action.

Terms or Conditions

1. During a suspension period, suspended students shall not attend school-sanctioned functions or be present on school system property for any reason.
2. When a student is suspended, his/her teacher must be notified concerning the date of suspension and the number of days suspended.
3. A student who has been suspended from any school, regardless of the school system, is not eligible to enroll in the Elba City School System until such time that he/she is eligible to be reinstated in the school from which he/she was suspended.
4. Any absence, resulting from school suspension will be counted as an unexcused absence. Students will be allowed to make up any missed work within a reasonable amount of time.

Readmission

When a student returns to school after suspension and/or Alternative Learning Center assignment, the readmission must be preceded by a conference with the principal or his/her designated person(s). The conference should include the parent(s) or guardian unless otherwise approved by the principal. The student is readmitted by the principal or his/her designated person(s) and is given a readmission slip to return to class.

In-School Suspension

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 support program for a reasonable and specified period of time. The principals and their staffs should determine the scope of in-school support in their respective schools.

Out-of-School Suspension

A student recommended for suspension or expulsion will be made aware of the charges and will be given an opportunity to respond. Any time a referral that warrants suspension or expulsion is submitted, a reasonable effort will be made by the school to either contact the parent(s) or guardian by a telephone call and/or by written notice delivered by the student or U.S. Mail.

The student is responsible for notifying his/her parent(s) or guardian of all written communications from school. Failure to do so may result in further disciplinary action.

Saturday School Assignment

The purpose of Saturday detention is to provide a positive, worthwhile, educational experience and a meaningful misbehavior deterrent for students who have violated school rules. Saturday detention can be used as a disciplinary action option in lieu of out-of-school suspension. This option keeps students from losing instructional time and keeps them in school. Students will receive academic assistance and will have the opportunity to do homework, make-up or remedial work under the supervision of an Elba City Schools employee.

After School Detention

The principal or his/her designated person(s) has the authority to assign students to a designated area on campus at the end of the regular day for a reasonable and specified period of time as a disciplinary action. Students in grades 7-12 will be given a one-day written notice of their after school detention assignment. A reasonable attempt will be made to notify the parent(s) or guardian of students prior to the assignment of a student to after school detention. By mutual agreement of the student and principal, detention assignment may include some type of **supervised work activity**.

Alternative School Placement

The Alternative School is designed to serve as an alternative to out of school suspension. Students who would normally be suspended for a disciplinary infraction are assigned instead to the Alternative School for a period of time. All assignments shall be in conformity with the established procedures governing the operation of the Alternative School. A student at the Alternative School will be required to complete all assignments and to follow all guidelines. While assigned to the Alternative School, a student is not allowed on any campus in the school

system. Furthermore, students may not participate in or attend any school sponsored activity either on or off campus until they are readmitted to regular classes.

Note: Counseling services may be provided for students assigned to ISS; however, it will be provided for all students assigned to Alternative School

Disciplinary Hearing Committee

The Superintendent or his/her designee shall appoint an Administrative Hearing Committee (to consist of not less than 3 members) to review the recommendation from the principal for the consideration of the Superintendent. The Administrative Hearing Committee's composition must be representative of the ethnic population of the school system. The committee will meet within seven (7) school days from the date of the referral. This committee is charged with the responsibility of reviewing all information, questioning the students, and fully discussing the matter in an informal setting with both parents and students afforded the opportunity to attend. Alternative actions other than those recommended by the principal may be considered/ recommended if the evidence so warrants. The Superintendent, upon receipt of the recommendation of the Administrative Hearing Committee, shall notify parents of the action to be taken. If expulsion or suspension (in excess of 10 days) is recommended, the Superintendent will arrange a hearing date for the Elba City Board of Education to consider recommendation for expulsion. Parents or legal guardians wishing to appeal the decisions of the Administrative Hearing Committee should do so by writing to the Superintendent within three (3) days of receipt of said decision. The Board of Education hearing involving expulsion recommendations will be conducted in accordance with Board of Education policy.

EXPULSION

- I. The school principal may recommend to the Superintendent the expulsion of any student who has committed a serious breach of conduct according to the Code of Student Conduct.
- II. Any student who is being considered for expulsion shall be afforded due process of law prior to dismissal. This shall include the following:
 - A. Written copy of the charges against the student;
 - B. The offer of a hearing at which the student may call witnesses and present evidence in the student's own behalf;
 - C. The right to cross-examine witnesses;
 - D. The right to defend the student's actions;
 - E. Legal counsel at the student's expense to assist the student in presenting a defense; and
 - F. A written copy of the Elba City Board of Education's findings or action.
- III. Provisions for the expulsion of exceptional education students shall be described and set forth in the Code of Student Conduct; however, the dismissal of an exceptional education student shall not result in a complete cessation of educational services. The Elba City School System is responsible for providing the dismissed student's education during the expulsion in accordance with a revised individual education plan (IEP).

CLASSIFICATION OF VIOLATIONS

Disciplinary classes and actions for violations of The Code of Student Conduct are divided into three levels. Each classroom teacher will deal with classroom disruption by taking in-class disciplinary action, by making a personal call to the parent(s) or guardian when feasible, and/or by scheduling conferences with the parent(s) or guardian and other school staff. Parents and guardians should be notified by the teacher of students who consistently exhibit poor behavior and/or work habits.

Classifications Of Violations

Violations of the Code of Conduct are grouped into three classifications: minor, intermediate, and major offenses. Each classification is followed by a disciplinary procedure to be implemented by the principal/designees

Minor Offenses—Class I

Code	Offense	Description
1.00	Excessive Distraction to other students and/or the learning environment	Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or in any similar grouping for instruction. Examples: talking excessively, chewing gum, interrupting class functions, provoking other students, tardiness
1.01	Excessive tardiness	Repeatedly reporting late to school or class
1.02	Non-conformity to dress code	See dress code policy
1.03	Inappropriate public display of affection	
1.04	Intentionally providing false information or withholding information	Including , but not limited to: Student data and /or concealment of information directly related to school business Forgery of parent/guardian names/signature Intentionally providing false information to parent/guardian or failure to deliver correspondence to parent/guardian
1.05	Failure to or refusal to complete class/school assignments	
1.06	Failure to carry correspondence home, failure to obey directions in hallways, assemblies, etc.	
1.07	Littering school property	
1.08	Bus Referral/Class I	1 st offense – Warning 2 nd offense – 3 day bus suspension 3 rd offense – 5 day bus suspension 4 th offense – 7 day bus suspension and referral to Administrative Hearing Committee **Fighting (refer to 2.18)
1.09	Any other violation which the principal may deem reasonable to fall within this category	

**Disciplinary Actions—Class I
Elementary Students**

First Offense	Conference with student and parental notification. (planner notation, written referral or phone call) Offense may warrant disciplinary action as outlined under subsequent offenses.
Subsequent Offenses	Parental notification and/or in-school disciplinary action. In-school disciplinary action may include, but is not limited to detention, In-School Suspension (ISS), corporal punishment, work detail, special event/activity withheld Disciplinary actions are assigned at the discretion of the principal/designee. Special circumstances may warrant a recommendation for disciplinary hearing with the Elba City School Board Hearing Officer.

**Disciplinary Actions—Class I
Secondary Students**

First Offense	In-school conference and parental contact, when warranted. Discipline may warrant disciplinary action as outlined under subsequent offenses.
Subsequent Offenses	In-school disciplinary action that may include, but is not limited to, probation, detention, work assignments before or after school, referral to Alternative School, corporal punishment, suspension, etc at the discretion of the principal/designee

Intermediate Offenses—Class II

Code	Offense	Description
2.01	Defiance of Elba City Board of Education Employee’s Authority	Any verbal or non-verbal refusal to comply with lawful and reasonable direction or order of a Elba City Board of Education employee
2.02	Possession and/or use of tobacco products	Possession on the person, in the locker, or in other effects of any tobacco products
2.03	Activation of fire alarm or equipment	
2.04	Fighting	Any physical conflict between two (2) or more individuals Automatic OSS three (3) days
2.05	Vandalism	
2.06	Stealing – Larceny – Petty Theft	The intentional, unlawful participation in gambling activities involving amounts less than \$125.00 or other things of value.
2.07	Gambling	The intentional, unlawful participation in gambling activities involving amounts less than \$100.00 or other things of value.
2.08	Possession of stolen property	
2.09	Threats/Extortion NOTE: Completion of the threat, either by the victim’s complying with the demands or the carrying out of the threat against the victim, constitutes a Class III offense.	Verbal, written, printed, or electronic communication, maliciously threatening an injury to the person, property, or reputation of another, with the intent to extort money or any pecuniary advantage whatsoever, or with the intent to compel the person so threatened or any other person to do any act or refrain from doing any act against his/her will

Code	Offense	Description
2.10	Gangs/Groups/Clubs which initiate, advocate or promote activities which threaten the safety or well-being of persons or property or which disrupt the school environment are deemed harmful to the educational process.	The presence of any apparel, jewelry, accessory or manner of grooming which, by virtue of its color arrangement, trademark, symbol or any other attribute which indicates or implies membership or affiliation with such a group; Any student displaying dress, behavior, gestures, remarks, symbols or trademarks which indicate or imply membership in a gang, group or club; Incidents involving initiations, hazing, intimidations and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm or personal degradation or disgrace resulting in physical or mental harm to students; wearing, carrying, or displaying paraphernalia or exhibiting behavior or gestures symbolizing gang/group/club membership or causing or participating in activities which intimidate or affect other students.
2.11	Unlawful assembly	Organization of any group(s) which might be a hazard to the safety/welfare of students and school officials or which are participating n activities which intimidate or affect other students
2.12	Use of obscene or profane language to a Board of Education employee	
2.13	Directing obscene or profane language to a Board of Education employee	
2.14	Unauthorized absence, leaving class or campus without permission	
2.15	Possession of fireworks or igniting material	
2.16	Truancy	
2.17	Electronic Devices on School Campus to include but not limited to Cell Phones, MP3 Players, I Pods, Handheld Games, and Pagers	
2.18	Bus Referral	1 st offense – 1 day bus suspension 2 nd offense – 3 day bus suspension 3 rd offense – 5 day bus suspension 4 th offense – 7 day bus suspension and referral to Administrative Hearing Committee **Fighting is an automatic suspension of bus privileges for a minimum of three (3) days.
2.19	Any other offense which the principal / designee may reasonably deem to fall within this category	

**Disciplinary Actions—Class II
Elementary Students**

First Offense	<p>Parental contact and disciplinary action In-school disciplinary action may include one or more of the following, but is not limited to detention, In-School Suspension (ISS), out-of-school suspension, referral to Alternative School, corporal punishment, work detail, special event/activity withheld. Disciplinary actions are assigned at the discretion of the principal/designee. Special circumstances may warrant a recommendation for disciplinary hearing with the Elba City School Board Hearing Officer and/or referral to Parent Project.</p>
Subsequent Offenses	<p>Parent conference ISS/Alternative School placement /Out-of-School Suspension Special circumstances may warrant a recommendation for disciplinary hearing with the Elba City School Board Hearing Officer and/or referral to Parent Project.</p>

**Disciplinary Actions—Class II
Secondary Students**

First Offense	<p>In school suspension, and/or extended work assignments before or after school, referral to Alternative School and/or suspension corporal punishment, etc. at the discretion of the principal or his designee.</p>
Subsequent Offenses	<p>Parent conferences, referral to Alternative School, administrative hearing referral, referral to law enforcement officials and the filing of a formal petition with juvenile authorities at the discretion of the principal or his designee. Special circumstances may warrant a recommendation for disciplinary hearing with the Elba City School Board Hearing Officer.</p>

Major Offenses—Class III

Code	Offense	Description
3.01	Aggravated Battery	The unlawful and intentional touching or striking of an Elba Board of Education employee, student or visitor against his/her will or the intentional causing of great bodily harm
3.02	Drugs and Alcohol	Unauthorized possession, transfer, use or sale of controlled substance, controlled substance paraphernalia, or alcoholic beverages
3.03	Arson	The unlawful burning of any part of School System property, personal property or property of others
3.04	Robbery	The taking of money or other property from the person against his/her will, by force, violence, assault, or causing fear of the same
3.05	Stealing, Larceny, Grand Theft	The intentional unlawful taking and/or carrying away of property valued at \$125 or more belonging to or in the lawful possession or custody of another
3.06	Burglary of School Property	Breaking, 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

Code	Offense	Description
3.07	Criminal Mischief	Willful and malicious injury or damages at or in excess of \$200 to public property or real property belonging to another
3.08	Possession of Firearms and Weapons	Possession of any type of firearm as defined in Section 921 of Title 18 U.S. Code or reasonable facsimile of a firearm that is presented as a real firearm. State law requires automatic expulsion for not less than one (1) year for this offense.
3.09	Discharging of any Firearm	Discharge of any firearm/air gun or any other device used to expel any type of projectile
3.10	Possession of Weapons	A knife, metallic knuckles, clubs, box cutters, or anything which may be used as a weapon and cause bodily harm
3.11	Bomb Threats	Any such communication(s) directed to a Elba City School Board employee which has the effect of interrupting the educational environment NOTE: BOMB THREATS ARE NOW A FELONY.
3.12	Explosives	Preparing, possessing, and/or igniting explosives on Elba City School Board property
3.13	Sexual Acts	Acts of sexual nature, including but not limited to, touching, intercourse, oral acts, rape or attempted rape, or indecent exposure
3.14	Sexual Harassment	Written, verbal, electronic or physical sexual harassment
3.15	Inciting or Participating in Major Student Disorder	Leading, encouraging, or assisting in Class III disruptions which result in destruction or damage of private or public property; personal injury or which are potentially detrimental to or disruptive to the educational process or environment
3.16	Any other offense which the principal may deem reasonable to fall within this category	
3.17	Bus Referral/Class III	Removal of bus privileges

Disciplinary Actions—Class III

All Class III offenses, including a “dangerous weapon” as defined in United State Code, will be reported to the designated, appropriate personnel. The disciplinary action for such offenses will be assignment to Alternative School or suspension, AND the initiation of procedures for expulsion, pending final determination of the matter by the Board of Education. The student will remain in Alternative School unless his/her behavior as viewed by the Administrative Hearing Committee warrants him/her remaining home pending a Board hearing and Board decision. Any Class III offenses may be reported to the designated law enforcement agency.

CRIMINAL ACTS

(a) if a juvenile age 16 or over is enrolled in school and is charged with a felony pursuant to Section 12-15-34.1, Code of Alabama 1975, or is charged with distribution of a controlled substance, then upon notice or knowledge of the charge, the local public school system shall assign the juvenile to an alternative school, if an alternative school is available, unless good cause is shown that the juvenile should not attend an alternative school. The decision to assign a student to an alternative school shall include a review and consideration of the exceptional status of the student pursuant to Chapter 39 of Title 16, Code of Alabama 1975, if applicable, and any appropriate federal and state statutory and case law.

(b) Any person convicted of a felony specified in the above paragraph and/or returning from a Department of Youth Services facility, upon re-admittance to the public schools of this state the student will attend an administrative hearing and may be transitioned through alternative school until the juvenile meets the requirements set by the local board of education. (School Safety, Discipline and Attendance - manual of Law and regulations.)

DUE PROCESS

The Elba City Board of Education recognizes that observance of applicable substantive due process entails two basic considerations: (1) any objective sought relative to student governance must be legally defensible, e.g., based upon a rational or compelling state interest; and (2) the means taken to accomplish such objective must be within the constitutional limitations applicable to the in loco parentis position of school officials within the School District. To assure compliance with these two substantive aspects, the Board has approved the following guidelines as applicable to all policies, rules, and regulations.

1. Each local school policy, rule, or regulation shall specify its purpose as it relates to accomplishment of a legally defensible objective
2. Each local regulation shall be based on a Board Policy
3. All policies, rules, and regulations at any level shall be consistent with local, county, or city ordinances, statutes of the State of Alabama, administrative regulations of duly authorized agencies; e.g. State Board or State Department of Education.
4. Both policies of the Board and regulations designated by local school administrators shall be specific and precise.
5. No Board policies or local school codes of conduct shall deny any student his constitutional rights.
6. Discharge of and exercise of administrative responsibilities shall recognize applicable legal parameters placed upon the in loco parentis position of school officials.
7. Exercise of all authority by administrators, teachers or school officials, is capable of withstanding close judicial scrutiny relative to freedom from arbitrary, capricious, discriminatory, or otherwise illegal practices.
8. Students, parents, citizens, teachers, and administrators should be participants in developing local school codes of conduct.

Procedural due process within the School District shall relate primarily to the area of discipline and disciplinary measures, e.g., short-term suspension, long-term suspension, and expulsion.

The degree of procedural due process afforded in each of the above situations shall be dependent upon: (1) the gravity of the offense a student is alleged to have committed; and (2) the severity of the contemplated penalty.

Before being punished for violation of Board policies or school regulations, a student shall have the right of the following minimum due process procedures:

1. The student shall be given oral or written notice of the charges against him;
2. The evidence against the student shall be explained to him; and
3. The student shall be given an opportunity to present his own version of the facts concerning the charges.

When a student is facing possible long-term suspension (more than 10 days) or expulsion, the Board shall afford the student the following:

1. The right of a hearing before the Board of Education;
2. The right to be represented by counsel;
3. The opportunity for cross-examination of witnesses;
4. A written record at the hearing;
5. A written record of the decision; and
6. The right of appeal.

A school may not unilaterally expel, or cease the provision of educational services to a student with a disability whose education is governed by an individualized education plan (IEP).

POLICY PROHIBITING HARASSMENT AND VIOLENCE

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

Definitions

A. The term “harassment” as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the characteristics set forth in Section III B below. To constitute harassment, a pattern of behavior may do any of the following:

- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
 - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
 - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
 - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
 - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- B. The term “violence” as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- C. The term “threat of violence” as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
- D. The term “intimidation” as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.
- E. The term “student” as used in this policy means a student who is enrolled in the Elba City School System.

Description of Behavior Expected of Students

A. Students are expected to treat other students with courtesy, respect, and dignity and comply with the rules governing student behavior. Students are expected and required (1) to comply with the requirements 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 if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the victim of such conduct or **any other personal characteristics**:

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

A series of graduated consequences for any violation of this policy will be those outlined in the rules governing student behavior or any rule or standard adopted under authority of this policy.

Reporting, Investigation, and Complaint Resolution Procedures

Complaints alleging violations of this policy must be made on approved complaint forms available at the principal's 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.

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

Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this

policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any action, penalty, or consequence that is available to school officials under the rules governing student behavior. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy is subject to disciplinary sanctions as outlined in the rules governing student behavior.

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

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 School System web site.

ASBESTOS AND HAZARD EMERGENCY RESPONSE ACT

Notification of Parents, Teachers, and Employees

On October 22, 1986, President Ronald Reagan signed into law the Asbestos Hazard Emergency Response Act (AHERA). This law required all educational agencies and school systems to inspect all school buildings and facilities to identify all building materials that possibility contain asbestos. In compliance with the law, the Elba City School System employed a professional AHERA approved and accredited firm to carefully inspect all buildings and identify all asbestos containing materials. At that time, all friable asbestos was removed from all the buildings in the city school system.

To further ensure the health and safety of our students and staff, an asbestos management plan was also developed and approved by AHERA to carefully monitor all school buildings to prevent any future asbestos problem. Currently, the only asbestos found in the Elba City School System is non-friable and offers no health risk to students or staff members.

The inspection report and management plan is on file in each school and Central Office for your review. If you have any questions or concerns about these reports, please contact the Maintenance Supervisor at (334)897-2801.

ELBA CITY SCHOOLS INTERNET POLICY

The Elba City School System is pleased to make available to students access to interconnected computer systems within the district and to the internet, the world-wide network that provides various means of accessing significant educational materials and opportunities.

In order for the Elba City School System to be able to continue to make its computer network and internet access available, all students must take responsibility for appropriate and lawful use of this access. Students must understand that one student's misuse of the network and internet access may jeopardize the ability of all students to enjoy such access. While the school's teachers and other staff will make reasonable efforts to supervise student use of network and internet access, they must have student cooperation in exercising and promoting responsible use of this access.

The Acceptable Use and Internet Safety Policy of the school district and the data acquisition site that provides internet access to the school district. Upon signing and returning a form indicating acceptance of this policy each student will be given the opportunity to enjoy internet access at school. If a student is under 18 years of age, he or she must have his or her parents or guardians read and sign the policy. The school district cannot provide access to any student who, if 18 or older, fails to sign and submit the policy to the school as directed or, if under 18, does not return the policy as directed with the signatures of the student and her/his parents or guardians.

Listed below are the provisions of agreement regarding computer network and internet use. If there are questions about these provisions, contact the designated Elba City School System employee. If any user violates this policy, the student's access will be denied, if not already provided, or withdrawn and he or she may be subject to additional disciplinary action.

I. Personal Responsibility – By signing this policy, you are agreeing not only to follow the rules in this policy, but are agreeing to report any misuse of the network to the person designated by the school for such reporting. Misuse means any violations of this policy or any other use that is not included in the policy, but has the effect of harming another or his or her property.

II. Term of the Permitted Use - A student who submits to the school, as directed, a properly signed policy and follows the policy to which he or she has agreed will have computer network and internet access during the course of the school year only. Students will be asked to sign a new policy each year during which they are students in the school district before they are given an access account.

III. Acceptable Uses

A. Educational Purposes Only – The Elba City School System is providing access to its computer networks and internet for educational purposes only. If you have to forward or redistribute the message to third parties or to give his/her e-mail address to third parties, this should only be done with permission or when you know that the individual would have no objection. Any doubt about whether a contemplated activity is educational, you may consult with the person(s) designated by the school to help you decide if a use is appropriate.

B. Unacceptable Uses of Network - Among the uses that are considered unacceptable and which constitute a violation of this policy are the following:

1. Uses that violate the law or encourage others to violate the law. Do not transmit offensive or harassing messages; offer for sale or use any substance the possession or use of which is prohibited by the Elba City School System Code of Student Conduct; view, transmit or download pornographic materials or materials that encourage others to violate the law; or intrude into the networks or computers of others, and/or download or transmit confidential, trade secret information, or copyrighted materials. Even if materials on the network are not marked with the copyright symbol, you should assume that all materials are protected unless there is explicit permission on the materials to use them.

2. Uses that cause harm to others or damage to their property. For example, do not engage in defamation (harming another's reputation by lies); employ another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating or otherwise using her/his access to the network or the internet; upload a worm, virus, "trojan horse," "time bomb" or other harmful form of programming or vandalism; or participate in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.

3. Uses that jeopardize the security of student access and of the computer network or other networks on the internet. For example, do not disclose or share your password with others, and do not impersonate another user.

4. Uses that are personal commercial transactions. Students and other users may not sell or buy anything personal over the internet. You should not give others private information about you or others, including credit card numbers and social security numbers.

C. Netiquette – All users must abide by rules of network etiquette, which include the following:

1. Be polite. Use appropriate language. No swearing, vulgarities, suggestive, obscene, belligerent, or threatening language.

2. Avoid language and uses which may be offensive to others users. Do not use access to make, distribute, or redistribute jokes, stories, or other material which is based upon slurs or stereotypes relating to race, gender, ethnicity, nationality, religion, or sexual orientation.

3. Be considerate when sending attachments with e-mail (where this is permitted). Be sure that the file is not too large to be accommodated by the recipient's system and is in a format which the recipient can open.

D. Internet Safety

1. General Warning: Individual Responsibility of Parents and Users – All users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged students. Every user must take responsibility for his or her use of the computer network and internet and stay away from these sites. Parents of minors are the best guides to materials to shun. If a student finds that other users are visiting offensive or harmful sites, he or she should report such use to the person designated by the school.

2. Personal Safety – Be safe. In using the computer network and internet, do not reveal personal information such as your home address or telephone number. Do not use your real last name or any other information which might allow a person to locate you without first obtaining the permission of a supervising teacher. Do not arrange a face-to-face meeting

with someone you “meet” on the computer network or internet without your parent’s permission (if you are under 18). Regardless of your age, you should never agree to meet a person you have only communicated with on the internet in a secluded place or in a private setting.

3. “Hacking” and Other Illegal Activities – It is a violation of this policy to use the school’s computer network or the internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access. Any use which violates state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance is strictly prohibited.

4. Confidentiality of Student Information – Personally identifiable information concerning students may not be disclosed or used in any way on the internet without the permission of a parent or guardian or, if the student is 18 or over, the permission of the student himself/herself. Users should never give out private or confidential information about themselves or others on the internet, particularly credit card numbers and social security numbers. A supervising teacher or administrator may authorize the administrative purposes or approved educational projects and activities.

5. Active Restriction Measures – The school, either by itself or in combination with the Data Acquisition Site providing internet access, will utilize filtering software or other technologies to prevent students from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors. The school will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or any other material which is inappropriate for minors.

Internet filtering software or other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by students age 17 or older.

The term “harmful to minors” is defined by the Communications Act of 1934 (47 USC Section 254 [h][7]), as meaning any picture, image, graphic image file, or other visual depiction that:

- a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or erection;
- b. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated or animated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals;
- c. Taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.

E. Privacy – Network and internet access is provided as a tool for your education. The Elba City School System reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network and internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and remain the property of the school district and no user shall have any expectation of privacy regarding such materials.

F. Failure to Follow Policy – The user’s use of the computer network and internet is a privilege, not a right. A user who violates this policy, shall at a minimum, have his or her

access to the computer network and internet terminated, which the school district may refuse to reinstate for the remainder of the student's enrollment in the school district. A user violates this policy by his or her own action or by failing to report any violations by other users that come to the attention of the user. Further, a user violates this policy if he or she permits another to use his or her account or password to access the computer network and internet, including any user whose access has been denied or terminated. The school district may also take other disciplinary action in such circumstances.

- G. Warranties/Indemnification – The Elba City School System makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its computer networks and the internet provided under this policy. It shall not be responsible for any claims, losses, damages or costs (including attorney's fees) of any kind suffered, directly or indirectly, by any user or his or her parent(s) or guardian(s) arising out of the user's use of its computer networks or the internet under this policy. By signing this policy, users are taking full responsibility for his or her use, and the user who is 18 or older or, in the case of a user under 18, the parent(s) or guardian(s) are agreeing to indemnify and hold the school, the school district, the Data Acquisition Site that provides the computer and internet access opportunity to the Elba City School System and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims or damages resulting from the user's access to its computer network and the internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user's parent(s) or guardian(s) agree to cooperate with the school in the event of the school's initiating an investigation of a user's use of his or her access to its computer network and internet, whether that use is on a school computer or an another computer outside of the Elba City School System's network.
- H. Updates – Users, and if appropriate, the user's parents/guardians, may be asked from time to time to provide new or additional registration and account information or to sign a new policy, for example, to reflect developments in the law or technology. Such information must be provided by the user (or her/his parents or guardian) or such new policy must be signed if the user wishes to continue to receive service. If after you have provided your account information, some or all of the information changes, you must notify the person designated by the school to receive such information.

Alabama State Department of Education Policy - Use of Digital Device during the Administration of a Secure Test Student Policy

The possession of a digital device (including but not limited to cell phones, MP3 players, cameras, or other telecommunication devices capable of capturing or relaying information) is strictly prohibited during the administration of a secure test. If the student is observed in possession of a digital device during the administration of a secure test, the device will be confiscated. If a student is observed using a digital device during the administration of a secure test, testing for the student will cease, the device will be confiscated and is subject to search, the student will be dismissed from testing, and the student's test will be invalidated. Local education agency (LEA) personnel will make all students, parents, and/or guardians aware of this prohibition through inclusion of this policy in the Student Code of Conduct Handbook and other regularly used modes of communication.

STUDENT INJURY

The following procedures shall be followed when a student is injured at an Elba City school:

- I. First aid shall be administered by the nearest person with first aid training and 911 emergencies will be called if the situation is threatening.
- II. The school shall attempt to notify the student's parent(s)/legal guardian immediately.
- III. A student shall be taken to the emergency room of a hospital when a threatening situation occurs. Discretion shall be used in moving a critically injured student without medical advice.
- IV. A serious injury to a student shall be reported immediately to the principal who shall make a prompt report by telephone to the Superintendent or designee.
- V. An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.

STUDENT ILLNESS

- I. The teacher, principal or nurse shall isolate a student who becomes ill while at an Elba City school until the student can be removed to his/her home. A student with a temperature above normal, diarrhea, or vomiting shall be evaluated and sent home, if necessary.
- II. No internal medicine of any kind may be given to a student without permission of the parent(s)/legal guardian(s).

ACKNOWLEDGEMENT

I, _____, enrolled
(Name of Student)

in Elba City Schools and my parent(s)/guardian hereby acknowledge by our signatures that we have received and read, or had read to us, the foregoing Code of Student Conduct. We also acknowledge that we understand that this applies to all students enrolled in the Elba City Schools and school sponsored activities and events including, but not limited to, the following:

1. School buses or any other transportation provided by the school system
2. Field Trips
3. Club or organization meeting
4. School groups representing the school system in educational events
5. Occupants in an automobile driven or parked on school property
6. Other school sponsored events including, but not limited to, athletic events, dances, plays, etc. on and off campus.

We also hereby agree to abide by the policies as stated herein as well as those policies that shall be implemented by the administration as they shall deem necessary.

STUDENT’S SIGNATURE

PARENT/GUARDIAN’S SIGNATURE

DATE

VIDEOTAPE POLICY

As described in the Elba City School’s Student Handbook

_____ My child MAY be included in any video

_____ I do NOT want my child included in any video

Name of Student _____

Signature of Parent _____

Date _____

NOTE: Please detach this page after signing and have the student return it to the homeroom teacher. This **ACKNOWLEDGEMENT** and **VIDEO POLICY** will become a part of the student’s cumulative file.

Internet Acceptable Use Policy Permission Form

Dear Parents and Students:

The Elba City School’s Internet Acceptable Use Policy is designed to provide guidelines for using the Internet in the classrooms, school media center, and labs of your school this year. Please take the time to read this policy. If you have any questions about it, please be sure to contact your school’s office. This policy must be read and signed by both the student and a parent/guardian, and then returned to your child’s homeroom teacher. Please return the signed form as soon as possible, since you will not be given access to the Internet until you have agreed to this policy. Please note that if you violate the terms of this policy, you may lose privileges or receive punishment as defined in the student handbook. It is your responsibility to read and ask questions about this policy. Your teacher is planning an in-class discussion of this policy after you have had a chance to become familiar with it.

Please return this form to your teacher as soon as possible.

I acknowledge that I have read, understand, and agree to all terms as outlined in the Internet Acceptable Use Policy. I further understand that this agreement will be kept on file at the school for the academic year in which it was signed.

My child may use e-mail and the Internet while at school according to the rules outlined.

Yes **No** **(circle one)**

My child’s name or image may be used on the school’s web page. (A child’s full name and image would not be posted together on a web page.)

Yes **No** **(circle one)**

I would prefer that my child not use e-mail and the Internet while at school.

_____ (place check here if you do NOT want your child to use the Internet.)

Student’s Name (printed)

Parent/Guardian’s Name (printed)

Student’s Signature

Parent/Guardian’s Signature

