



# **CODE OF STUDENT CONDUCT**

**2021-2022**

**TRUSSVILLE CITY SCHOOLS**

**CODE OF STUDENT CONDUCT**

**2021-2022**



# TRUSSVILLE CITY SCHOOLS

113 North Chalkville Road

Trussville, AL 35173

(205) 228-3000 FAX (205) 228-3001

Mrs. Kathy Brown  
Board President

Dr. Pattie Neill  
Superintendent

Welcome to Trussville City Schools!

Dear Parents and/or Guardians,

Welcome to a new school year! On behalf of Trussville City School Board Members, faculty, staff, and the administration of Trussville City Schools, we are honored to have the opportunity to work with you this year. It is our desire to offer exciting, meaningful educational opportunities for your child in a welcoming and safe school environment. Every year in the life of a child is important to us, and we look forward to teaching and developing your child intellectually, socially, emotionally, and in extra-curricular activities.

As we enter a new school year, we ask parents and students to please take time to read and discuss the Code of Student Conduct. The Board of Education has approved these policies and procedures through collaboration and careful consideration of the needs of our students. We hope the contents of this Code of Student Conduct will help make this school year as productive and safe as possible.

This important document outlines discipline procedures for all grade levels. Our goal is to have procedures in place that are appropriate and meaningful for students who make behavioral mistakes. Privacy laws allow school officials to discuss student discipline with the parent or guardian of the child. **Federal privacy laws prevent us from discussing your child with other parents, and in turn, we cannot discuss anyone else's child with you.** This rule is in compliance with the Federal Education Rights and Privacy Act (FERPA). We follow the Code of Conduct equally and fairly for all students.

I am pleased with the overall behavior of our student body. Our students are well-behaved because they have conscientious parents who care and provide a good foundation at home. Plus, we have a positive character education program for all students in grades K-12.

This Code of Student Conduct can be found on your school's website for use during the school year, or you may request a copy from your child's school. Through your understanding and cooperation, we hope this document will contribute to 2021-22 being the best year yet for all of our students. If I can be of assistance to you in the education of your child, please feel free to contact my office at 228-3000.

Sincerely,

Dr. Pattie Neill, Superintendent

TABLE OF CONTENTS

TRUSSVILLE CITY CODE OF STUDENT CONDUCT.....5

INTRODUCTION .....5

JURISDICTION OF THE BOARD OF EDUCATION .....5

STUDENT RIGHTS AND RESPONSIBILITIES .....6

ATTENDANCE AND TRUANCY INTERVENTION PROGRAM .....6

ATTENDANCE ZONES.....11

EXCHANGE STUDENTS .....11

DISCIPLINE.....12

THREAT ASSESSMENT PROTOCOL .....21

HARASSMENT OF STUDENTS .....22

PROCEDURES FOR REPORTING AND HANDLING COMPLAINTS OF HARASSMENT OF STUDENTS .....25

GUIDELINES FOR DRESS AND GROOMING.....27

STUDENT TRANSPORTATION.....27

SECLUSION OR RESTRAINT OF STUDENTS .....28

DISCIPLINARY ACTION FOR STUDENTS WITH DISABILITIES .....29

DRUG AND ALCOHOL PROGRAM PROCEDURES.....29

RESPONSIBLE USE OF TECHNOLOGY FOR STUDENTS .....34

NON-DISCRIMINATORY POLICY .....40

EXTRACURRICULAR ACTIVITIES .....41

STUDENT PUBLICATIONS .....41

SAFE AND DRUG FREE SCHOOLS.....41

A.H.E.R.A.....42

NOTIFICATION OF PARENT AND STUDENT RIGHTS: .....42

PARENTAL RESPONSIBILITY FOR ATTENDANCE AND BEHAVIOR.....45

IT’S THE LAW .....46

DISRUPTIVE VISITORS .....48

WRITTEN AND/OR ELECTRONIC COMMUNICATIONS .....48

GIFTED EDUCATION IN ALABAMA.....48

ACKNOWLEDGMENT FORM .....49

# TRUSSVILLE CITY CODE OF STUDENT CONDUCT

## INTRODUCTION

### **Our Beliefs:**

- We believe the school system is a learning organization that teaches academics and develops character and skill.
- We believe that parent and stakeholder involvement is vital to continuous improvement and successful change.
- We believe in mutual respect in communication and collaboration between and among adults and students.
- We believe in innovation, creativity, rigor, and equity in a safe, positive learning environment.
- We believe in fulfilling our designated roles with a logical, enthusiastic, and outstanding work ethic.

### **Vision for Trussville City Schools:**

Educators, staff, parents, and the community will work together to help students move forward on a positive path toward college and career readiness.

### **Mission:**

The Mission of Trussville City Schools is to educate students using high standards in a safe, nurturing environment fostering academics and career competencies that prepare them to be productive citizens.

To these ends, instruction should occur in an environment that is conducive to learning. Effective instruction requires good order and discipline, which may be described as the absence of distractions, friction and disturbances which interfere with the effective functioning and learning of the student, class and school. The Board of Education hopes to nurture a friendly, compassionate, yet businesslike, atmosphere in which students, school personnel and parents work cooperatively toward our mutually recognized and accepted goals. Ultimately, the focus of the Board of Education in student discipline is on improving a school's ability to teach and support positive behavior of all students.

This Code of Student Conduct includes references to selected policies of the Trussville City Board of Education, the Alabama Administrative Code, Federal laws and other applicable legal regulations or acts. As students progress in our public schools, it is reasonable to assume that an increase in age and maturity will result in the student assuming greater responsibility for their own actions and behavior. However, the procedures identified in the Code of Student Conduct shall apply to all students in grades K – 12. While the attempt is to provide students, school personnel and parents with reasonable expectations and procedures for student behavior, it is noted that these are not limited to only those identified in this handbook. The principal of each school is authorized to develop additional rules and procedures consistent with the Trussville City Board of Education Policies that will provide for increased security and safety for students and that will promote a positive learning environment.

## **JURISDICTION OF THE BOARD OF EDUCATION**

Students of Trussville City Schools and their property are subject to all the rules and regulations of the Trussville City Board of Education during the school day, during school-sponsored activities, while on or in Board of Education property and facilities, while being transported on school buses and at times or places, including but not limited to, school-sponsored events, field trips, athletic functions and/or other school-related activities. All regulations and prohibitions also apply to automobiles and other property brought onto Board of Education property. In addition to the foregoing, application of this Code of Student Conduct may be extended to the immediate vicinity of

the school and during after-school hours when and where student conduct could have a detrimental effect on the health, safety and welfare of other students and the school or where the conduct could otherwise disrupt the educational process or school-related activity.

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

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

## STUDENT RIGHTS AND RESPONSIBILITIES

Students are entitled to attend school and to participate in school programs and activities in an environment which is conducive to learning and free of distraction and disruption occasioned by the violation of school rules or of generally accepted standards of behavior. Students are entitled to exercise rights secured to them under the First Amendment to the United States Constitution, including the right to freedom of speech, religious expression, and assembly, subject to the imposition of reasonable restrictions on the time, manner and place of such activities. Students, parents and Board of Education personnel are expected and required to know and follow the rules of conduct as set forth in this Code of Student Conduct, to show respect for the person, property and rights of fellow students, parents, Board of Education personnel and other persons with whom they may come into contact as students, and to attend school in accordance with Alabama State Law (ref. Code of Alabama 16-28-3) and Board of Education policy.

## ATTENDANCE AND TRUANCY INTERVENTION PROGRAM

### 1. Attendance

#### **Annual Notice Regarding Attendance Requirements in Alabama**

Alabama law (Title 16-28-3, code of Alabama, 1975) requires all children between the ages of six (6) and seventeen (17) years of age to attend a public school, private school, church school or to be instructed by a competent private tutor for the entire length of the school term in every scholastic year except that, prior to the attaining his or her 16<sup>th</sup> birthday every child attending a church school as defined in Section 16-28-1 is exempt from the requirements of this section, provided such child complies with enrollment and reporting procedure specified in Section 16-28-7. Admission to public school shall be on an individual basis on the application of the parents, legal custodian, or guardian of the child to the local board of education at the beginning of each

school year, under such rules and regulations as the board may prescribe. The parent, legal custodian, or guardian of a child who is six years of age, may opt out of enrolling their child in school at the age of six years by notifying the local school board of education, in writing, that the child will not be enrolled in school until he or she is seven years of age. (School Code 1927, §310; Code 1940, T. 52, §307; Acts 1982, No. 82-218, p. 260, §6.)

All laws regarding school attendance shall be strictly enforced by the Trussville City Board of Education for all enrolled students in grades kindergarten through twelfth grade. All students enrolled in kindergarten through twelfth grade must attend school or must be instructed privately unless the superintendent of the Trussville City Board of Education grants the student a certificate of exemption as follows:

- A person whose physical or mental condition prevents attendance or makes attendance inadvisable due to the severity of the physical or mental condition. Such physical or mental conditions must be certified by the county health officer or a licensed practicing physician in the State of Alabama;
- A person who has completed the course of study of the public schools of the states as now constituted; or
- A person who is legally and regularly employed under the provisions of child labor laws and who holds a permit to work under the terms of applicable child labor laws.

Alabama law (Title 16-28-12, Code of Alabama, 1975) as amended states that each parent, guardian or other person having control or charge of any child required to attend school or to be regularly instructed by a private tutor, or who fails to send such child to school or have him or her instructed by a private tutor during the time such child is required to attend a public school, private school, denominational or parochial school, or be instructed by a private tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with the written policy of school behavior adopted by the Board of Education and documented by the appropriate school officials which conduct may result in the suspension of the pupil, *shall be reported by the principal to the superintendent of education of the Board of Education. The superintendent of education or his or her designee shall report such suspected violations to the district attorney within ten (10) school days.* The district attorney shall vigorously enforce this section (Code of Alabama 16-28-12, 1975) to ensure proper conduct and required attendance by any child enrolled in public school. *In 2000, an amendment was signed by the governor stating that any child enrolled in a public school would be subject to the attendance laws regardless of age.*

### **Chronic Absenteeism**

Chronic absenteeism is defined as missing so much school for any reason that a student is academically at risk. Chronic absenteeism is different from truancy (unexcused absences) or average daily attendance (how many students are present each day). A student who misses 15 or more school days in a school year is chronically absent ([www.attendanceworks.org](http://www.attendanceworks.org)).

## **2. School Absences.**

The Board of Education acknowledges that regular school attendance is imperative to each child's learning and educational progress. Enrolled students must attend school 50.99% of the school day to be counted present. (See school attendance clerk for bell schedule cut off times regarding check ins and check outs). Each student enrolled in kindergarten through the twelfth grade is expected to attend school every day school is in session. However, the Board of Education recognizes that absence from school may occasionally be necessary, but absences from school shall only be allowed for good and justifiable reasons. The Code of Alabama 16-28-16 and 16-28-5, state that every student who is absent from school must present to the principal or their designee a written explanation for the absence within three (3) school days upon the student's return to school. Any student that accumulates 6 parent excuses within a school year must provide a physician's excuse for additional absences to be excused, or the absence will be unexcused. Examples of excused absences:

- Student illness, physician or dental appointment;

- Inclement weather which makes it dangerous for students to attend school as determined by the superintendent of education regarding emergency closings;
- Legal quarantine;
- Death in the immediate family (obituary notice from local paper may be required);
- Emergency condition as determined by the principal or superintendent of education;
- Absence to observe traditional religious holidays, of a local, national or international origin when written verification is received by the student's minister or religious leader.

The principal will have the opportunity to review any written permission request or the written explanation for the absence to determine whether the absence shall be excused or unexcused. Any absence not falling into one of the categories listed above, specific to an individual school, or otherwise excused by the principal or the superintendent or his or her designees will be unexcused.

When a student returns, the parent must provide in writing within three (3) days of the student's return to school an excuse which includes the following:

1. A written statement from the parent or doctor stating the reason for the absence
  - a. A doctor's notes must:
    - i. Be submitted on official practice letterhead/excuse or similar document from their CURRENT employing practice
    - ii. Be signed by the physician or authorized practice employee
    - iii. List the date of treatment/exam, address and telephone number of the practice
    - iv. Days requested to be excused while under the doctor's care
    - v. Excused days must reflect doctors direction not parent request
    - vi. Student must be a "Patient on Record"
2. The date of the absence(s)
3. The parent's signature

All excuses must be original. No faxed or scanned copies will be accepted unless it is sent from the agency providing the excuse. All excuses must be legitimate instances of services provided to a student (i.e. physician treatment).

**Falsifying and/or forging excuses is punishable through Jefferson County Family Court.**

### 3. **College Visits for Juniors and Seniors**

Approval for excused absences for qualified college visits must be obtained from the principal in advance of the visit. No more than two excused absences for college visits by seniors will be given for scholarship interviews or other college related visits that cannot be scheduled outside of the school session. No more than three excused absences for college visits by juniors will be given for scholarship interviews or other college related visits that cannot be scheduled outside of the school session. More than one college visit in the same week is not permitted. Upon returning to school, student must present proof of college visit from an admissions official. Military processing and testing will be excused as well upon prior approval from a counselor.

### 4. **Athletes/Extracurricular Activities**

Students must be currently enrolled in Trussville City Schools to tryout or participate in extracurricular activities. Daily attendance at school and practice is expected. In order for an athlete to be eligible to participate in any after-school activity, he/she must be present in school on the day of the activity. If the activity is to be held on a Saturday, then the student must attend school on the preceding Friday.

### 5. **Make up Work.**

A student, with less than 10 unexcused absences, shall have the opportunity to make up assignments or examinations that occurred during an absence. Makeup work should be completed as soon as possible, generally allowing two days for each day's absence. It shall be the responsibility of the student or student's parent/guardian to arrange with each teacher what, when and where to make up any missed assignments or examinations due to the absence. A



teacher or principal may require the student to make up missed assignments or examinations after school hours. In this event, advance notice will be given to the student to allow for personal transportation to be arranged. It is the student's and parent's/guardian's responsibility to make arrangements for, and to ensure that all assignments and examinations are completed within a reasonable timeframe. If a student is absent from school for more than three (3) consecutive school days, arrangements should be made by the student or parent/guardian to pick-up any assignments, books or other necessary materials to complete the assignments. A timeframe for makeup work due to extended absences must be approved by the principal or his/her designee. These assignments should be returned to the school within the time period approved by the principal or his/her designee.

## 6. Tardies

Parents are responsible for ensuring that their children are regular in school attendance and arrive to school on time (Refer to each school's Student Handbook and Class I for consequences regarding tardies). Tardies will be addressed at the school level for all students enrolled in kindergarten through twelfth grade.

### Parent Excuses

A parent may provide an excuse for 6 absences within one school year according to the following conditions:

- A parent may not use more than three parent excuses on consecutive school days.
- A student must be enrolled prior to December 1<sup>st</sup> to receive 6 parent excuses in a school year.
- A student who enrolls on or after December 1<sup>st</sup> receives only 3 parent excuses for the remainder of the school year.

*These parent excuses may only cover one full day absence from school per excuse.*

Parents will be notified at various intervals in writing via U.S. mail to the last known address on file at the school when students have excessive absences. Additionally, parents are encouraged to monitor their child's attendance and tardiness through the Student Information System. Contact the local school for additional information regarding the Student Information System. Parents are encouraged to make all dental, medical or other appointments for their child after regular school hours, on Saturday or when school is not in session. Additionally, parents are encouraged to schedule family vacations when school is not in session. Absences due to vacation will be recorded as unexcused if you have exhausted your 6 parent excuses for the school year.

## 7. Truancy Intervention Program.

Truancy Definition, excerpted from the State Superintendent of Education Advisory Committee Recommended Policies and Procedures for Court/School Truancy Programs:

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/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.

### Check Ins/Outs

If a student misses more than 50.99% of the school day, they are considered absent. For elementary schools, a student is considered absent if they arrive after or leave before 11:23am (10:53am on early dismissal day). Middle school students are considered absent if they arrive

after or leave before 11:49am (11:13am on early dismissal day). High school students are considered absent if they arrive after or leave before 11:48am (11:00am on early dismissal day).

The Trussville City Board of Education, the local school and the City of Trussville Municipal Judge participate in a joint effort to provide a TCS Truancy Intervention Program for students with excessive absences. This program is designed to inform parents of student absences, improve school attendance, reduce instances of truancy, and to provide parents and students with information relative to the Alabama Compulsory School Attendance Law. All students, grades kindergarten through twelfth, are subject to the Truancy Intervention Program and the provisions of the Alabama Compulsory School Attendance Law. After five unexcused absences, a student will be referred to the TCS Truancy Intervention Program. Prior to this referral, parents may receive letters to inform them of the attendance policy and truancy laws, and/or a request for a pre referral conference by the school administrator to explain these in detail. A student will be monitored by the TCS Truancy Intervention Program until they maintain TCS truancy compliance (less than 5 unexcused absences) for one school year. Further unexcused absences will result in a referral to the City of Trussville Municipal Court and/or Jefferson/St. Clair County Family Court.

### **What to Expect Regarding Excessive Absences**

- A warning letter will be sent from the student's school
- A School Administrative Conference will be held
- A home visit may be made by a Student Services Representative
- Continued excessive absences and/or tardies will require a parent/legal custodian to attend a district intervention meeting.
- Continued excessive absences and/or tardies will require a parent/legal custodian, along with the student, to attend Early Warning at the Trussville Municipal Court.
- After attending or being invited to Early Warning, if excessive absences and/or tardies continue, a petition for Educational Neglect and/or Truancy will be issued to the courts.

### **Educational Neglect/Violation of Parents Responsibility Act (VOPRA)/Violation of Alabama Compulsory School Attendance Law (VACSAL).**

School personnel are considered "mandatory reporters." If neglect is suspected or observed, a report MUST be made to proper authorities. Possible consequences include:

- Warrant issued for parent/legal custodian arrest
- Parent/legal custodian arrested. Approximate \$2500 bond.
- Parent/legal custodian appear for a court hearing. If found guilty, could receive a 90- day jail sentence.
- Court-ordered to make sure the child is in school every day and on time.
- If the child has unexcused absences, the parent could receive a jail sentence.
- The parent could lose custody of the child.
- Department of Human Resources (DHR) could be involved in the case.

### **Truancy Case in Family Court**

Age 12 and up- the student may be prosecuted.

Possible consequences:

- Electronic monitoring
- Adolescent Substance Abuse Program
- H.I.T. program
- Out of Home Placement
- Department of Youth Services
- Suspended Driver's License

Student drivers, under the age of 19 years, with fifteen (15) or more unexcused absences or ten (10) consecutive absences in a school year will be reported to the Department of Public Safety for license revocation. "The Department of Public Safety shall deny a driver's license or a learner's license for the operation of a motor vehicle to any person under the age of 19 who does

not, at the time of application, present a diploma or other certificate of graduation issued to the person from a secondary high school of this state, or any other state, or documentation that the person: (1) is enrolled and making satisfactory progress in a course leading to a general educational development certificate (GED) from a state approved institution or organization, or has obtained the certificate; (2) is enrolled in a secondary school of this state or any other state; (3) is participating in a job training program approved by the State Superintendent of Education; (4) is gainfully and substantially employed; (5) is a parent with the care and custody of a minor or unborn child; (6) has a physician certify that the parents of the person depend on him or her as their sole source of transportation; or (7) is exempted from this requirement due to circumstances beyond his or her control as provided in this chapter." Ala. Code §16-28-40 (1975)

## **ATTENDANCE ZONES**

The Trussville City Schools District serves approximately 4,700 students in its schools. Students are assigned to schools based on attendance zones. A student may only attend a school other than his/her zoned school if he/she is eligible for a transfer according to the Trussville City Board of Education Policy Manual. Transfers must be applied for, and applications and release submitted to the Director of Student Services no later than June 1 for the fall term of any school year. Transfer requests shall be determined in strict accordance with the guidelines and orders of the United States District Court (May 2, 2005) and Separation Agreement between the Trussville City Board of Education and the Jefferson County Board of Education (April 15, 2005). Proof of residence is required for all students. Questions regarding residence may be directed to the Director of Student Services. Transfer applications are available on the Trussville City Schools web site, and at the Board of Education. Trussville City Schools adheres to the McKinney-Vento Act regarding homeless status.

## **EXCHANGE STUDENTS**

Exchange programs are intended to provide students from other countries an opportunity to experience the culture in the United States. Due to the growth and class sizes in Trussville City Schools, foreign exchange students will be admitted to Trussville City Schools only under the following conditions:

1. The students/sponsoring family must make a request in writing to the Principal no later than the end of the spring term prior to the school year the student wishes to attend school.
2. All exchanges students with an F1 visa attending Trussville City Schools may be charged a fee equal to the average annual expenditure per student in Trussville City as calculated by the State Department of Education. (The fee must be paid in full to the school district prior to enrollment. The fee can be paid at the local school.)
3. Exchange students will be accepted on space availability basis. Space availability will be determined by the Principal.
4. The maximum number of exchange students at any one school should not exceed five (5) students per school year as long as space is available for five students.
5. Foreign exchange students must be eligible for a full year program. Trussville City Schools does not allow semester placements for exchange students.
6. Foreign exchange students must adhere to the Code of Student Conduct, and violations may result in removal.

## **DISCIPLINE** **(Code of Student Conduct)**

The Board Policy regarding discipline is intended to foster a safe, friendly, and business-like atmosphere in which students and school personnel can work cooperatively. The Board reviews and approves the Student Code of Conduct and upon approval, this Student Code of Conduct will be considered Board Policy. Principals have the responsibility to take disciplinary action whenever the behavior of any student interferes with or disrupts learning.

Violations of the Trussville City Board of Education's Code of Student Conduct are generally grouped into four classes: Minor Offenses (Class I); Intermediate Offenses (Class II); Major Offenses (Class III) and Extreme Offenses (Class IV). The disciplinary procedures for each class may be different, depending on the recommended action which is to be taken or the age of the particular student.

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

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

For any offense for which an in-school parental conference is required, it is the parent's or guardian's responsibility to make arrangements for the conference within twenty-four (24) hours of being notified of the problem. No student will be allowed to return to school until the parent or guardian conference is held.

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

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

All suspensions subject to a "*Suspension to the Student Services Department*" and hearing will remain in full force and effect until either a hearing is held or the student is expelled. Accordingly, a parent of a student suspended under these provisions must contact the office of the Student Services Department or his/her designee to request the hearing within twenty-four (24) hours of being contacted by school officials or being informed of the action by the suspended student.

School officials shall contact the Student Services Department and shall forward a copy of the *Due Process Referral Form for Class III or Class IV Offenses* and other required pertinent information to the Student Services Department or his/her designee within twenty-four (24) hours of the decision to suspend the student to the Student Services Department.

## **APPEALS**

Students charged and disciplined under Class I or Class II procedures will not have the right to appeal any decision beyond the local school level. However, students charged under the Class III or Class IV schedule may request an appeal of the decision of the Student Services Department Hearing Officer. Appeal requests shall be submitted in writing to the Assistant Superintendent for Student Support within five (5) school days of the date of the administrative hearing and shall include the reasons for the appeal. The student and parent/guardian should note that the suspension from school will remain in effect until the matter is resolved.

## **CLASS I MINOR OFFENSES**

- 1.00 BULLYING, CYBERBULLYING, INTIMIDATION, HARASSMENT OF STUDENT OR SCHOOL BOARD EMPLOYEE, MILD AND ISOLATED**
- 1.01 CONTINUED FAILURE TO BRING MATERIALS TO CLASS, NOT PARTICIPATING IN CLASS.**
- 1.02 EXCESSIVE DISTRACTION OF OTHER STUDENTS**
- 1.03 GAMBLING**
- 1.04 HORSEPLAY/SHOVING/RUNNING**
- 1.05 INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION**
- 1.06 DIRECT AND INDIRECT USE OF PROFANE OR OBSCENE LANGUAGE**
- 1.07 MINOR DISRUPTION ON A SCHOOL BUS**
  - All Class I Offenses listed in the Code of Conduct
  - Failing to follow proper procedures at bus stops, including but not limited to the failure to do any of the following:
    - Walk on the left, facing traffic, to the bus stop and stay off the roadway at all times while waiting on the bus
    - Be at the bus stop ahead of the scheduled bus arrival time
    - Wait until the bus comes to a COMPLETE stop before attempting to get on or off
    - Cross the roadway, necessary, after leaving the bus in the following manner:
      - Make certain the bus is stationary
      - Upon exiting from the bus, stand on the side of the road at a point 10 feet in front of the bus and wait for the proper signal to cross.
      - Upon signal from the driver, look to both the right and left and proceed across the roadway in front of the bus; never cross behind the bus.
  - Removing seat belts before coming to a complete stop on buses for exceptional education students
  - Bringing prohibited items aboard the bus including, but not limited to gum, candy, drink and most toys- Exceptions are made for medically documented conditions
  - Moving from assigned seat- Seats may be assigned or be reassigned at any time. Students should remain seated facing forward with feet on the floor and legs out of the aisle from the time they board the bus until they arrive at their destination, and the bus door is opened.
  - Yelling or speaking in a loud or disruptive manner
  - Speaking when approaching or crossing railroad tracks

- Blocking, restricting, or otherwise placing objects on or in the aisles, steps, or emergency exits
- Failing to secure all items such as book bags, backpacks, and cases
- Any other violation which the principal may reasonably deem falls in this class

**1.08 NONCONFORMITY OF DRESS CODE**

**1.09 UNEXCUSED TARDIES**

**1.10 UNAUTHORIZED USE OF WIRELESS COMMUNICATION DEVICES, AUDIO AND/OR VIDEO DEVICES, OR OTHER SIMILAR DEVICES/MATERIALS (THIS INCLUDES, BUT IS NOT LIMITED TO CELL PHONES, LASER POINTERS, IPODS-MP3 PLAYERS, VIDEO GAMES AND CDS) DURING SCHOOL HOURS. (DOES NOT INCLUDE USE FOR CLASSROOM INSTRUCTIONAL PURPOSES).**

**1.11 VIOLATION OF PARKING/DRIVING PRIVILEGES (Loss of use of vehicle on campus grounds or in attendance at any school function.)**

**1.12 ANY OTHER VIOLATION THAT THE PRINCIPAL MAY REASONABLY DEEM APPROPRIATE FALLS IN THIS CLASS**

**CLASS I  
DISCIPLINARY ACTION**

- |   |  |
|---|--|
| • Conference with the student and/or parent         | • In-school suspension   |
| • Parent Contact                                    | • Restorative Justice  |
| • Academic Work Assignment                          | • Other actions may include community service, supervised work detail, and restitution |
| • Administrative referral to other school personnel | • Other disciplinary action as deemed appropriate by principal or designee             |
| • Verbal reprimand                                  | • The 5 <sup>th</sup> Class I Offense is the same as a Class II Offense                |
| • Withdrawal of privilege(s)                        |  |
| • Temporary removal from class                      |  |
| • Detention   |  |

*CLASS I OFFENSES MAY NOT BE APPEALED BEYOND THE LOCAL SCHOOL LEVEL. PROHIBITED OBJECTS SHALL BE CONFISCATED.*

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

- 1st Student Conference, warning, parent notification
- 2nd Student Conference, 1 day bus suspension, parent contact.
- 3rd Student Conference, 3 day bus suspension, parent contact.
- 4th Student Conference, 5 day bus suspension, parent contact.
- 5th Student Conference, up to 10 day bus suspension, parent contact.
- 6th Student Conference, removal from bus for the remainder of the year, parent contact.

Students and parents/guardians should note that minor school bus infractions are recorded as a Class I offense on a student's discipline tracking form. The Principal or his/her designee may modify the above listed disciplinary actions in special circumstances.

**Generally, there is no appeal of discipline actions for minor bus infractions. However, if a student is to be removed from the bus for more than four (4) weeks, parents may request a hearing with the Transportation Coordinator.**

Students with disabilities (Special Education) will be disciplined according to applicable Federal and State laws for students with disabilities (IDEA 2004, Rules of Alabama State Board of Education, Special Education Services). For additional information contact the Special Education Coordinator.

## **CLASS II INTERMEDIATE OFFENSES**

**2.00 ACADEMIC DISHONESTY**

**2.01 BULLYING, CYBERBULLYING, INTIMIDATION, HARASSMENT, VERBAL OR WRITTEN THREAT OF VIOLENCE TO STUDENT OR SCHOOL BOARD EMPLOYEE, MODERATE OR REPEATED (*Harassment of Students Policy* see pg 20).**

**2.02 DEFIANCE OF SCHOOL BOARD EMPLOYEE'S AUTHORITY**

**2.03 DISRESPECT TO A SCHOOL BOARD EMPLOYEE**

**2.04 FALSE ACCUSATION OF SEXUAL HARASSMENT (*Harassment of Students Policy* see pg.20).**

**2.05 FALSE INFORMATION**

**2.06 FIGHTING/BATTERY UPON STUDENTS**

**2.07 ILLEGAL ORGANIZATION**

**2.08 IMITATION CONTROLLED SUBSTANCES OR OTHER IMITATION PARAPHERNALIA**

**2.09 INTERMEDIATE BUS INFRACTION**

- All Class II Offenses listed in the Code of Student Conduct
- Entering or exiting before the bus has come to a stop; or entering or exiting a bus through an emergency exit, window, or by any means other than the front door, except in the case of a bona fide emergency.
- Shoving, tripping, or striking another student or any other aggressive physical contact with another student.
- Bringing prohibited objects on the bus
- Throwing or dropping anything inside or outside the bus at any time.
- Failing to keep head and/or hands inside the bus at all times
- Entering or leaving the bus without the consent of the driver
- Tampering with door handles and/or other safety equipment at any time unless directed to do so by the driver or the aide
- Cutting, scratching, writing on, or otherwise defacing any part of the bus. Restitution will be required.
- Changing seats or standing while the bus is in motion
- Any other violation, which the principal may reasonably deem, falls in this class.

**2.10 LEAVING SCHOOL GROUNDS WITHOUT PERMISSION OR LEAVING CLASS WITHOUT PERMISSION.**

**2.11 MULTIPLE CLASS I OFFENSES**

**2.12 POSSESSION AND/OR USE OF TOBACCO PRODUCTS, LIGHTERS, MATCHES, ELECTRONIC CIGARETTES/PENS, AND ANY SIMILAR DEVICE DESIGNED TO DELIVER FLAVORED NICOTINE OR OTHER CHEMICAL. FIRST VIOLATION**

- 2.13 POSSESSION OF A POCKETKNIFE (VERY SMALL OR KEY CHAIN VARIETY) OR SIMILAR INSTRUMENTS THAT WOULD NOT NORMALLY BE CONSIDERED A WEAPON
- 2.14 POSSESSION OF STOLEN PROPERTY WITH THE KNOWLEDGE THAT IT IS STOLEN.
- 2.15 POSSESSION OF FIREWORKS, FIRECRACKERS, OR STINK BOMBS
- 2.16 POSSESSION OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL
- 2.17 REPEATED USE OF DIRECT AND INDIRECT USE OF PROFANE OR OBSCENE LANGUAGE
- 2.18 STEALING, LARCENY, THEFT
- 2.19 STRIKING/SHOVING STUDENTS
- 2.20 THE WEARING OF CLOTHING, POSSESSION OF WRITINGS OR DRAWINGS, OR THE USE OF GESTURES OR SIGNALS THAT MAY BE CONSTRUED TO INDICATE GANG AFFILIATION
- 2.21 THREATS TO EXTORT, EXTORTION
- 2.22 UNAUTHORIZED USE, DISTRIBUTION OR SHARING OF INFORMATION/CONTENT OBTAINED AT SCHOOL OR SCHOOL RELATED EVENTS WITH WIRELESS COMMUNICATION DEVICES, AUDIO AND/OR VIDEO DEVICES, OR OTHER SIMILAR DEVICES/MATERIALS (THIS INCLUDES, BUT IS NOT LIMITED TO CELL PHONES, LASER POINTERS, IPODS-MP3 PLAYERS, VIDEO GAMES AND CDS).
- 2.23 UNAUTHORIZED USE OF COMPUTER, NETWORK, AND/OR INTERNET
- 2.24 USE OF OBSCENE LANGUAGE/PROFANITY OR INAPPROPRIATE MANIFESTATIONS (VERBAL, WRITTEN, GESTURE – INCLUDING PRINTED MATERIALS OR DIGITAL) TOWARD ANOTHER PERSON OR SCHOOL BOARD EMPLOYEE.
- 2.25 VANDALISM
- 2.26 VERBAL ABUSE
- 2.27 WRITTEN OR VERBAL PROPOSITIONS TO ENGAGE IN SEXUAL ACTS
- 2.28 ANY OTHER VIOLATION THAT THE PRINCIPAL MAY REASONABLY DEEM APPROPRIATE FALLS IN THIS CLASS

## **CLASS II DISCIPLINARY ACTION**

- Detention
- Administrative referral to other school personnel
- Temporary removal from class
- Academic Work Assignment
- In-school suspension
- Assignment to the Alternative School
- Restitution of property damages
- Out-of-school suspension
- Referral to outside agency
- Restorative Justice
- Other actions may include community service, supervised work detail, and restitution
- Meet with Student Services Specialist
- Any action(s) included in Class I and any other action deemed appropriate by principal or Designee
- The 6th Class II Offense is equal to a Class III Offense



**CLASS II OFFENSES MAY NOT BE APPEALED BEYOND THE LOCAL SCHOOL LEVEL. INTERVENTION AND/OR PROSECUTION BY LAW ENFORCEMENT AUTHORITIES WILL BE SOUGHT WHERE NECESSARY OR APPROPRIATE. SCHOOL PERSONNEL WILL COOPERATE FULLY WITH LAW ENFORCEMENT AUTHORITIES.**

**A STUDENT WHO HAS PREVIOUSLY ATTENDED THE TRUSSVILLE CITY MANAGEMENT AND ALTERNATIVE PROGRAM FOR STUDENTS (MAPS) AND COMMITS A THIRD CLASS II OFFENSE DURING THE SAME SCHOOL YEAR MAY BE SUSPENDED TO THE STUDENT SERVICES DEPARTMENT FOR A CLASS III HEARING.**

#### **DISCIPLINARY ACTIONS FOR CLASS II SCHOOL BUS INFRACTIONS**

- 1<sup>st</sup> CLASS II BUS INFRACTION: Conference with student, 3 day bus suspension, parent contact.
- 2<sup>nd</sup> CLASS II BUS INFRACTION: Conference with student, 5 day bus suspension, parent contact.
- 3<sup>rd</sup> CLASS II BUS INFRACTION: Conference with student, 10 day bus suspension, parent contact.
- 4<sup>th</sup> CLASS II BUS INFRACTION: Conference with student, removal from bus for remainder of year, parent contact.

Students and parents/guardians should note that Class II offenses are recorded on a student's discipline tracking form. The principal or his/her designee may modify the above listed disciplinary actions in special circumstances.

**Generally, there is no appeal of discipline actions for Class II bus infractions. However, if a student is to be removed from the bus for more than four (4) weeks, parents may request a hearing with the Transportation Coordinator.**

Students with disabilities (Special Education) will be disciplined according to applicable Federal and State laws for students with disabilities (IDEA 2004, Rules of Alabama State Board of Education, Special Education Services). For additional information contact the Special Education Coordinator.

#### **CLASS III MAJOR OFFENSES**

- 3.00 ANY ACT ON A SCHOOL BUS THAT HAS THE POTENTIAL TO CAUSE BODILY HARM TO THE PASSENGERS OR DRIVER, OR PROPERTY SURROUNDING THE BUS.
- 3.01 SERIOUS THREAT OR ANY OTHER OFFENSE THAT IS REASONABLY LIKELY TO CAUSE GREAT BODILY HARM OR TO SERIOUSLY DISRUPT THE EDUCATIONAL PROCESS
- 3.02 ASSAULT
- 3.03 BULLYING, CYBERBULLYING, INTIMIDATION, HARASSMENT, VERBAL OR WRITTEN THREAT OF VIOLENCE TO STUDENT OR SCHOOL BOARD EMPLOYEE, SEVERE OR REPEATED (*Harassment of Students Policy* see pg 20).
- 3.04 CRIMINAL MISCHIEF
- 3.05 FIGHTING WHICH IS REASONABLY LIKELY TO CAUSE GREAT BODILY HARM OR TO SERIOUSLY DISRUPT THE EDUCATIONAL PROCESS
- 3.06 HAZING
- 3.07 ILLEGAL SCHOOL ENTRY/TRESPASSING

- 3.08 **INCITING, PROMOTING, PUBLICIZING, OR PARTICIPATING IN A MAJOR STUDENT DISORDER**
- 3.09 **MULTIPLE CLASS II OFFENSES**
- 3.10 **POSSESSION OF FIREARM FACSIMILES**
- 3.11 **ROBBERY**
- 3.12 **SEXUAL HARASSMENT/SEXUAL MISCONDUCT (*Harassment of Students Policy* see pg 20) OR LEWD CONDUCT**
- 3.13 **STEALING, LARCENY, GRAND THEFT**
- 3.14 **UNAUTHORIZED USE OF A COMPUTER OR COMPUTER SYSTEM**
- 3.15 **UNJUSTIFIED ACTIVATION OF A FIRE ALARM SYSTEM OR ANY LIFE SAFETY DEVICE**
- 3.16 **ANY OTHER VIOLATION THAT THE PRINCIPAL MAY REASONABLY DEEM APPROPRIATE FALLS IN THIS CLASS**
- 3.17 **POSSESSION AND/OR USE OF TOBACCO PRODUCTS, LIGHTERS, MATCHES, ELECTRONIC CIGARETTES/PENS (i.e. VAPE, JUUL, ETC...), AND ANY SIMILAR DEVICE DESIGNED TO DELIVER FLAVORED NICOTINE OR OTHER CHEMICAL. SECOND AND SUBSEQUENT VIOLATIONS.**

**CLASS III  
DISCIPLINARY ACTION**

**GRADES K-12** Commission of a Class III offense by any student is punishable by suspension from school & a principal may make a referral to the BOE for a hearing. Students and parents should be aware that the Hearing Officer may recommend a longer term of suspension, alternative placement including virtual school, community service, work detail, restitution, or referral to the Superintendent for possible expulsion from the Trussville City School System for a Class III offense.

***STUDENTS AND PARENTS/GUARDIANS PLEASE NOTE THAT THE COMMISSION OF A CLASS III OFFENSE MAY ALSO INVOLVE THE INTERVENTION AND/OR PROSECUTION BY LAW ENFORCEMENT AUTHORITIES WHERE NECESSARY AND/OR APPROPRIATE.***

**MAJOR BUS INFRACTIONS ARE CLASS III or IV OFFENSES.**

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

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

Students with disabilities (Special Education) will be disciplined according to applicable Federal and State laws for students with disabilities (IDEA 2004, Rules of Alabama State Board of Education, Special Education Services). For additional information contact the Special Education coordinator.

The principal or his/her designee has the authority to suspend a student from riding a bus if the behavior of the student represents a danger to the health and safety of those riding the bus.

## CLASS IV OFFENSES

- 4.00 ARSON
- 4.01 BOMB THREATS
- 4.02 DRUGS & ALCOHOL
- 4.03 EXPLOSIVES
- 4.04 FIREARMS
- 4.05 KNIFE
- 4.06 PROHIBITED OBJECTS TO INCLUDE ANY OBJECT THAT IS DESIGNED TO CAUSE BODILY HARM OR SERIOUSLY DISRUPT THE EDUCATIONAL PROCESS.
- 4.07 SEXTING, POSSESSION, CREATION, AND/OR DISTRIBUTION OF PORNOGRAPHIC OR SEXUALLY EXPLICIT MATERIAL
- 4.08 SEXUAL HARASSMENT/SEXUAL MISCONDUCT (Harassment of Students Policy see pg 20)

## CLASS IV DISCIPLINARY ACTION

**GRADES K-12** Commission of a Class IV offense by any student is punishable by suspension from school & a referral to the BOE for a hearing. Students and parents should be aware that the Hearing Officer may recommend a longer term of suspension, alternative placement including virtual school, community service, work detail, restitution, or referral to the Superintendent for possible expulsion from the Trussville City School System for a Class IV offense.

**STUDENTS AND PARENTS/GUARDIANS PLEASE NOTE THAT THE COMMISSION OF A CLASS IV OFFENSE MAY ALSO INVOLVE THE INTERVENTION AND/OR PROSECUTION BY LAW ENFORCEMENT AUTHORITIES WHERE NECESSARY AND/OR APPROPRIATE.**

**STUDENTS WITH DISABILITIES:** See *Students with Disabilities Section*.

**FELONY CHARGES: IF A STUDENT IS CHARGED WITH A FELONY, THEIR PARENT/GUARDIAN SHOULD CONTACT THE DIRECTOR OF STUDENT SERVICES TO DETERMINE APPROPRIATE SCHOOL PLACEMENT DURING THIS TIME. STUDENTS CHARGED WITH A FELONY WILL NOT BE ALLOWED BACK ON ANY SCHOOL PROPERTY UNTIL THE APPROPRIATE PLACEMENT IS DETERMINED.**

**GRADUATING SENIORS WHO ARE UNDER SUSPENSION AT THE TIME OF GRADUATION MAY BE DENIED PARTICIPATION IN THE COMMENCEMENT EXERCISES.**

**THE HEARING OFFICER MAY RECOMMEND A LONG TERM SUSPENSION OR EXPULSION FOR STUDENTS SUSPENDED TO THE STUDENT SERVICES DEPARTMENT FOR A THIRD TIME, REGARDLESS OF THE SCHOOL YEAR.**

**MAJOR BUS INFRACTIONS ARE CLASS III or IV OFFENSES.**

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

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

Students with disabilities (Special Education) will be disciplined according to applicable Federal and State laws for students with disabilities (IDEA 2004, Rules of Alabama State Board of Education, Special Education Services). For additional information contact the Special Education coordinator.

The principal or his/her designee has the authority to suspend a student from riding a bus if the behavior of the student represents a danger to the health and safety of those riding the bus.

## DISCIPLINARY ACTION DEFINITIONS

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

- **Academic Work Assignment:** The principal or designee has the authority to assign an assignment as a disciplinary action.
- **Administrative referral to other school personnel:** The administrator may refer students to the counselor, academic coach, or other support personnel in an effort to support a change in the student's behavior.
- **Alternative Educational Programs:** The Board offers short term and limited long-term educational opportunities. Students disciplined under Class III or Class IV procedures may be required to attend the Management Alternative Program for Students (MAPS) in lieu of other disciplinary alternatives. Any student assigned to MAPS or while under local school suspension will be prohibited from entering onto any School Board property other than the location to which the student is assigned and from attending or participating in any local school or School Board activities which are not made a part of the student's assignment in the program, whether on or off school or School Board grounds (see Suspension).
- **Detention:** Assignment to a designated room on a school campus, either outside the regular school day, including Saturday, or during the regular school day, for a specified period of time. A failure to comply with school detention procedures will result in additional disciplinary action.
- **Discipline Of Students with Disabilities (Special Education as identified under IDEA 2004):** With respect to students with disabilities as defined by law (IDEA 2004 and Rules of Alabama State Board of Education, Special Education Services) application of the procedures and consequences specified in this Code of Student Conduct will be subject to appropriate modification when such modification is indicated, or required, by a student's disability as defined by IDEA 2004 and Rules of Alabama State Board of Education, Special Education Services, Individualized Education Plan (IEP) or other legal requirement. In all cases, this Code of Student Conduct shall be construed and applied so as to comport with applicable laws and regulations governing the discipline of students with disabilities. For additional information contact the Special Education Coordinator.
- **Driving Privileges:** The driving of vehicles to school by students is considered a privilege and this privilege may be revoked at the discretion of the principal.

- **Expulsion:** Expulsion is the removal of a student from the Trussville City School System. An expelled student shall not attend Trussville City Schools, enter onto **any** Board property, or attend or participate in any school or Board-related activities, regardless of the nature or location of the activity. Any student removed from the school system who is found in violation of the above will be considered trespassing.
- **Required In-School Parental Conference:** A required in-school parental conference is a meeting at the school with the principal or his/her designee, parent(s) or guardian and student to resolve the disciplinary problem. After notification of the problem, it is the parent(s)' or guardian(s)' responsibility to arrange for the conference within twenty-four (24) hours.
- **Restorative Justice:** This includes but is not limited to a written or verbal apology, restitution, written agreements, peer conferences, and community service.
- **School Bus Suspension:** School bus suspension is the denial of the privilege of being allowed to ride a school bus, based on conduct generally occurring while a student is riding, preparing to ride, or waiting to ride a public school bus.
- **Suspension:** Suspension is a temporary removal of a student from his or her regular program and from the school. When suspended, a student is prohibited from entering into **any** Trussville City Schools property and from attending or participating in school or School Board-related activities (for example, athletic events, cheerleading, plays, concerts, practices, etc.) even if the activity is held off school grounds. Violation of this rule may result in additional charges of trespassing against the student. Graduating seniors who are under suspension at the time of graduation may be denied participation in the commencement exercises.
- **Work Detail:** The principal or designee has the authority to assign supervised activities related to the upkeep and maintenance of school facilities as a disciplinary action for a specified period of time.

### **THREAT ASSESSMENT PROTOCOL**

The purpose of this protocol is to establish a procedure for members of the Trussville City School System and community to work together to recognize and assess threats of violence in a school setting and, if possible, to prevent acts of violence from occurring. The protocol is intended to help school administrators and law enforcement officials identify credible threats of violence, establish procedures for addressing them, and develop guidelines for follow-up once a threat has occurred.

**Threatened Act of Violence:** Any threat or action that suggests the possibility that serious physical injury or death may be caused to another.

**Procedure:** The following procedure is separated into several sections to highlight the responsibilities of different members of the school community.

1. Any student\*, parent or guardian, or school staff member, upon receiving information that a person is threatening to commit an act of violence, shall:
  - ◆ Assume the threat is serious;
  - ◆ Immediately report the threat to a school administrator or law enforcement officer;
  - ◆ Take measures to preserve the evidence;
  - ◆ Be available and cooperative in providing a statement of information, with the understanding that the information source will remain anonymous to the greatest extent possible.
2. Any school administrator, upon receiving information that a person is threatening to commit an act of violence, shall:
  - ◆ Assume the threat is serious
  - ◆ Arrange for threat assessment interviews to be conducted

3. The SRO/police officer, upon receiving information that a person is threatening to commit an act of violence or upon notification from a school administrator that a threat to commit an act of violence has occurred, shall:
  - ◆ Assume the threat is serious;
  - ◆ Immediately notify a school administrator and provide complete information;
  - ◆ Work with the school administrator to make arrangements for the threat assessment interviews to be completed.
  - ◆ Discuss special education status with a school administrator
  - ◆ Follow the special education protocol, if applicable.

### **Threat Assessment Interviews**

The primary purpose of the interviews are to engage in an assessment of the available information in an attempt to determine the veracity of the threat in order to decide what level of follow-up action is needed and appropriate.

- ◆ The school administrator will make arrangements for the threat assessment interview to be conducted at the time of the threat or as closely to the time of the threat as possible.
- ◆ Administrators will work with law enforcement personnel to determine an appropriate time to conduct the assessment if law enforcement determines there is need/cause for immediate removal of the student from the school campus.

Once the assessment is complete, the SRO/police officer and school administrator shall convene privately to discuss the threat and consider options for further assessment and follow-up action. If the result of the threat assessment indicates that the threat is credible, school administrators and the SRO will follow standard procedures regarding disciplinary actions for the student, notification of the parent, etc... Trussville City Schools will cooperate with law enforcement and diligently seek criminal prosecution for any incident involving threats of violence.

If the result of the threat assessment indicates that the threat is not credible, the school administrator will determine if any further action is necessary.

\*A student with a disability will be subject to the provisions set forth in 290-8-9-.09 Discipline Procedures in the Alabama Code. As a result, the Special Education Supervisor for the system will consult with the Principal and SRO regarding the threat(s) of the student. As indicated in 290-8-9-.09(6)(a), nothing in the code prohibits an agency (i.e., school) from reporting a crime committed by a child with a disability. There are requirements for a change in placement involving a student with a disability, including a manifestation of disability determination as indicated in 290-8-9-.09(2) for removals of 10 or more days.

## **HARASSMENT/BULLYING, INTIMIDATION, DISCRIMINATION, VIOLENCE, AND THREATS OF VIOLENCE OF STUDENTS**

### **Policy**

The Trussville City School District is committed to providing all students with a safe and supportive school environment in which all members of the school community are treated with respect. It is hereby the policy of the Trussville City School District to prohibit harassment and/or discrimination of its students based on real or perceived race, color, religion (creed), national origin, marital status, sex, sexual orientation, gender identity and expression, disability, socio-economic status or on the basis of association with others identified by these categories.

No student shall engage in nor should any be subjected to (1) harassment/bullying, violence, threats of violence, or intimidation, by any other student that is based on any of the specific characteristics set forth in this policy or (2) sexual harassment. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the Student Code of Conduct and applicable law.

This policy is intended to comply with Alabama as well as federal requirements. The School District shall act to investigate all complaints of harassment, formal or informal, verbal or written, and to discipline or take other appropriate action against any member of the school community who is found to have violated this policy.

[Approved: August 18, 2016]

## **Definitions**

**Adverse Action:** Includes any form of intimidation, reprisal or harassment such as diminishment of grades, suspension, expulsion, change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action. in the case of students and includes any form of intimidation, reprisal, or harassment such as suspension, termination, change in working conditions, loss of privileges or benefits, or other disciplinary action in the case of employees.

**Student:** A person enrolled in the Trussville City Schools public school system.

**Gender Identity and Expression:** For purposes of this policy, gender identity or expression means having or being perceived as having gender-related characteristics, appearance, mannerisms, or identity, whether or not stereotypically associated with one's assigned sex at birth.

**Harassment/Bullying:** Means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal, or physical actions that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in this policy. To constitute bullying, a pattern of behavior may do any of the following:

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

**Hostile environment:** Means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.

**Intimidation:** Means an unjustified threat or other action that is intended to cause fear or apprehension in a student.

**Retaliation:** Means an adverse action taken against a person for reporting a complaint of harassment, violence, threat of violence, or intimidation when the complainant honestly believes the act has occurred or is occurring, or for participating on or cooperating with an investigation.

**School Community:** Includes but is not limited to all students, school employees, contractors, unpaid volunteers, work study students, interns, student teachers, and visitors.

**Sexual Harassment:** Means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature made by a school employee to a student or by a student to another student when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education, academic status or progress; or
2. Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student; or
3. The conduct (1) substantially interferes with or will substantially interfere with a student's educational benefits, opportunities, or performance; or a student's physical or psychological well-being; or (2) creates an intimidating or hostile educational environment; or
4. Submission to or rejection of such conduct by a student is used as the basis for evaluating the student's performance within a course of study or other school-related activity.

**Threat:** means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.

**Threat of Violence:** means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.

**Violence:** means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

### **Description of Behavior Expected of Students**

Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting harassment/bullying, violence, intimidation and sexual harassment; (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.

Bullying, intimidation, violence, or threats of violence are prohibited and will be subject to appropriate disciplinary consequences and/or sanctions if such action is found to have been based on discrimination of one or more of the following personal characteristics of the student:

- Race
- Ethnicity
- Gender
- Religion
- National origin



- Disability
- Sexual Orientation
- Age
- Socio-economic status

Sexual harassment is prohibited and will be subject to appropriate disciplinary consequences and/or sanctions.

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

## **PROCEDURES FOR REPORTING AND HANDLING COMPLAINTS OF HARASSMENT OF STUDENTS**

### **A. Reporting**

1. Students. It is the policy of the Trussville City School District to encourage student targets of harassment/bullying, intimidation, violence, and threats of violence or sexual harassment and students who have first-hand knowledge of such incident(s) to report such claims via this complaint procedure.

If the reported incident involves an employee, a student who invokes the complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to alleged violations of this policy to any appropriate Board administrator, teacher, or counselor, and such persons have a duty to promptly refer such allegations to the principal. If the complaint involves the school principal, the allegations should be referred directly to the school district equity coordinator or superintendent.

In addition, complaint forms are available at the principal's or counselor's office, the student handbook, or on the school system's website. 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 by mail or personal delivery. . If the complaint involves the school principal, the form may be submitted directly to the school district equity coordinator or superintendent 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.2) Employees. Any adult school employee who witnesses, overhears, or receives a report, formal or informal, written or oral, of harassment, bullying, intimidation, violence, or threats of violence at school or during school-sponsored activities shall report it to the principal or the principal's designee. If the report involves the school principal, the reporter shall make the report directly to the school district equity coordinator or superintendent. Under certain circumstances, the alleged incident may constitute child abuse under state law. The statutory obligation to report suspected abuse, therefore, may be applicable.

2. Privacy: Complaints will be kept confidential to the extent possible given the need to investigate and act on investigative results.

In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decision-making responsibility in connection with the processing of the complaint.

### **B. Response**

1. Principal's Duty. The principal or the principal's designee is the person responsible for receiving oral or written reports of harassment, bullying, intimidation, violence, threats of violence, and sexual harassment. Upon receipt of a report, the principal must notify the school district equity

coordinator immediately, without screening or investigating the report. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the school district equality coordinator. If the report was given verbally, the principal shall reduce it to written form within 24 hours, secure the complainant's signature, and forward it to the school district equity coordinator. Failure to forward any report of complaint as provided herein will result in disciplinary action against the principal.

2. School District Equity Coordinator(s). The superintendent shall designate at least one individual within the school district as the school district equity coordinator to receive reports of harassment/bullying, intimidation, violence, and threats of violence, and sexual harassment. If the report involves the school district equity coordinator, the reporter shall refer the complaint directly to the superintendent. The school district shall prominently post the name, mailing address, and telephone number of its equity coordinator (s).

### **C. Investigation**

1. Who. The principal, school district equity coordinator, or other special investigator appointed by the superintendent shall conduct an investigation upon receipt of a report or complaint alleging student harassment/bullying, intimidation, violence, and threats of violence, or sexual harassment. In no case will any employee who is the subject of a complaint be permitted to conduct, review, or otherwise exercise decision-making responsibility in connection with the processing of the complaint.
2. How. The investigator shall interview individuals involved and any other persons who may have knowledge of the circumstances giving rise to the complaint and may use other methods and documentation. In determining whether the alleged conduct constitutes a violation of this policy, the investigator shall consider, among other things: the nature of the behavior; how often the conduct occurred; whether there were past incidents or past continuing patterns of behavior; and the relationship of the parties involved.
3. When. The investigator shall complete the investigation as soon as practicable, but in no event later than fourteen (14) calendar days following receipt of the complaint.
4. Result. Upon completion of the investigation, the investigator shall decide if a violation of this policy has occurred and report that decision, along with the evidence supporting it, to the principal or school district equity coordinator and the superintendent or, if the complaint involves the superintendent, directly to the school board, for appropriate action in accordance with school district disciplinary policy.
5. Suicide Threat. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the principal or the principal's designee is authorized to inform the student's parent or guardian of the report unless at the discretion of the school principal or the principal's designee the apparent cause of the threat of suicide is child abuse or other significant harm from a parent or guardian.

### **D. School District Action**

The district shall take disciplinary or remedial action as appropriate in order to ensure that further harassment/bullying, intimidation, violence, threats of violence, or sexual harassment do not occur. Such action may include, but is not limited to: counseling, awareness training, parent-teacher conferences, warning, transfer, suspension and/or expulsion of a student., and counseling, awareness training, transfer, suspension and/or termination of an employee.

School District action taken for violation of this policy will be consistent with the requirements of applicable Alabama and federal law, and Trussville City School District policies.

### **E. Appeal**

A person judged to be in violation of the policy on student harassment and subjected to action under it may appeal the determination and/or the action taken as follows:

1. Student. If the person filing the appeal is a student, the appeal shall proceed in accordance with School District policy governing discipline of students and with legal due process requirements.
2. Employee. If the person filing the appeal is an employee, the appeal shall proceed in accordance with School District policy governing employee discipline, applicable grievance procedures, and applicable state and federal law.

#### **F. Retaliation**

Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation may be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy may be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

#### **G. Record Keeping and Notification**

1. Record Keeping. The superintendent shall assure that a record of any complaint and investigation as well as the disposition of the complaint and any disciplinary or remedial action taken is maintained by the School District in a confidential file.
2. Notification. The superintendent shall assure that the complainant is notified whether allegations were found to be valid, whether a violation of the policy occurred, and whether action was taken as a result.

#### **H. Notice**

The superintendent shall use all reasonable means to inform students, employees, and parents or guardians that the district will not tolerate harassment/bullying, intimidation, violence, threats of violence, or sexual harassment. This policy and any procedures, rules and forms developed and approved to implement the policy will be published on the website of the board of education and each school, shall be available at each school office, and shall be included in the student handbook that is distributed to each student at the beginning of each school year.

#### **I. Training**

The superintendent shall develop age appropriate methods of discussing the meaning and substance of this policy with staff and students in order to help prevent harassment.

In addition to informing staff and students about the policy, these programs, implemented within the context of professional development and school curriculum, must also raise awareness about the different types of harassment; how the harassment manifests itself, and the devastating emotion and educational consequences of harassment.

[Reference: Ala. Code §16-28B-1, et seq. (1975)] [Approved: August 18, 2016] [Amended: 3/18/19]

### **GUIDELINES FOR DRESS AND GROOMING**

Refer to local school handbook for students and parents.

### **STUDENT TRANSPORTATION Responsibilities of Transported Students**

**The school bus and bus stops are considered an extension of the classroom and all Trussville City Board of Education rules apply while being transported and while waiting at the bus stops.** The violation of any school bus infraction may result in suspension from the bus in addition to any other disciplinary action prescribed in this Code of Student Conduct as a Class I, Class II, or Class III violation.

1. Transportation services are a privilege, not a right.
2. Transportation is available to all eligible Trussville City students.
3. Students will be assigned to a particular school bus by the Transportation Coordinator. Students are **not** permitted to ride any bus other than their regularly assigned bus without prior written permission from a school administrator.
4. The location of bus stops shall be determined at the sole discretion of the Transportation Coordinator. All requests for a new/changed bus stop location must be made to the Transportation Department. The Transportation Coordinator will make the final decision after conferring with appropriate school personnel.

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

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

Every student who utilizes transportation services is subject to the Trussville City Schools Code of Student Conduct. **Failure to comply with the following rules may result in an office referral with the appropriate disciplinary action as described in this Code of Student Conduct for a Class I, Class II, Class III, or Class IV violation and may result in permanent removal from the bus.** Infractions are grouped according to the seriousness of the violations.

#### **TRANSPORTATION IS NOT PROVIDED FOR TRANSFER STUDENTS.**

### **SECLUSION OR RESTRAINT OF STUDENTS**

The Trussville City Schools Board of Education requires that all schools and programs within the school district comply with State Board of Education Rule 290-3-1-.02(1)(f) regarding the use of "seclusion" or "restraint," as those terms are defined within the rule.

#### **Physical Restraint**

This policy is not intended to prevent the use of physical restraint in limited circumstances where a 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 as a form of discipline or punishment.

The Board of Education recognizes that in determining when and how to implement this policy and any procedures related to it, educators will be required to exercise their professional judgment and discretion. Therefore, this policy is not intended to be construed as imposing ministerial duties on individual employees. Further, it is not intended to interfere with the duties of law enforcement or emergency medical personnel.

For schools and programs within the school district that use physical restraint as defined within the State Board of Education rule, the Superintendent or designee shall develop and implement written procedures governing its use, which shall include, at a minimum, the following:

1. Staff and faculty training on the use of physical restraint and the district's policy and procedures related thereto;
2. Documentation in written or electronic form of staff and faculty training on the use of physical restraint, including a list of participants in each training, which list must be made available to the Alabama Department of Education or any member of the public upon request;
3. Written parental notification of the use of physical restraint within a reasonable time, not to exceed one school day from the date of the incident;
4. Documentation of the use of physical restraint and a debriefing session held by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained;
5. Periodic review of the use of restraint and the documentation described in paragraph 4 above;
6. Annual reporting to the Board of the use of restraint and the accompanying documentation, as well as any prohibited use of seclusion and chemical, mechanical or physical restraint;
7. Annual submission to the Alabama Department of Education of the documentation submitted to the Board in accordance with paragraph 6; and
8. Inclusion of the procedures in the school district's Code of Conduct and/or the school's student handbook.

### **Seclusion**

The Board of Education also prohibits the use of seclusion, as that term is defined in State Board of Education Rule 290-3-1-.02(1)(f).

LEGAL REF: State Board of Education Rule 290-3-1-.02(1)(f)

## **DISCIPLINARY ACTION FOR STUDENTS WITH DISABILITIES**

Suspensions and removal of students with disabilities (special education) shall conform to generally applicable substantive and procedural criteria (IDEA 2004 and Rules of Alabama State Board of Education, Special Education Services), but shall not exceed ten (10) consecutive or cumulative school days without prior consultation with the Special Education Coordinator or his/her designee. For additional information contact the Special Education Coordinator.

## **DRUG AND ALCOHOL PROGRAM PROCEDURES**

### **General Policy**

Practical experience and research has proven that even small quantities of Prohibited Substances can impair judgment and reflexes which can create unsafe conditions for students. Even when not readily apparent, this impairment can have serious results for students. Drug-using students are a threat to other students and themselves, and may make injurious errors. For these reasons, the Trussville City Schools Board of Education (the Board) has adopted a policy that all students must report to school, to all practices and competitive events, or to any extracurricular activity while under the care of this school system completely free from the effects of Prohibited Substances, unless used as prescribed by a physician.

### **Drug Use/Distribution/Impairment/Possession**

All students are prohibited from using, possessing, distributing, manufacturing, or having Prohibited Substances present in their system while at school, at practice, while participating in competitive events, or while under the care of this school system.

#### **Alcohol Use/Possession/Impairment**

All students are prohibited from possessing, drinking or being impaired or intoxicated by alcohol while at school, practice, participating in a competitive event, or while under the care of this school system.

#### **After School Hours Conduct**

Use of Prohibited Substances after school hours is prohibited. Students should realize that these regulations prohibit all Prohibited Substances during and away from school activities.

#### **Prescription Drugs**

The proper use of medication prescribed by a physician is not prohibited; however, the Board of Education prohibits the misuse of prescribed (or over the counter) medications and requires all extracurricular activity students using drugs at the direction of a physician to notify their coach, faculty sponsor, and school nurse where these drugs may affect their performance, such as by causing drowsiness. The Board requires all students with parking privileges using drugs at the direction of a physician to notify the school nurse where these drugs may affect their ability to drive safely.

#### **Substance Screening**

**Applicants:** Substance screening may be required for all students desiring to participate in an extracurricular activity or organization and for all students desiring parking privileges. Such testing may be required either alone or as part of a pre-practice or preparticipation evaluation. Applicants are required to sign a consent/release form before being submitted to screening. Applicants will not be allowed to participate in any activity or receive parking privileges when they test positive, refuse to submit to a test, or refuse to execute the required consent/release form.

#### **All Current Students Consenting to Drug Testing**

**Reasonable Suspicion:** All extracurricular activity students and students with parking privileges may be tested during the initial implementation of the program. An extracurricular activity student or student with parking privileges will be required to submit to screening whenever a coach, assistant coach, faculty sponsor or school official observes circumstances which provide reasonable suspicion to believe that the student has used Prohibited Substances or has otherwise violated the substance abuse rules. The coach's, assistant coach's, faculty sponsor's, or school official's determination that reasonable suspicion exists to require the student to undergo an alcohol and drug test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the student. The required observations for alcohol and/or controlled substance reasonable suspicion testing shall be made by a coach, assistant coach, faculty sponsor, school official or designee who has been trained for at least 60 minutes on alcohol misuse and an additional 60 minutes on controlled substance misuse. The adult requesting testing shall prepare and sign written documents explaining the circumstances and evidence upon which they relied. This documentation must be submitted within 24 hours of the testing, or before the results of the tests are released, whichever is earlier. While one coach, assistant coach, faculty sponsor or school official may request a reasonable cause test, when feasible, he or she is encouraged to obtain a second adult's opinion as a witness.

#### **Random Testing**

The Board may conduct random unannounced screening of extracurricular activity students and students with parking privileges. The drug testing agency will provide computerized random sample lists to the principal or his/her designee. The list of students in the random pool will be updated periodically. Randomized students will be escorted by the principal or his/her designee to the designated site for specimen collection.

#### **Testing Procedures**

**General Guidelines:** The School Board and its lab shall rely, when practical, on the guidance of the federal Department of Transportation, Procedures For Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40-39, and on the further guidance of the Omnibus Transportation Employee Testing Act provided in 49 C.F.R. Parts 382, 391, 392 and 395.

**Substances Tested:** Students consenting to drug testing may regularly be tested for any Prohibited Substances, including but not limited to: amphetamines, cannabinoids, cocaine, barbiturates, benzodiazepines, opiates, cotinine, steroids, and alcohol. Students may be tested for any other Prohibited Substances without advance notice as part of tests performed by the Board for safety purposes. Such tests will be coordinated with the Drug Testing Coordinator.

**Testing Procedure:** The Board reserves the right to collect and test blood, hair, saliva, breath or urine. Urine will be collected for pre-practice and pre-competitive event and random testing. All initial positive findings, with the exception of alcohol, may be confirmed with gas chromatography/mass spectrometry.

**Collection Sites:** The Board will designate collection sites in areas where individuals may provide specimens. For the most part, collections will be conducted on-site at the appropriate designated school.

**Collection Procedures:** The Board, the drug testing agency, and the laboratory, will develop and will maintain a documented procedure for collecting, shipping and accessing urine specimens. The Board, the drug testing agency, and the laboratory will utilize a standard Urine Custody and Control Form for all student testing. The Board, the drug testing agency, and the laboratory will utilize a standard Breath Alcohol Testing Form for all alcohol testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will also be used for specimen transportation. Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure as reasonable. All alcohol testing will be performed by a certified Breath Alcohol Technician (BAT). Where the Board has an employee collect the specimen, the Board will provide instruction and training to that employee. All extracurricular activity students and students with parking privileges will be required to execute the Trussville City Schools Board of Education Activity Student Consent Form before specimen collection occurs.

#### **Evaluations and Return of Results to the School Board**

The laboratory will transmit (by fax, mail or computer, but not orally over the telephone) the results of all tests to the Medical Review Officer (MRO). The MRO will be responsible for reviewing test results of students and confirming that the individuals testing non-negative have used drugs or adulterated or substituted the specimen in violation of the System's policy. Prior to making a final decision, the MRO shall give the parent/individual an opportunity to discuss the result either face to face or over the telephone. The MRO shall then promptly tell a designated school official which students test positive. A school official will then schedule a conference between the student and parents or legal guardians to discuss the positive test result.

#### **Request for Retest**

Where a split specimen has been collected a student may request a retest of the split specimen within 72 hours of notification of the final test result. Where a single specimen is submitted for testing the student may request a retest of the original sample within 72 hours after notification of the final test result. Request must be submitted to the MRO. The student will be required to pay the associated costs of retest in advance but will be reimbursed if the result of the retest is negative.

#### **Release of Test Results**

All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received by the Board through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with the Policy Consent/Release Form. However, all extracurricular activity students and students with parking privileges will be required to execute a consent/release form permitting the Board to release test results and related information to the school officials who have a need to know. Parents or guardians will be informed of confirmed positive test results by the Drug Testing Coordinator or another Board designee. The MRO shall retain the individual test results for five (5) years.

#### **Consequences**

The Board will penalize students for any violation of the policy, including refusing to submit to screening, execute a release, or otherwise cooperate with an investigation or search by the administration. An MRO-verified positive test, an adulterated/substituted test, a refusal to test for alcohol/drugs, or any other violation of System policy will result in disciplinary action. All

extracurricular activity students and students with parking privileges who test positive in a confirmative substance test will be subject to penalties set forth in this policy including immediate suspension from all extracurricular activities and parking privileges. No student may be returned to extracurricular activities or parking privileges after rehabilitation or testing positive unless determined to be safe and not using drugs by having a negative result on a return-to-participation screen. Any student returned to participation after violating the policy or testing positive will be subject to aftercare and monthly testing as set out in a written Probation Agreement which he or she will be required to execute.

### **Training for School Personnel**

The Board's drug testing agency shall include education and training for coaches, assistant coaches, faculty and school officials who are authorized to determine reasonable suspicion testing. These adults must receive a minimum of 60 minutes on alcohol abuse and an additional 60 minutes of training on controlled substance use and abuse. The training shall cover the physical, behavioral, speech and performance indicators of probable use and misuse of alcohol and controlled substances. Documentation of training attendance must be maintained. The Drug Testing Coordinator should be contacted for further guidance.

### **Investigation/Searches**

Where a school official has reasonable cause to suspect that a student has violated the prohibited substance policy, he or she may inspect vehicles which a student brings on the Board's property, lockers, purses, book bags, or other belongings, and at locations where school related activities are being conducted without prior notice in order to ensure extracurricular activities and transportation to and from school occur in an environment free of prohibited substances. A student may be asked to be present and remove a personal lock. Where the student is not present or refuses to remove a personal lock, a school official will do so for him or her. Detection of prohibited substances from authorized searches will be communicated to the Drug Testing Coordinator.

## **PENALTIES**

The Trussville City Schools Board of Education is ever mindful of the dangers Prohibited Substances pose to the health, safety, and well-being of those students who participate in sports or other extracurricular activities. Extracurricular activity students are recognized as leaders and tend to serve as role models for other students in the school system. Our extracurricular activity students represent our schools, not only within the Trussville community, but also at events and activities throughout the state of Alabama. It is therefore imperative that our extracurricular activity students refrain from any involvement with Prohibited Substances, not only to project a positive image, but also to avoid jeopardizing the health and safety of others who may be involved in extracurricular activities.

Students with parking privileges drive to and from school. It is therefore imperative that our students with parking privileges refrain from any involvement with Prohibited Substances to avoid jeopardizing the health and safety of themselves as well as others who may be driving on school grounds.

All extracurricular activity students and all students with parking privileges are prohibited from possessing, using, selling, transmitting, intending to transmit, or being under the influence of Prohibited Substances as that term is defined in this policy and also in the Code of Conduct. Any extracurricular activity student or student with parking privileges who violates this prohibition shall be subject to the penalties set forth below. The following are minimum penalties and a coach or sponsor may impose additional penalties with approval from a school administrator if the circumstances so warrant.

For purposes of these minimum penalties, a violation shall have been deemed to have occurred when (i) a student tests positive for a Prohibited Substance as a result of a drug test, or (ii) is observed by a school official or law enforcement member possessing, using, selling, transmitting, intending to transmit, or being under the influence of a Prohibited Substance, or (iii) the admission by a student upon confrontation by a school official to his/her possession, use, sale, transmission, intent to transmit Prohibited Substances, or being under the influence of a Prohibited Substance, or (iv) the school administration concludes, based on available evidence, that the student has committed a violation involving the possession, use, sale, transmission, or intent to transmit



Prohibited Substances. Violations shall be cumulative from the time a student enters the Trussville City School System, and shall apply to all activities and parking privileges of a student throughout the calendar year, whether inside or outside the school setting and whether or not school is in session.

Upon the first violation students will be placed on monthly follow up testing for one calendar year.

### **DRUG AND ALCOHOL RELATED VIOLATIONS**

**First Offense:** For athletic extracurricular activity students, the student shall be suspended from participation for a minimum of 35% of any current or future athletic competitions, beginning no earlier than the opening game or event for the sport or activity. During the suspension, students in grades 7-12, may attend, but may not participate or dress out for any competitive event or activity. If the athlete is not participating in an in-season sport or activity, he/she will have a minimum 35% suspension at the beginning of the next season in which he/she participates, regardless of any other sanction or punishment imposed under this policy.

If an athlete is participating in other non-athletic extracurricular activities and/or has parking privileges, the athlete shall be suspended from the athletic activities in addition to the suspensions from other extracurricular activities and parking privileges set forth in this policy.

For non-athletic extracurricular activity students, the student shall be suspended from participation for a minimum of 35% of all extracurricular activities in which he/she is currently participating. In the event that 35% of regularly scheduled events is not readily apparent, a comparable restriction of participation as determined by the principal and faculty sponsor for the activity shall be imposed. Suspension from non-athletic extracurricular activities will not supersede suspension from athletic activities.

If a non-athlete extracurricular activity student is not currently participating in an extracurricular activity, he/she will have a minimum 35% suspension, at the beginning of the next extracurricular activity in which he/she participates.

For students with parking privileges, the student shall be suspended from parking privileges for a minimum of 63 days, which is 35% of the school year. In the event that there are not 63 school days left in the calendar year, the suspension from parking privileges shall carry over to the next school year. During the period of suspension, the student shall surrender any parking pass, decal, or tag. Suspension from parking privileges will not supersede suspension from athletic activities or other extracurricular activities.

Suspension penalties shall apply to all extracurricular activities and parking privileges of the student as set forth in this policy. After serving their suspension, students who have violated the drug testing policy will be retested and must have a negative test prior to resuming athletic extracurricular activities, non-athletic extracurricular activities, and parking privileges. In addition, these students will be included in the monthly drug testing for one calendar year. Testing for the purpose of returning to activities or parking privileges may be done at the expense of the student. At the discretion of an appropriate school official, the student may be requested to undergo counseling with school counseling staff depending upon the circumstances of the violation.

**Second Offense:** Upon the second violation, the student will be suspended from participating in any extracurricular activity or parking privileges for a period extending for a full calendar year.

At the discretion of an appropriate school official, the student may be required to undergo counseling with school counseling staff depending upon the circumstances of the violation.

Before he/she can be eligible to participate in any extracurricular activity or regain parking privileges, (i) he/she must test negative for prohibited substances as a result of an approved drug test if the violation related to the consumption or use of a prohibited substance and the substance is capable of being detected by a drug test, and (ii) he/she shall have undergone mandatory counseling with school counseling staff as may be reasonably necessitated by the circumstances in the discretion of an appropriate school official. Testing for the purpose of returning to activities or parking privileges may be done at the expense of the student. Further disciplinary actions may be implemented by the coach or sponsor with approval from a school administrator.

**Third Offense:** Upon the third violation, the student will be permanently barred from participating in any extracurricular activity or from parking privileges in the Trussville City School System.

## **TOBACCO RELATED VIOLATIONS**

**First Offense:** For all activity and students with parking privileges, the student will be required to complete the tobacco cessation and education program recommended by TCS. This course will take place at school.\*

**Second Offense:** The student shall be suspended from participation in extracurricular activities for a minimum of 10% of any current or future events. Students with driving privileges shall be suspended for 18 days, which is 10% of the school year. The student will be required to complete the stage 2 tobacco cessation and education program recommended by TCS. This course will take place at school.\*

**Third Offense:** Upon the third violation, the student shall be suspended from participation in extracurricular activities for a minimum of 35% of any current or future events. Students with driving privileges shall be suspended for 63 days, which is 35% of the school year. The student will be required to re-enroll in a tobacco cessation program. The student will be required to complete the stage 3 tobacco cessation and education program recommended by TCS. This course will take place at school.\*

**Fourth Offense:** Upon the fourth violation, the student will be suspended from participating in any extracurricular activity or parking privileges for a period extending for a full calendar year. The student will be required to re-enroll in a tobacco cessation program. The student will be required to complete the stage 4 tobacco cessation and education program recommended by TCS. This course will take place at school.\*

\*For tobacco based offenses- upon completion of the tobacco cessation and education program, monthly testing will occur for a calendar year. Students may exit monthly testing after one calendar year of negative tests.

## **RESPONSIBLE USE OF TECHNOLOGY FOR STUDENTS**

Trussville City Schools makes a variety of communications and information technologies available to students through computer/network/Internet access. These technologies, when properly used, promote educational excellence in Trussville City Schools by facilitating resource sharing, innovation, and communication. Illegal, unethical or inappropriate use of these technologies can have dramatic consequences, harming the Trussville City Schools, its students and its employees. The Responsible Use Guidelines are intended to minimize the likelihood of such harm by educating students and setting standards which will serve to protect. Trussville City Schools firmly believes that digital resources, information, and interaction available on the computer/network/Internet far outweigh any disadvantages.

### **Mandatory Review**

To educate students on proper computer/network/Internet use and conduct, students are required to review these guidelines at the beginning of each school year. All students shall be required to acknowledge receipt and understanding of all guidelines governing use of the system. The parent or legal guardian of a student user is required to acknowledge receipt and understanding of the Responsible Use Guidelines of Technology for Students (hereinafter referred to as the Responsible Use Guidelines) as part of their review of the *Student Code of Conduct* handbook. Employees supervising students who use the District's system will provide training emphasizing its appropriate use.

### **Definition of TCS Technology System**

The TCS's computer systems and networks (system) are any configuration of hardware and software. The system includes but is not limited to the following:

- Telephones, cellular telephones, and voicemail technologies;
- Email accounts;

- Servers;
- Computer hardware and peripherals;
- Software including operating system software and application software;
- Digitized information including stored text, data files, email, digital images, and video and audio files;
- Internally or externally accessed databases, applications, or tools (Internet- or Board-server based);
- Board-provided Internet access;
- Board-filtered public Wi-Fi;
- Virtual environments; and
- New technologies as they become available.

## **Availability of Access**

### **Acceptable Use**

Computer/Network/Internet access will be used to enhance learning consistent with the District's educational goals. The Board requires legal, ethical and appropriate computer/network/Internet use by all students.

### **Privilege**

Access to the Board's computer/network/Internet is a privilege, not a right. Persons who violate any Board policy, rule, or procedure regarding technology use may be denied use of the Board's technology resources and may be subject to additional disciplinary action. **(Restriction or Loss of Technology Privileges, Board Policy 4.92)**

### **Access to Computer/Network/Internet**

The Board permits restricted and conditional access to and use of its technology resources, including but not limited to computers, the "Internet," and network storage areas. Such access and use is restricted to employees, students, and other persons who are engaged in bona fide educational and administrative activities that serve and are consistent with identified educational objectives or authorized support functions, and who, by signing the Responsible Use of Technology for Students, agree to abide by all Board policies, rules, and regulations regarding technology use. Each Board computer and public Wi-Fi (available for students who bring their own personal devices) utilizes filtered Internet access as defined by Children's Internet Protection Act.

- Students should NOT attempt to install software or hardware or change the system configuration including network settings without prior consultation with Tech Support.
- Students are expected to protect school devices from damage and theft.
- Students could be monetarily responsible for any hardware damage that occurs off school premises and/or software damage (including labor costs). This includes replacement of equipment at comparable replacement cost.
- Students will not be held responsible for computer problems resulting from regular school-related use; however, students may be held personally responsible for any problems caused by their negligence as deemed by the District's administration.
- Students will provide access to any device, equipment, and/or accessories they have been assigned upon the District's request.
- Students are required to maintain password confidentiality by not sharing their password with others and may not use another person's system account. (Appendix H Password Control Standards, Data Governance Procedures, Policy I 15.2)
- Students identified as a security risk or having violated the Board's Responsible Use of Technology for Students may be denied access to the Board's system. Other consequences may also be assigned.

## **Student Access**

Computer/Network/Internet access is provided to all students unless parents or guardians denied access during online registration. Student Internet access will be under the direction and guidance of a Board staff member. Students may also be allowed to use the local network and public Wi-Fi with campus permission.

## **Students 13 or Younger**

As part of our instructional programs, the Board registers students on a number of educational websites. The Children's Online Privacy Protection Act (COPPA) requires additional parental permission to register students under 13 years old on these educational websites. The information provided to these websites is basic "directory information." Typically, this is the student's name, grade and school. Examples of these tools are Google Applications for Education, Google Classroom, Raz Kids, online textbooks, Accelerated Reading, etc. These tools can be accessed through the school's student resource page. Parents wishing to deny access to these educational tools must do so in writing to the campus principal indicating their child should be denied access to these tools.

## **Use of Personal Devices**

The Board believes technology is a powerful tool that enhances learning and enables students to access a vast amount of academic resources. The Board's goal is to increase student access to digital tools and facilitate immediate access to technology-based information, much the way that students utilize pen and paper. To this end, the Board offers a filtered, wireless network through which students have the ability to connect privately owned (personal) devices. Students are allowed to bring personal devices connected to the Trussville City Schools network for academic classroom use as determined by the classroom teacher. Each campus will develop procedures for use and management.

## **Security**

A student who gains access to any inappropriate or harmful material is expected to discontinue the access and to report the incident to the supervising staff member. Any student identified as a security risk or as having violated the Responsible Use Guidelines may be denied access to the Board's system. Other consequences may also be assigned. A student who knowingly brings prohibited materials into the school's electronic environment will be subject to suspension of access and/or revocation of privileges on the Board's system and will be subject to disciplinary action in accordance with the Board-approved *Student Code of Conduct*.

## **Subject to Monitoring**

All technology resources, including network and Internet resources, e-mail systems, and computers or other devices owned, leased, or maintained by the Board are the sole property of the Board. Board personnel may, at any time and without prior notice, access, search, examine, inspect, collect, or retrieve information of any kind from the Board's technology resources, including computer or related equipment, files, and data, to determine if a user is in violation of any of the Board's policies, rules, and regulations regarding access to and use of technology resources, for or in connection with any other matter or reason related to the safe and efficient operation or administration of the school system, or for any other reason not prohibited by law. Users of school system technology resources have no personal right of privacy or confidentiality with respect to the use or content of such resources. (**Ownership of Technology Resources and Data, Board Policy 4.93**)

## **Student Computer/Network/Internet Responsibilities**

Board students are bound by all portions of the Responsible Use Guidelines. A student who knowingly violates any portion of the Responsible Use Guidelines will be subject to suspension of access and/or revocation of privileges on the Board's system and will be subject to disciplinary action in accordance with the Board-approved *Student Code of Conduct*.

### **Use of Digital Tools**

Students may participate in Board-approved online learning environments related to curricular projects or school activities and use digital tools, such as, but not limited to, mobile devices, blogs, discussion forums, podcasts, Google Drive, online meeting sessions, etc. The use of blogs and other digital tools are considered an extension of the classroom. Verbal or written language that is considered inappropriate in the classroom is also inappropriate in all uses of Board-approved digital tools. Digitally transmitted content that includes inappropriate language, images or content is prohibited.

### **Password Confidentiality**

Students are required to maintain password confidentiality by not sharing their password with others. Students may not use another person's system account.

### **Reporting Security Problem**

If knowledge of inappropriate material or a security problem on the computer/network/Internet is identified, the student should immediately notify the supervising staff member. The security problem should not be shared with others.

### **The following guidelines must be adhered to by students using a personally-owned device at school:**

- If network access is needed, students must connect to the filtered, wireless network provided by the Board, TCS Student.
- These devices are the sole responsibility of the student owner. The school or Board assumes no responsibility for personal devices if they are lost, loaned, damaged or stolen and only limited time or resources will be spent trying to locate stolen or lost items.
- These devices have educational and monetary value. Students are prohibited from trading or selling these items to other students on Board property, including school buses, and at school-sponsored or school-related activities on or off school property.
- Each student is responsible for his/her own device: set-up, maintenance, charging, and security. Staff members will not store student devices at any time, nor will any Board staff diagnose, repair, or work on a student's personal device.
- Availability of devices will not be used as a factor in grading or assessing student work. Students who do not have access to personal devices will be provided with comparable Board-owned equipment or given similar assignments that do not require access to electronic devices.
- Devices are only to be used for educational purposes at the direction of a classroom teacher or as stated for specific age groups.
- School administrators or their designees have the authority to restrict and deny the use of personal, wireless communication devices by any student to prevent the misuse, abuse, or violation of school rules regarding the use of such devices. School officials may read, examine, or inspect the contents of any such device upon reasonable suspicion that the device contains evidence of a violation of law, Board policy, the Code of Student Conduct, or other rules, provided that the nature and extent of such examination shall be reasonably related and limited to the suspected violation.

[Reference: ALA. CODE §16-1-27 (1975)]

### **Inappropriate Use**

Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations in this document, that violate the rules of network etiquette, or that hamper the integrity or security of this computer/network/Internet system or any components that are connected to it. The following actions are considered inappropriate uses, are prohibited, and will result in revocation of the student's access to the computer/network/Internet.

## **Violations of Law**

Transmission of any material in violation of any federal or state law is prohibited. This includes, but is not limited to:

- threatening, harassing, defamatory or obscene material;
- copyrighted material;
- plagiarized material;
- material protected by trade secret; or
- blog posts, Web posts, or discussion forum/replies posted to the Internet which violate federal or state law.

Tampering with or theft of components from Board systems may be regarded as criminal activity under applicable state and federal laws. Any attempt to break the law through the use of a Board computer/network/Internet account may result in prosecution against the offender by the proper authorities. If such an event should occur, the Board will fully comply with the authorities to provide any information necessary for legal action.

## **Modification of Computer**

Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited.

## **Transmitting Confidential Information**

Students may not redistribute or forward confidential information without proper authorization. Confidential information should never be transmitted, redistributed or forwarded to outside individuals who are not expressly authorized to receive the information. Revealing personal information (such as, but not limited to, home addresses, phone numbers, email addresses, birthdates) about oneself or of others is prohibited.

## **Commercial Use**

Use of the system for any type of income-generating activity is prohibited. Advertising the sale of products, whether commercial or personal is prohibited.

## **Marketing by Non-TCS Organizations**

Use of the system for promoting activities or events for individuals or organizations not directly affiliated with or sanctioned by the Board is prohibited.

## **Vandalism/Mischief**

Any malicious attempt to harm or destroy Board equipment, materials or data, or the malicious attempt to harm or destroy data of another user of the Board's system, or any of the agencies or other networks to which the Board has access is prohibited. Deliberate attempts to degrade or disrupt system performance are violations of Board policy and administrative regulations and may constitute criminal activity under applicable state and federal laws. Such prohibited activity includes, but is not limited to, the uploading or creating of computer viruses.

Vandalism as defined above is prohibited and will result in the cancellation of system use privileges. Students committing vandalism will be required to provide restitution for costs associated with system restoration and may be subject to other appropriate consequences.

## **Intellectual Property/Copyright Violations**

Students must always respect copyrights and trademarks of third-parties and their ownership claims in images, text, video and audio material, software, information and inventions. The copy, use, or transfer of others' materials without appropriate authorization is not allowed. Downloading or using copyrighted information without following approved Board procedures is also prohibited.

**Plagiarism**

Fraudulently altering or copying documents or files authored by another individual is prohibited.

**Impersonation**

Attempts to log on to the computer/network/Internet impersonating a system administrator or Board employee, student, or individual other than oneself, will result in revocation of the student's access to computer/network/Internet.

**Illegally Accessing or Hacking Violations**

Intentional or unauthorized access or attempted access of any portion of the Board's computer systems, networks, or private databases to view, obtain, manipulate, or transmit information, programs, or codes is prohibited.

**File/Data Violations**

Deleting, examining, copying, or modifying files and/or data belonging to other users, without their permission is prohibited.

**System Interference/Alteration**

Deliberate attempts to exceed, evade or change resource quotas are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited.

**Email and Communication Tools**

Email and other digital tools such as, but not limited to Google Apps for Education, blogs and online resources, are tools used to communicate within the Board. The use of these communication tools should be limited to instructional or school-related activities. Email is subject to monitoring by appropriate staff.

Students should keep the following points in mind:

**Perceived Representation**

Using school-related email addresses and other communication tools might cause some recipients or other readers of the email to assume that the student's comments represent the Board or school, whether or not that was the student's intention.

**Privacy**

Email, Google Apps for Education, and other communication within these tools should not be considered a private, personal form of communication. Private information, such as home addresses, phone numbers, last names, pictures, or email addresses, should not be divulged.

**Inappropriate Language**

Using obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language in emails or other communication tools is prohibited. Sending messages that could cause danger or disruption, personal attacks, including prejudicial or discriminatory attacks are prohibited.

**Forgery**

Forgery or attempted forgery of email messages is prohibited. Attempts to read, delete, copy or modify the email of other system users, deliberate interference with the ability of other system users to send/receive email, or the use of another person's user ID and/or password is prohibited.

**Junk Mail/Chain Letters**

Students should refrain from forwarding emails which do not relate to the educational purposes of the Board. Chain letters or other emails intended for forwarding or distributing to others is prohibited.

Creating, distributing or forwarding any annoying or unnecessary message to a large number of people (spamming) is also prohibited.

### **Student Email Accounts and Electronic Communication Tools**

Electronic communication is an important skill for 21<sup>st</sup> Century students. By providing this tool, the Board is equipping students with the skills necessary for success in the business. Students in grades 3 - 12 are given access to a Board student email account. This account is set up with the student's user ID. Students must abide by the guidelines established within Email and Communication Tools. Student email accounts will be available for use by students in grades 3-12 while they are currently enrolled in the Board. As appropriate, project email accounts may be granted for educational activities for students in grades K-2 at the request of the classroom teacher.

### **Consequences of Agreement Violation**

Any attempt to violate the provisions of this agreement may result in revocation of the student's access to the computer/network/Internet, regardless of the success or failure of the attempt. In addition, school disciplinary and/or appropriate legal action may be taken.

### **Denial, Revocation, or Suspension of Access Privileges**

With just cause, the building principal or Technology Coordinator, may deny, revoke, or suspend computer/network/Internet access as required, pending an investigation.

### **Warning**

Sites accessible via the computer/network/Internet may contain material that is illegal, defamatory, inaccurate or controversial. Each Board computer with Internet access has software that utilizes filtered Internet access as defined by Children's Internet Protection Act. The Board makes every effort to limit access to objectionable material; however, controlling all such materials on the computer/network/Internet is impossible, even with filtering in place. With global access to computers and people, a risk exists that students may access material that may not be of educational value in the school setting.

### **Limitation on Liability**

The Board makes no warranties of any kind either express or implied, that the functions or the services provided by or through the Board's technology resources will be error-free or without defect. The Board will not be responsible for damage users may suffer, including but not limited to loss of data or interruption of services. **(Board Policy 4.95)**

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

### **NON-DISCRIMINATORY POLICY**

The policy of the Board is to comply with the provisions of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Improvement Act of 2004 to provide a free appropriate public education for students with disabilities who qualify under the definition of the law. All students shall participate in, enjoy the benefits of, and be free of discrimination in any program or activity, regardless of gender, race, religion, belief, national origin, age, disability or ethnic group.

Every applicant and employee is entitled to equal treatment with regard to all terms and conditions of employment, assignment, promotion, demotion, salary, dismissal, and training. The Trussville City Board of Education is an equal opportunity employer. It is the official policy of Trussville City Board of Education that no person on the grounds of race, color, disability, sex, religion, national origin, age, or other legally protected status be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity, or employment.



**113 North Chalkville Road  
Trussville City Board of Education  
Trussville, Alabama 35173  
(205) 228-3064**

**Questions, comments, or complaints regarding compliance with requirements under Section 504 concerning students with disabilities should be directed to:**

**Office of Exceptional Education  
Trussville City School System  
113 North Chalkville Road  
Trussville, Alabama 35173  
(205) 228-3043**

### **EXTRACURRICULAR ACTIVITIES**

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

### **STUDENT PUBLICATIONS**

School sponsored publications may be used as educational devices developed as part of the curriculum primarily to benefit those who compile, edit and publish them. School publications may also be extracurricular activities. Student publications may offer students the opportunity to share a variety of viewpoints; however, all publications must conform to the basic educational goals of the school. Accordingly, local school officials will retain final editorial control over the style and content of student publications. Local school officials and the Board of Education may promulgate distribution standards and may govern the time, place, and manner of the distribution of the publication. No publication which causes substantial disruption of or interferes with school activities, school affairs, or the lives of others will be allowed.

### **SAFE AND DRUG FREE SCHOOLS**

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

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

**A.H.E.R.A.  
(Asbestos Hazard Emergency Response Act)**

All buildings used by Trussville City School Board of Education are free of friable (easily air-borne) asbestos. Most buildings built before 1985 contain some forms of non-friable asbestos (most commonly found in floor tile). This asbestos is managed according to an approved management plan that may be examined in each principal's office. The Trussville City Board of Education is in full compliance with A.H.E.R.A. (the Asbestos Hazard Emergency Response Act) and asbestos-containing material is inspected on a regular basis as required by law. For further information, contact the Support Services Department, (205)228-3062.

**NOTIFICATION OF PARENT AND STUDENT RIGHTS:  
THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)  
THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

The Family Educational Rights Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA) afford parents, students over the age of eighteen (18) ("eligible students"), and/or emancipated minors certain rights with respect to the student's educational records. These rights include:

- **The right to inspect and review the student's educational records within forty-five (45) days after the date the school receives a written request for access to the indicated records.** Parents or eligible students should submit to the school principal a written request that identifies the record(s) to be inspected. The principal or designee shall make arrangements for access to the requested records and notify the parent or eligible student in writing of the time and place where the records may be inspected. Copies of records may be requested and obtained.
- **The right to request an amendment of the student's educational records that the parent or eligible student believes is inaccurate, misleading, or inappropriate.** Parents or eligible students should submit to the school principal a written request to amend the student's educational record. The request shall clearly identify the part of the record to be amended and shall specify why the record is inaccurate, misleading, or inappropriate. If the school principal determines not to amend the record as requested by the parent and/or eligible student, they shall notify the parent and/or eligible student in writing of the decision and advise them of their right to a hearing regarding the request for an amendment. Information regarding the hearing procedures will be provided to the parent or eligible student with notification of the right to a hearing.

- **The right to consent to disclosures of personally identifiable information contained in the student’s educational records, except to the extent that FERPA and/or PPRA authorizes disclosure without consent.** One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility. This includes:
  - A school official is a person employed by the Board of Education of the Trussville City Schools as an administrator, supervisor, instructor, or support staff member including health or medical staff and law enforcement unit personnel;
  - Other schools, school districts, or postsecondary institutions in which a student seeks or intends to enroll;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school or district;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - State and local authorities within the juvenile justice system pursuant to specific Alabama State Law.

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

- **The right to restrict the release of directory information which includes name, address, telephone if it is a listed number, participation in officially recognized activities and sports, degrees and awards received, and the most recent previous education agency or institution attended. Directory information is information that is generally not considered harmful or an invasion of privacy if released.** Examples may include, but are not limited to, a playbill showing the student’s role in a drama production, the annual yearbook, honor roll or other recognition lists, graduation programs or sports activity sheets. The primary purpose of directory information is to allow the school or district to include this type of information from the student’s educational records in certain school publications. Directory information may also be disclosed to outside organizations without prior written consent such as companies that manufacture class rings or publish yearbooks. The Trussville City Board of Education has designated the following information as directory information:
  - Student’s or parent’s name;
  - Address;
  - Telephone listing;
  - Participation in officially recognized activities and sports;
  - Weight and height of members of athletic teams;
  - Electronic mail address;
  - Photograph;
  - Diplomas, honors and awards received;
  - Date and place of birth;
  - Dates of attendance;
  - Grade level;
  - Most recent education agency or institution attended.
- **Procedures to opt out: parents and/or eligible students may request that directory information not be disclosed by notifying the school principal or designee in writing within fifteen (15) days of the beginning of the school year or within fifteen (15) days of the date of enrollment in school.**

- **The rights to restrict the release of a student’s name, address, and telephone listing to military recruiters and institutions of higher education as required by federal law. The Trussville City Board of Education is required to advise of this requirement and afford you the opportunity to notify the school in writing if you do not want this information disclosed to the military recruiters and institutions of higher learning.** Parents and eligible students should note that upon request, schools must provide military recruiters the same access to secondary school students as provided to postsecondary institutions or to prospective employers unless the parent or eligible student has “opted” out of providing such information. Parents and/or eligible students may request that such information not be disclosed by notifying the school principal or designee in writing within fifteen (15) days of the beginning of the school year or within fifteen (15) days of the date of enrollment in school, whichever is later.

Parents and eligible students should note that schools and contractors must obtain prior written parental consent before minor students are required to participate in any Department of Education funded survey, analysis, or evaluation that reveals personal identifying information concerning:

- Political affiliations or beliefs of the student or student’s parent;
  - Mental and psychological problems of the student or the student’s family;
  - Sex behavior or attitudes of the student or student’s family;
  - Illegal, anti-social, self-incriminating, or demeaning behavior of the student or student’s family;
  - Critical appraisals of other individuals with whom respondents have close family relationships;
  - Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers;
  - Religious practices, affiliations, or beliefs of the student or student’s family;
  - Income (other than that required by law to determine eligibility for participation in a program for receiving financial assistance under such program).
- **Parents of a minor child have the right to inspect, upon written request to the school principal, instructional materials if those materials will be used in connection with a Department of Education funded survey, analysis, or evaluation in which their children participate.**
  - **Parents of a minor child have the right to inspect, upon written request to the school principal, a survey created by a third party (non-Department of Education funded) if the survey contains one or more of the items of information noted above before the survey is administered or distributed by a school to students. This inspection will be scheduled within forty-five (45) days of the day the school receives such a written request to the school principal.**
  - **Parents have the right to opt out of (deny permissions for their minor child) activities involving the collection and disclosure of personal information from students for marketing purposes or for selling that information, or otherwise providing that information to others for that purpose. However, this right does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing education products or services for, or to, students or education institutions, such as the following:**
    - College or other postsecondary education recruitment, or military recruitment;
    - Book clubs, magazines, and programs providing access to low-cost literacy products;
    - Curriculum and instructional materials used by elementary and secondary schools;

- Tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students;
- The sale by students of products or services to raise funds for school-related or education-related activities;
- Student recognition programs.

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

- **Parents have the right to inspect, upon written request to the school principal, any instructional material used as part of the educational curriculum for students. This inspection shall be scheduled by the school principal within forty-five (45) days of the receipt of such written request to the school principal.**
- **Parents have the right to “opt out” of the administration of physical examination or screenings that are non-emergency or invasive and are:**
  - required as a condition of attendance;
  - administered by the school and scheduled by the school in advance; and
  - not necessary to protect the immediate health and safety of the student or of other students.

Invasive physical examination is defined as any medical examination that involves the exposure of private body parts, or any act during such an examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

**THE TRUSSVILLE CITY SCHOOLS DO NOT CONDUCT INVASIVE PHYSICAL EXAMINATIONS OR SCREENINGS.**

Vision, hearing and scoliosis screenings are scheduled throughout the school year in Trussville City Schools. Parents and/or eligible students may “opt out” of health screenings by notifying the principal or designee in writing within fifteen (15) days of the beginning of the school year or within fifteen (15) days of the date of enrollment in school, whichever is later.

- **Parents have the right to file a written complaint with the U.S. Department of Education concerning alleged failures by Trussville City Schools to comply with the requirements of FERPA and/or PPRA at the following address:**

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

**PARENTAL RESPONSIBILITY FOR ATTENDANCE AND BEHAVIOR  
 As required by the Alabama Administrative Code  
 Section 16-28-12 (1975)**

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

- Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, church school, denominational school, or parochial school, or to be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in any public school in accordance with the written policy on school behavior adopted by the local board of education pursuant to this section and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) and may also be sentenced to hard labor for the county for not more than ninety (90) days. The absence of a child without the consent of the principal teacher of the public school he or she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.
- Each local public board of education shall adopt a written policy for its standards on school behavior. Each local public school superintendent shall provide at the commencement of each academic year a copy of the written policy on school behavior to each parent, guardian, or other person having care or control of a child who is enrolled. Included in the written policy shall be a copy of this section. The signature of the student and the parent, guardian, or other person having control or custody of the child shall document receipt of the policy.
- Any parent, guardian or other person having control or custody of any child enrolled in public school who fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the superintendent of education of the school system in which the suspected violation occurred. The superintendent of education or his or her designee shall report suspected violations to the district attorney within ten (10) days. Any principal or superintendent of education or his or her designee intentionally failing to report a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in public school. (*School Code 1927, §305; Code 1940, T. 52, §302; Acts 1993, No. 93-672, p. 1213, §1; Acts 1994, 1<sup>st</sup> Ex. Sess. No. 94-782, p. 70, §1*).

## **IT'S THE LAW**

### **Parental Notification of Civil Liabilities and Criminal Penalties**

As required by Alabama Administrative Code the following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against a school board employee:

- **Falsely Reporting an Incident (ACT 000-113 Code of Alabama 1975, §13A-11-11)**  
A person commits the crime of falsely reporting an incident, if with knowledge that the information reported, conveyed or circulates is false, he or she initiates or circulates a false report of warning of an alleged occurrence or impending occurrence of a fire, bomb, explosion, crime, catastrophe, or emergency under circumstances in which it is likely to cause evacuation of a building, place or assemble, or transportation facility, or to cause public inconvenience or alarm. Falsely reporting an incident is a Class A misdemeanor except that falsely reporting an incident of bomb or explosion is a Class C felony.
- **Attendance and Conduct (ACT 94-782 Code of Alabama 1975, §16-28-12)**

Each parent/guardian or other person having control or custody of a child required to attend school who fails to require the child to enroll, to regularly attend school, and compel the child to properly conduct himself/herself in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor and may be fined up to one hundred dollars (\$100.00) and may be sentenced to hard labor for up to 90 days.

- **Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (ACT 94-784 Code of Alabama 1975, §16-1-24.1)**

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

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

- **Weapons in Schools (ACT 94-817 Code of Alabama 1975, §13a-11-72)**

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

- **Teacher Assault (ACT 94-794 Code of Alabama 1975, §13a-6-21)**

Assault with intent to cause serious physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his or her duty, he or she causes physical injury to any person is a Class C felony (assault in the second degree).

- **Drugs with intent to sell (ACT 94-783 Code of Alabama 1975, §20-2-2)**

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

- **Vandalism (ACT 94-819 Code of Alabama 1975, §6-5-380)**

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

- **Pistol Possession/Driver’s License (ACT 94-820 Code of Alabama 1975, §16-28-40)**

Any person over the age of fourteen (14) who is convicted of the crime of possession of a pistol on the premises of a public school, or a public school bus, shall be denied issuance of a driver’s permit or license to operate a motor vehicle for 180 days from the date the person

is eligible and applies for a permit or license. If a person over the age of 14 possesses a driver's license on the date of conviction the driver's license will be suspended for 180 days.

- **Drop Out/Driver's License (ACT 94-820 Code of Alabama 1975, §16-28-40)**  
The Department of Public Safety shall deny a driver's license or learner's permit to any person under the age of 19 who is not: enrolled or has not received a diploma or certificate of graduation, enrolled in a GED program, enrolled in a secondary school, participating in a job training program, gainfully employed, a parent of a minor or unborn child, the sole source of transportation for parents, or exempt under provision of the law.

### **DISRUPTIVE VISITORS**

Visitors with a legitimate reason for being on school property may enter and remain on school campuses and Board facilities in accordance with limitations and requirements that are designed to preserve security and maintain an orderly educational environment. Visitors are required to observe appropriate decorum at all times and to respect administrative requirements and restrictions regarding their activities and interaction with faculty, staff, and students while on Board property. School officials are authorized to revoke permission to be on school property to noncompliant visitors; to limit, condition, or prohibit their future access to school property as deemed necessary to ensure safety and order; and to enlist the assistance of law enforcement agencies if and as necessary to accomplish these objectives.

### **WRITTEN AND/OR ELECTRONIC COMMUNICATIONS**

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

### **GIFTED EDUCATION IN ALABAMA**

#### **HOW IS "GIFTED" DEFINED IN ALABAMA?**

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

#### **HOW DO WE IDENTIFY GIFTED STUDENTS IN ALABAMA?**

A student may be referred for consideration for gifted services by teachers, counselors, administrators, parents or guardians, peers, self, or any other individuals with knowledge of the student's abilities. Additionally, all second grade students will be observed as potential gifted referrals using a gifted behavior checklist. For each student referred, information is gathered in the following three areas:



Aptitude- Aptitude should be assessed through an individual or group test of intelligence or creativity.

Characteristics- A behavior rating scale designed to assess gifted behaviors is completed by a classroom teacher.

Performance- At least three indicators of performance at a gifted level must be submitted.

These may include, but are not limited to, achievement test scores, grades, products, work samples, and /or portfolios.

The scores from the assessments/items used are entered on a matrix where points are assigned according to established criteria. The total number of points earned determines if the student qualifies for gifted services.

For more information contact:

Trussville City Board of Education  
Exceptional Education Department  
113 N Chalkville Rd  
Trussville, AL 35173

or

the Gifted Education (GATE) specialist  
at your student's school

or

Alabama State Department of Education  
Special Education Services  
P.O. Box 302101  
Montgomery, AL 36130-2101  
1-800-392-8020  
[www.alsde.edu](http://www.alsde.edu)

## ACKNOWLEDGMENT FORM

### **ACKNOWLEDGEMENT OF THIS FORM IS COLLECTED ELECTRONICALLY THROUGH OUR ONLINE REGISTRATION PROCESS EACH SCHOOL YEAR**

I hereby acknowledge by our signatures that we have received and read, or had read to us, the local school's student/parent handbook and the Trussville City Schools Code of Student Conduct, which includes copies of "It's the Law", "Parental Responsibility for Attendance and Behavior" with reference to Alabama Code 16-28-12, "Parent and Student Rights: Family Educational Rights and Privacy Act (FERPA)", "Protection of Pupil Rights Amendment (PPRA)", "Safe and Drug Free Schools", "Internet Use Policy", and the "School Bus Code". We understand that these policies apply to all enrolled students in kindergarten through twelfth grade and parents in the public schools; to school campuses, the immediate vicinity of the school, school buses, school bus stops, other school owned vehicles; and school related activities and events.

