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Notice to Parents

Parents, or individuals acting in that capacity, are responsible for seeing that each student under his/her care and control follows school system policy and local school rules and regulations. It is also the responsibility of parents to know such policies, rules and regulations, and to contact the school in the event he/she has not received or is not aware of such policies, rules and regulations.

According to Alabama State Law Section 16-1-24.1, parents are:

- ~ Responsible financially for a child's destructive acts against school property or persons
- ~ Responsible and required to appear at school when requested by an appropriate school official for a conference regarding acts of a child and/or the discipline of a child
- ~ Required to see that a child is enrolled in school according to state law, and further
- ~ Required to see that the child regularly attends school and abides by the system's rules and regulations related to attendance
- ~ Required to compel the child to properly conduct him/herself in accordance with the policies, procedures, rules, and regulations of behavior adopted by the system and the local school.

Questions concerning any portion of this Code of Conduct should be directed to the local school Principal.

Admission to School

To be eligible to attend Madison County Schools, the student's custodial parent(s) must reside in a zone served by the Madison County School system or they shall be wards of the courts and/or institutions of Madison County, except as provided for in other stated policies when approved by the Board.

The student must attend the school serving the attendance zone in which his/her custodial parent's domicile is located. It is the parent's responsibility to furnish correct and complete residential information so that the proper attendance zone can be determined. Principals shall deny admission to students not having domicile in the attendance zone served by that school without permission from the Superintendent or designee, as provided by policy.

Custodial parents shall furnish all required information to include enrollment forms, immunization card, birth certificate, documentation of legal residence, and proof of custody, when enrolling their student(s). A Social Security card or number is requested but not required for school enrollment.

Students transferring from another public school system, private, parochial, virtual, home, or other schools will not be permitted to enroll if they are under a suspension or facing a pending disciplinary or expulsion hearing until the student has satisfied the conditions for readmission set by the suspending board of authority. Students who were expelled from a previous district are not eligible to enroll in Madison County Schools until the expulsion period ends. Madison County Schools does not operate an in lieu of expulsion program. Students who enroll from a district who have been assigned to an alternative school program for disciplinary reasons must attend Madison County Schools' Alternative Program for the time assigned by the previous district at a minimum.

Additionally, students may not be eligible to attend Madison County Schools if they have been indicted on charges of committing a criminal offense until such time as their case has been settled in court (additional regulations may apply for students who qualify for special education or 504 services). In addition, those students may be required to temporarily attend the Alternative School.

Knowledge and Observation of Rules of Conduct

The Board expects each student to know all policies of the Board and rules and regulations of his/her school. The Principal is responsible for carrying out Board policy, rules, regulations, and procedures. Each student is to receive each year and upon enrollment a copy of the Madison County Schools' Code of Conduct, and sign the appropriate form indicating receipt of such document. In cases where parent signature is required, the Principal will ensure signature is obtained. The signed receipt will be filed in the student's permanent record folder each year.

Attendance

Philosophy

The Madison County Board of Education believes good student attendance enhances learning. When a student is not in school, he/she misses valuable instructional time. For this reason, the Board equates attendance with academic achievement, and establishes policies and procedures designed to encourage and require students to be in school.

Compulsory Attendance for All Students

Every child between the ages of six (6) and 17 shall be required to attend school. Any student enrolled in the Madison County School System is required to be in school each day, regardless of the student's age. All students enrolled in the Madison County School System are subject to the regulations of this policy.

The parent or custodian of a child who is six (6) years of age, may opt out of enrolling their child in school at the age of six (6) by notifying the Madison County Schools' Department of Student Services, in writing that the child will not be enrolled in school until he or she is seven (7) years of age.

The Attendance Staff will investigate all cases of non-enrollment or non-attendance. In all cases investigated, the Attendance Staff shall provide the parent written notice, which shall require the attendance of the child in school within three days from the date of the notice. The investigation may also require the Attendance Staff to conduct a home visit and/or bring criminal prosecution against the parent or custodian.

Absence from School (*Code of Alabama (1975) § 16-28-15*)

Every parent or custodian of any child required to attend school, shall, within three school days, explain the cause of any absence of the child. Failure to furnish explanation shall be admissible as evidence of the child being truant. A good cause or valid excuse explanation is outlined below:

Excused Absence

1X – Personal Illness

Elementary, Intermediate, and Middle School Students – A maximum of eight (8) absences for the school year shall be coded as an excused absence when a valid excuse is provided by the parent or custodian.

High School Students - A maximum of four (4) absences per semester shall be coded as an excused absence when a valid excuse is provided by the parent or custodian.

2X - Doctor, dental, or other medical excuse for the child

3X - Death in the immediate family (Parents, Grandparents, and Siblings) - A maximum of two (2) excused days or three (3) if the memorial service is beyond a radius of 100 miles from the local school.

4X – Inclement weather, which would be dangerous to the life and health of the child as determined by the principal.

5X - Legal - required court appearance as ordered by subpoena or other court document.

6X - Prior permission of the principal upon request of the parent or custodian. According to MCBOE approved guidelines.

7X – Legal quarantine – Medical documentation required.

Unexcused Absence

8X – Any absence for which a valid written explanation is not provided within three (3) school days shall be coded as unexcused. Any absence beyond the eighth for elementary, intermediate, or middle school or fourth per semester for high school, shall be unexcused unless the written explanation meets an excused absence category. Any student having an unexcused absence will be considered truant as defined by the Alabama Administrative Code, Chapter 290-3-1-.02(7) (c). (See section within this policy on Truancy).

Principal's Prior Permission (6X) Absence Guidelines

All requests must be submitted to the Principal on the approved request form at least 20 days prior to the date of the requested absence. Students may not exceed five (5) Principal's Prior Permission (PPP) excuses per school year. The following reasons may be coded using PPP (6X).

- a) Military circumstances related to the deployment or return of a parent/custodian
- b) Accompany parent/custodian on an overnight school trip that involves a sibling (i.e. cheer competition, band trip, etc.)
- c) Visit to college/university campus
 - i. Limit of 2
 - ii. A third visit may be approved for an exceptional circumstance (i.e. athletic scholarship, academic scholarship, etc.)
- d) Obtaining a driver's permit or license
- e) Legislative Page or other opportunity to participate in an operation of one of the three branches of government
- f) Parent or sibling graduation from college or a military ceremony
- g) If bus fails to run or pick child up and parent has no means of transportation (must verify with bus driver or transportation department)
- h) Military Entrance Processing Station (MEPS) scheduled by recruiter
- i) Catastrophic event (fire, flood (not weather-related), eviction) that results in loss of housing or a temporary change of housing
- j) Extenuating Safety Threat (escaped prisoner, threat of school shooting, etc.)

Any absence not identified in the above list should be decided on a consistent case-by-case basis by the Principal. Principals in feeder patterns should consult with one another before a decision is made when siblings are involved.

Tardiness to School

Students, who consistently arrive late to school, may be referred to the District Attendance Staff to assist with a plan designed to ensure the student arrives on time, which may include a meeting with the parent, student, principal and attendance staff and use of the district's bus transportation system. A district social worker may conduct a home visit to assist families who are consistently tardy to school.

Instructional Expectations

To properly carry out its belief that attendance equates with academic achievement, the Board expects the following:

1. Principals and teachers will mutually plan and ensure that each student receives instruction each day, each period, and in every subject.
2. Every student in attendance in school will receive academic credit for each period and each class of every instructional day by one or more of the following methods as determined by the teacher:
 - a. Completing and handing in homework or class work
 - b. Taking a daily test, for which the student will receive a grade based on the results of the test
 - c. Participating in class discussion, class work, and/or other participation as determined by the teacher
3. At the end of each grading period, each student will be given a daily average grade based on the criteria set forth in #2 above.
4. At the end of each grading period, daily grades received by a student in attendance will be averaged with test grades to determine the final grade.

Make-up of Work, Tests, and Other Assignments

Grades should reflect a student's academic performance. Students are expected to complete, to the best of their ability, all work, tests, and other assignments given by their teachers. Students are expected to attend school on a daily basis, but the Board recognizes there may be times when a student may be absent from school. While the absence counts against the student's attendance record, it should not prohibit the student from obtaining and completing their assignments. The following options are available for teachers, students, and their parents to ensure education is uninterrupted due to an absence.

Excused Absences

Students are permitted to complete work, tests, and other assignments when absences are for excused reasons. The teacher(s) will give students the number of days equal to the number of days absent to complete the assignments. It is the responsibility of the student or parent to request and obtain assignments from the teacher(s) through normal school channels (in person, by telephone, email, learning management system, etc.)

In cases of extreme or extenuating circumstances based on the nature of the absence, the teacher(s) may grant additional days to complete and return assignments or take tests, not to exceed two weeks beyond the student's date of return to school.

Unexcused Absences

Students are permitted to complete work, tests, and other assignments when absent for unexcused reasons. The teacher(s) will give students the number of days equal to the number of days absent to complete the assignments. It is the responsibility of the student or parent to request and obtain assignments from the teacher(s) through normal school channels (in person, by telephone, email, learning management system, etc.)

Administration of tests given during the unexcused absence period will be scheduled by the teacher(s) within the required period as determined by the number of days absent and at a time, which does not interfere with the normal instructional day. The teacher(s) will notify the student and parent when this is to occur.

After the accumulation of three (3) unexcused absences (not including suspensions), please refer to the truancy policy.

Absences Due to Out of School Suspension

Students who are suspended out of school are expected to complete work and other assignments during their suspension period. At the student or parent's request, teacher(s) will provide assignments given during the suspension period. It is the responsibility of the student or parent to request and obtain assignments from the teacher(s) through normal school channels (in person, by telephone, email, learning management system, etc.) The student is expected to complete all assignments provided and turn the assignments into the teacher(s) on the day they return to school from their suspension or before if possible.

Tests will be administered on the day the student returns to school from their suspension at a time of day that does not interfere with the normal instructional day, which may include before or after school hours.

If a suspension occurs after the start of the school day, the student will have the suspension day and the day immediately following the suspension to make up any missed assignments for classes (periods) missed due to the suspension.

Due to the timing or length of a suspension, the teacher has the discretion to modify the timeline on a case-by-case basis.

Checking Student Out of School

Only custodial parent(s) will be allowed to check a student out of school, unless the custodial parent(s) has specifically designated someone else to check the student out of school. School officials will keep accurate records as to whom, what time, and for what reason students are checked out of school.

Away from School Due to School-Sponsored/Authorized Activities

Students who participate in school-sponsored or school-authorized activities and are thereby away from school or class will not be counted as absent from school for this purpose. Students are expected to make up work missed while at these activities, and should be given the same opportunities as those afforded students with excused absences. Absences due to these activities should be indicated with proper coding to indicate the absence was due to such activities.

The school may require appropriate documentation to support any absence coded in this category. Failure to provide the requested documentation may result in an unexcused absence.

Truancy

If a parent/custodian does not explain in writing within three (3) days of a student's return to school after being absent, that student will be classified as truant for each and every absence. The student will also be classified as truant if the Principal (or administrative designee) determines that an absence(s) is unexcused based on the parent/custodian's written explanation.

The Code of Alabama requires schools to notify parents of their student's unexcused absences, and to inform parents of Alabama's compulsory school attendance laws and be advised of the penalties that can be applied if the student continues to be truant from school. It is advised that schools notify parents after the student's first unexcused absence from school. Please understand that the Early Warning Notice is intended to correct any error and/or to remind parents of Alabama's Compulsory Education Law. Upon the accumulation of an unexcused absence, the student is considered truant from school, and consequently in violation of state law and the Board's attendance policy.

State law requires that parents ensure their child has good attendance in school, and further states that failure to do so could lead to prosecution of the parents and/or child for failure to comply with the law. School officials are required to report to juvenile authorities those students and parents who are in violation of the law. It is at five unexcused absences that a student is considered seriously truant and parents are required to participate in the Early Warning Program to prevent further unexcused absences.

The following guidelines will be used and steps will be taken to handle truancy by students of Madison County:

1. Upon the first unexcused absence, a warning will be issued as follows:
 - a. Parent/custodian will be notified by Principal (or designee) that the student is truant and the date(s) of truancy via School Messenger or letter.
2. Upon the third (3rd) unexcused absence, the school will contact the parent/custodian to participate in a pre-early warning conference.
3. Upon the seventh (7th) unexcused absence, the parent, custodian, or person having control of the child, shall do the following:
 - a. Receive a Notice of Violation of the Compulsory Attendance Law from the District Attendance Staff
 - b. Participate in the early warning program-
 - c. Participate in a home visit conducted by a district social worker to discuss attendance requirements.
4. Upon the tenth (10th) unexcused absence, and no later than ten (10) school days after the tenth (10th) unexcused absence, the Attendance Staff (District Social Worker) will meet with the student, parent, and Principal (or designee) to discuss attendance violations. Failure to participate in the conference within the specified period may result in a complaint/petition being filed with the Court against the parent/custodian, under Code of Alabama (1975), 16-28-12(c) (failure to cooperate), or a truancy against the child, whichever is appropriate.
5. Any unexcused absences following the parent meeting in number three (3) above will result in a complaint/petition being filed with the Court against the parent/custodian or the child, whichever is appropriate.

Withdrawal of Students with Excessive Unexcused Absences

The district level attendance staff (Social Workers) should be notified of any student between the ages of six (6) and seventeen (17) who has accumulated ten (10) consecutive unexcused absences. The attendance staff will work with the school, parent, and student to address the absenteeism. Only the Department of Student Services can authorize a withdrawal for excessive unexcused absences.

Withdrawal of Students over the Age of 17

A child over the age of 17 may be withdrawn from public school prior to graduation if both of the following circumstances exist:

1. Written consent is granted by the child's parent or legal custodian, and
2. An exit interview is conducted where the student and the student's parent or legal custodian have been advised that withdrawal from school shall likely reduce the student's future earning potential and increase the student's likelihood of being unemployed in the future. During the exit interview, the student who is withdrawing from school shall be given information that has been prepared and supplied by the State Department of Education regarding the detrimental impacts and effects of early withdrawal from school along with any available training and employment opportunity programs, provided such information is available.

Denial of Driving Privileges Due to Attendance

The Madison County Board of Education is required to report, upon request, documentation of enrollment status of any student fifteen years of age or older who is properly enrolled in a school under the jurisdiction of the Board. Such information is provided to the Department of Public Safety on a student in this category on application for, or renewal or reinstatement of, a driver's license or a learner's license to operate a motor vehicle. For students sixteen years of age or older who withdraw from school, the Supervisor of Attendance notifies the Department of Public Safety of the withdrawal. Withdrawal is defined by Code of Alabama as more than 10 consecutive or 15 days total unexcused absences during a single semester.

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 the state of Alabama, 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 Department 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/her control as provided in Alabama Code 16-28-40 (1975).

Virtual Academy Attendance Requirements

Students participating in the virtual education option must meet the following attendance criteria:

1. Students must adhere to the Madison County Schools Attendance Policy
2. Students must attend class each day (as monitored by the virtual academy staff) and keep up with course assignments/pace.
 - a. Log in to courseware daily to document attendance.
 - b. Physical attendance when directed by the teacher.
3. To remain in the program, students may not have more than five (5) virtual unexcused absences or three (3) physical attendance absences.

The school system reserves the right to set specific attendance requirements for each virtual course. The superintendent or his/her designee is authorized to develop alternate attendance policies for virtual courses, provided that students in such programs are given notice of the attendance requirements. A student's failure to comply with such requirements may result in administrative action including, but not limited to, probation or removal from the class or a charge of truancy, if appropriate.

Riding a School Bus

The Madison County Board of Education provides bus transportation to students who are eligible to ride based on State and local Board of Education provisions. Safety is of utmost importance in the transportation of students; therefore, the Board expects students to follow strictly all rules and regulations regarding school buses. The Principal, or his/her administrative designee, has the authority to deny the privilege of riding a school bus when a student violates established rules and regulations or exhibits behavior deemed inappropriate or detrimental to the safe transportation of students.

School officials may impose specific rules and regulations for students to follow in riding school buses. The following rules apply as a part of, and in addition to, any bus rules and regulations adopted by the school. School rules are applicable to the bus. In addition, students are to obey the following bus rules:

1. Stay seated properly in seats.
2. Listen to and obey bus drivers.
3. Keep the aisles clear of feet, books, bags, etc.
4. Keep buses free of litter.
5. Keep conversations at a low volume, no loud or boisterous talk.
6. No use of profanity, obscene, or vulgar language.

Consequences

1st violation = Conference with student

2nd violation = Parent Contact

3rd violation = Assigned Seat

4th violation = temporary removal from bus for 1 - 3 days

5th violation = temporary removal from bus for 4 - 7 days

6th violation = temporary removal from bus for remainder of semester

Student Dress Code

The Madison County Board of Education believes good grooming and personal appearance are essential elements in the teaching and learning process. Students are expected to dress in a manner to ensure their health and safety.

- Students must be neatly dressed, clean, and well groomed.
- Student dress must not distract or interfere with the educational opportunity of other students.
- A student's appearance that draws excessive or unnecessary attention to the extent it is disruptive, potentially disruptive, or suggestive of disruption or violence, is not allowed.
- Principals and other administrators have the authority to use discretionary judgment to prohibit such dress based on past or current circumstances. Unless otherwise specifically stated or addressed, rules and regulations contained in the Dress Code apply to normal school hours; however, such rules and regulations may be enforced at any school function or activity where the wearing of such dress is inappropriate for the type of activity, or such dress is determined to be potentially disruptive or dangerous. The Dress Code additionally applies at any school-sponsored activities at any hour or location in which students are direct participants, representing the school, and/or recipients of recognition. However, other dress requirements may be specified and enforced at any school function or activity where the Dress Code for normal school hours is not appropriate for the type activity or is determined by the Principal to be potentially disruptive or dangerous.
- Rules and regulations of the dress code apply to all students, unless exceptions are granted due to a student's disability, medical condition, or other exceptions approved by the Principal.

Coats and Outer Garments

- K-12 Heavy coats and excessively bulging outer garments are not to be worn inside school buildings. Garments to be removed include overcoats, trench coats, bulky and/or oversized jackets or oversized pullovers. Garments that equate to a lightweight windbreaker or sweater are permissible. Parents and students should assure that student attire provides for adequate comfort indoors without the wearing of outdoor garments.

Jewelry and Body Piercing

- K-12 Piercings are allowed as long as they are not hazardous or unsafe and do not distract or draw unnecessary attention.
- K-12 Jewelry should be removed during physical education classes or other school activities when requested.
- K-12 Jewelry must not include pictures, writings, symbols, etc., promoting, acknowledging, or suggesting drugs, drug paraphernalia, tobacco products, alcohol, sexual activities, gangs, groups, individuals, or activities that would be considered potentially dangerous, disruptive, or hazardous to the student, to other students, or to the school environment.
- K-12 Wallet chains and/or oversized chains are not allowed at school or on school buses.

Pants, Shorts, Dresses and Skirts

- K-12 Appropriate dress that does not reveal the body in an inappropriate manner, e.g. clothing must not be too tight, too short, or bare at the midriff or sides. Sundresses, off the shoulder tops, spaghetti straps, tank tops, sheer or see-through clothing, and clothing with holes above the knee, may not be worn.
- K-12 Clothing, pants, or shorts which are excessively baggy and/or which are worn so as to expose underwear or body above or below the waist, and/or which drag on the floor will not be permitted.
- K-12 Prohibited items of clothing include, but are not limited to, clothing with holes above the knee or other exposure, or clothing that is too short. Generally, the length of the clothing should fall below the tips of the fingers when arms are fully extended to the side; however, due to physical differences in some students, this guide may mean some items are still too short. The Principal has the authority to make the final decision regarding the appropriateness of the garment length.
- K-12 Leggings, jeggings, and yoga pants must be covered by garments that fall to mid-thigh and are an appropriate length for the wearer as described above and as determined by the Principal.
- 6-12 Pajama pants and sleepwear are not acceptable.

Shirts, Blouses, and Tops

- K-12 Clothing must not include pictures, writings, symbols, etc., promoting, acknowledging, or suggesting drugs, drug paraphernalia, tobacco products, alcohol, sexual activities, gangs, groups, individuals, or activities that would be considered potentially dangerous, disruptive, or hazardous to the student, to other students, or to the school environment.
- K-12 Prohibited items of clothing include, but are not limited to, off-the shoulder tops, tank tops, halters, sheer or see-through clothing, clothing with holes or other exposure. Such garments are not to be too tight, oversized, or bare at the midriff or sides.

Book and Athletic Bags

- K-12 Book bags are allowed in all grades, but must be used strictly for the purpose of transporting books, school supplies and student personal items to and from school and classes.
- K-12 Athletic Bags are allowed, but must be used only for the purpose of transporting athletic material. They are not to be used as a normal method of transporting regular school supplies on school campuses.

In compliance with established procedures for searches outlined in the Code of Conduct, school officials have the authority to search book and athletic bags, and any other containers, when they have reasonable suspicion to believe a bag contains dangerous, illegal, or other unauthorized material.

Footwear

- K-12 Shoes or sandals must be worn and properly laced or fastened. House shoes or slippers are prohibited. Foot apparel determined by the Principal or other administrator to be dangerous or a safety hazard may not be worn.

Head Coverings and Sunglasses

- K-12 Hats, caps, bandanas, and other head coverings, except for religious reasons, are not permitted in the school during regular hours or on school buses. During inclement weather, head coverings may be worn for purposes of protecting against such weather, but are not to be worn in school buildings.
- K-12 Sunglasses are not to be worn in the school or on school buses.

Tattoos

- K-12 Tattoos with pictures, writings, symbols etc., promoting, acknowledging, or suggesting drugs, tobacco products, alcohol, sexual activities or anything of a sexual nature, gangs, groups, individuals, or activities that would be considered potentially dangerous, disruptive, or hazardous to the student, to other students, or to the school environment must be kept covered by the student's clothing, and not otherwise displayed in the overall school environment during the normal school day or any school sponsored activity.

Hair

- K-12 Hair must be clean and worn so that it does not impair vision and is not considered unsafe or hazardous.

Additional

- K-12 The Principal may allow exceptions in dress for a specific activity, e.g., athletic events, drama productions, etc., but such exceptions are only for those activities. Exceptions that compromise the Dress Code's intent to ensure the safety of students and employees are not permitted.
- K-12 Certified sponsors or coaches of school-sponsored activities may require a higher level of dress for sponsored activities whenever the school is being represented locally or away, to include in the school.

Use of Textbooks

1. All textbooks issued are the property of the State of Alabama and the public school system and shall be retained for normal use only during the period students are engaged in the course of study for which the textbooks are selected.
2. Textbooks issued to students may be used in the same manner and to the same extent as though such books were owned by the student, except that students must recognize their responsibility for the proper care of books checked out to them by observing the following practices:
 - a. Keeping the book clean outside and inside.
 - b. Refraining from marking the book with pen or pencil.
 - c. Keeping the pages free from fingerprints.
 - d. Avoiding turning down, tearing, or otherwise damaging pages.
 - e. Refraining from placing the book where it may become soiled or damaged by the weather.
 - f. Keeping the book protected with a book cover (optional).
3. Parents and students must accept liability for any loss, abuse, or damage in excess of that which would result from normal use.
 - a. For such loss or damage, the student will be assessed a variable of:
 1. Full price if new when issued.
 2. Seventy-five percent of full price for books except for first and last year of adoption.
 3. Fifty percent for books during last year of adoption.
 - b. No textbook will be issued to any student until all charges for lost or damaged textbook have been paid.
4. All textbooks must be returned to the issuing school by the student when promoted or transferred or when he/she terminates attendance for any reason.
5. The use of textbooks is governed under the Code of Alabama - Title 16: Education - Section 16-36-69 - Use of Textbooks.

Return of School Property

Students, and parents of students, are responsible for returning all school property used by the student that is subject to being returned to the school at the conclusion of the activity, e.g. extracurricular activity uniforms, equipment, materials, etc. Principals, or his/her designees, are to give students specific instructions as to when school property is to be returned.

When school property is not returned by the student in a timely manner, the Principal will directly contact the parent and request that such material be returned. After contacting the parent if the property is not returned within seven (7) days, the Principal will submit in writing to the parents a letter requesting the property be returned and in such letter will inform the parent that failure to return the property will result in a referral of the matter by the Principal to law enforcement officials.

Visitors to the Schools

Under proper conditions and for specific reasons related to school operations, visitors are welcome to the campuses of Madison County Schools. Since the Principal is responsible for all persons on a school campus, all visitors are required to immediately obtain permission from the Principal's office before visiting any school grounds.

The term "visitor" includes, but is not limited to: parents, interested citizens, invited speakers, salespersons, news media, former students, students from other schools, all persons other than school system employees and students.

Some activities during the school day may not be open to the general public, and in such cases, only those visitors with direct connection to the activity may be allowed to attend, e.g., parents and family of students participating in the activity. In cases where the general public is invited or public attendance is not restricted, no one will be denied attendance due to race, color, national origin, religious preference, disability, age, gender, sexual orientation, citizenship, non-English speaking ability, or homeless status except as provided by law or policy.

Principals are expected to set reasonable rules and procedures to maintain order and security at any and all activities sponsored by the school.

Release of Student Information/Compliance with Family Educational Rights & Privacy Act

All information regarding students and their families shall be collected, maintained, and disseminated under such safeguards as necessary to comply with the Family Educational Rights and Privacy Act, No Child Left Behind Act of 2001 (NCLB), and the Protection of Pupil Rights Amendment (PPRA). Certain information may be disclosed at the discretion of the Principal without prior consent of the parent, such as name, address, telephone number, electronic mail address, student photograph, parents'/custodians' names, grade level, participation in officially recognized activities, weight and height of members of athletic teams, awards, and honors, dates of attendance, dates and place of birth, most recent school attended.

High schools will comply with the requirement that student names, addresses, and telephone listings are disclosed to military recruiters when requested unless a parent chooses that such information not be disclosed. If parents do not consent to such disclosure, they should notify the school Principal in writing within fifteen (15) school days of receipt of this document.

Unless otherwise prohibited by court order or statute, all records and information pertaining to the child, including scholastic, athletic, and extracurricular shall be equally available to both parents, in all types of custody arrangements. (Code of Alabama, 30-3-154)

Assembly

The Board recognizes the need for occasional assemblies for students for purposes of special programs, disseminating information, and other needs as determined by the principal of the school. It is also necessary for students to assemble occasionally in small groups for purposes of conducting school-related activities and business. Student assemblies, and students meeting in groups, shall not be held without prior approval of the principal. Student assemblies and meetings are not permitted without approval of the principal. School-sponsored groups and organizations shall have a certified sponsor appointed by the principal, and that sponsor shall be present at all meetings held by that organization.

Participation in School Programs and Activities

The Board encourages students to participate in all programs and activities sponsored by the schools. Principals are expected to develop programs and activities in which all students will have the opportunity to participate. Each program and activity shall have guidelines by which students are to abide, to include requirements for being and remaining in the program. School-sponsored programs and activities are offered as a privilege to the students, and the privilege of being involved in such programs and activities is forfeited by not obeying the guidelines of the program or activity and the rules and regulations of the school. Disobeying school rules and regulations are grounds for removal from any school-sponsored program or activity at the discretion of the principals.

Moment of Silence

To comply with State of Alabama legislation, the Principals of each school will establish procedures so that at the beginning of each school day each teacher in charge of a group of students will conduct a brief period of quiet reflection for not more than 60 seconds with the participation of every student in the classroom. A brief period of quiet reflection for 60 seconds will also be held at the beginning of every school athletic event and graduation ceremony.

These activities are not intended to be and shall not be conducted as a religious service or exercise, but shall be considered an opportunity for a moment of silent reflection on the anticipated activities of the day.

Student Publications

The Board of Education authorizes school officials to allow students to have student-sponsored publications within the school, and expects the administration to monitor such publications to the extent that disruptions do not result from the contents. Student publications are subject to and will be expected to meet standards associated with responsible journalism. The principal and student publication sponsor are responsible for the content of such publications.

Student publications not approved by the Principal are not allowed, and the Principal shall not allow distribution of publications without prior approval. A certified person shall be appointed responsible for supervising student publications, and shall report directly to the Principal in the production of such publications.

Media Coverage of School Events

Occasionally local news media visit schools in Madison County to do special reports or follow up on certain news events. As a part of their coverage, they often film certain aspects of the school.

It is the principal's decision whether to allow news media to come into the schools and cover certain events. Extra precautions are taken when the media is covering a sensitive topic or event that might have a negative impact on the school, staff and students.

Parents who have concerns about their child possibly being filmed or photographed by the media should contact the principal. Principals will make every effort to accommodate the wishes of the parent, but it should be understood that it is very difficult to foresee every possible situation that might occur from media coverage of the schools and school events.

Respect for Person, Privacy, and Property

The Board respects the rights of each student as it relates to person, privacy and property. The Board has an obligation to provide for the safety and well-being of its students and employees and for that reason authorizes school personnel to take appropriate action when reasonable suspicion exists that a student possesses any item prohibited by law, Board policy, or school rules and regulations.

Interrogating/Questioning Students by Law Enforcement Officials

Students may be questioned at school by law enforcement authorities, with or without warrant or subpoena, under the following conditions:

1. The questioning shall be done in the presence of the Principal, or his/her designated administrative official.
2. If administratively possible, the child's parent or custodian should be contacted and the questioning done in their presence.

In no case should questioning of a student by law enforcement authorities be allowed unless at least one of these conditions is met.

Interrogating/Questioning Students by DHR

Schools will cooperate with the Department of Human Resources (DHR) in duties and responsibilities concerning child welfare and safety. Schools will abide by DHR guidelines and procedures in dealing with students on matters that fall within the jurisdiction of the agency. School officials should ensure that DHR officials present proper identification and/or documentation when contacting students within the schools.

General Searches

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may conduct searches under the circumstances outlined below and may seize any illegal or unauthorized materials discovered in the search according to the guidelines outlined below. Law enforcement agencies are allowed, in cooperation with school administration officials, to make periodic visits to schools to detect the presence of illegal drugs, with such visits unannounced to anyone except the local Superintendent and/or Principal. (Unless otherwise impractical or impossible, such searches should be carried out by administrative personnel under the direct supervision of the Principal.)[290-3-1-.02(3) (d)]

Personal Searches

Where reasonable grounds exist for suspecting a student is in bodily possession of substances or material prohibited by school policy or state law, including but not limited to, controlled substances, drugs, alcoholic beverages, guns, knives, weapons, incendiary devices, or any other material or substances of similar nature, certified school officials may conduct a search of the student's possessions, e.g., purse, school bag, wallet, and/or require the student to empty his/her pockets and remove shoes.

Bodily Searches

When conditions are such that a more intrusive search than that set forth under **Personal Searches** is required, the following guidelines shall be followed:

- a. If a “pat-down” search is necessary, the student’s consent should be sought, but consent is not required to conduct such a search. If consent is not given, a “pat-down” search may be conducted when the measures used to conduct the search are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student and the nature of the infraction. Searches should be individualized if at all possible, and the Superintendent or his/her designee should be contacted when personal searches of more than two persons are to be conducted.
- b. Strip searches, i.e., searches in which students are required to remove clothing, should not be conducted by school officials. Principals may request students to pull up pant legs, pull down socks, pull up shirts to expose midriff, or other moving of clothing that does not require removing clothing.
- c. Pat-down searches, if conducted, shall be made by persons of the same sex for all students.
- d. A search of the student’s person and/or his/her personal belongings shall be conducted out of the presence of other students under the supervision of the Principal or Assistant Principal (determination of person making search may be determined by sex of person), and with at least one additional faculty member present as a witness.

Student Refusal to be Searched

If a student refuses to be searched, and the search cannot be made without the use of excessive intrusion upon the person of the student in light of the objective of the search and the age and sex of the student and the nature of the infraction, school officials shall:

- a. Notify parents
- b. Refer the case to the Superintendent or designee to initiate review for disciplinary action which may include expulsion, and
- c. Contact law enforcement authorities when conditions warrant at the discretion of school authorities. Probable cause must exist for search by law enforcement authorities, and such cause is determined by law enforcement authorities.

Locker Searches

Lockers are property of the school and under the control of the school. The student assumes full responsibility for the contents of the locker. School authorities have the right and responsibility to inspect student lockers when reasonable suspicion exists that a locker contains material illegal to the school under the following guidelines:

- a. When possible, lockers should be opened in the presence of the student.
- b. A member of the school faculty should be present as a witness with the Principal or Assistant Principal.
- c. If the student is not present, he/she shall be informed of the search within a reasonable time thereafter and informed of any contents taken from the locker.
- d. Any items that are specifically prohibited by law, board policy or school regulations, may be impounded. In cases where impounded material may be used in criminal prosecution, the Superintendent or designee should be notified.

Car Searches

Parking cars on school campus is a privilege. The school retains authority to conduct routine patrols of student parking lots and inspect exteriors of cars and look through windows into cars. If during such inspection, items are observed that give school officials reasonable suspicion to believe the car contains illegal materials, school officials should secure student or parent permission for initiating a search of the inside of the vehicle. If permission to inspect the contents of the car is refused, the principal, or designee, should stand near the car to prevent any removal of contents from the car and call law enforcement authorities, who may, at their discretion, conduct the actual search of the car.

Prohibited Substances and Devices

The Madison County Board of Education prohibits certain substances from being in school, on school premises, on school buses, or at school-related activities away from the school. The following is a list of those substances and the action taken against those who violate this policy. This list is not a complete listing of items prohibited in school, but contains the ones most dangerous and most notable in society that should not be in schools. Other items may be prohibited at the discretion of the principal and according to other stipulations in the *Student Code of Conduct*.

Tobacco

Students shall not bring, possess, use, or sell tobacco in any form in school buildings, on school grounds, on school buses, or at any other school-sponsored function. Students shall not bring, possess, use, or sell an electronic cigarette; e-Cigarette, personal vaporizer, or electronic nicotine delivery system on school grounds, school buses, or at any other school-sponsored function. Students in violation of this policy will be subject to consequences under Classification of Violations and Consequences.

Drugs and Alcohol

Students are not to bring, possess, have in their personal belongings, in school buildings, on school grounds, on school buses, or at any school-sponsored activity, illegal drugs, oils, derivatives, synthetic drugs, prescription medication, over the counter medication, drug paraphernalia, electronic cigarettes, e-Cigarettes, personal vaporizers, or electronic nicotine delivery systems; drug seeds and/or residue, simulated drug substances, alcohol or products containing alcohol; nor shall students be under the influence of illegal drugs, simulated drug substances, medication not prescribed for use by the student (See Medication Policy for rules concerning prescription drugs and medicine), over the counter medication, alcohol or products containing alcohol on school grounds, on school buses, or at any school-sponsored activity, or have consumed illegal drugs, oils, derivatives, synthetic drugs, prescription medication not prescribed for use by the student, over the counter medication, alcohol or products containing alcohol while in route to school or to any school-related activity.

Students who violate this policy will be suspended from attending regular classes and a disciplinary or expulsion hearing will be conducted to determine if additional action is necessary. Discipline of students with disabilities who violate this policy shall be determined on a case-by-case basis in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

Firearm Possession (Gun-Free Schools)

Any student bringing or having in his/her possession, either on his/her person or in his/her personal belongings, a handgun, firearm, rifle or shotgun, either on a school bus, school property or at a school event/activity, must be expelled from the Madison County School System for at least one calendar year. The Board has the authority to expel beyond one calendar year.

A gun or firearm is defined using Section 921 of Title 18 of the United States Code. (Definition available from the Madison County Schools Department of Student Services.)

1. Contact law enforcement
2. Contact parents
3. Suspend from school immediately pending investigation
4. Complete investigation as soon as possible to include written reports
5. Request an Expulsion hearing for the student according to Madison County School's procedure.

Following a student's expulsion by the Board of Education from school:

1. The expulsion will be recorded on the student's permanent record, and will be transferred to any other school, which the student seeks to enroll.
2. The student cannot attend any regular public school for one calendar year following the expulsion or longer if determined by the Board.
3. If expelled, the student is prohibited from all Madison County School campuses and school-sponsored activities for the duration of the expulsion.

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

Weapon Possession (to include Explosives, Incendiary Devices, or Poison Gases)

A weapon is defined as a device, instrument, material, or substance, animate or inanimate that is used for, or is readily capable of causing death or serious bodily injury. Any student bringing or having in his/her possession, either on his/her person or in his/her personal belongings, a weapon (to include explosives, incendiary devices, or poison gases), either on a school bus, school property or at a school event/activity, may be expelled from the Madison County School System.

School administrators are to handle incidents involving a student possessing a weapon, as noted above in the following manner:

1. Contact law enforcement
2. Contact parents
3. Suspend from school immediately pending investigation
4. Complete investigation as soon as possible to include written reports
5. Contact the District Hearing Officer to discuss the facts of the case
6. Request a hearing for the student according to Madison County School's procedure.

When the hearing has been conducted, the following shall occur:

1. The disposition will be recorded on the student's permanent record, and will be transferred to any other school, which the student seeks to enroll.
2. The student must comply with the disposition as assigned by the hearing officer.
3. If expelled, the student cannot attend any regular public school for the duration of the expulsion period determined by the Board and the student is prohibited from all Madison County School campuses and school-sponsored activities for the duration of the expulsion.

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

Knife Possession

A knife may be considered a weapon. Students should not bring, possess, or have in their belongings, either on a school bus, school property or at school functions, a knife. If the knife is determined to be a weapon, see weapon possession above. If the knife is not determined to be a weapon, the school principal may handle on a case-by-case basis depending on the circumstance. All incidents that involve a knife should be reported to law enforcement and should be discussed with the District's Hearing Officer.

Physical Harm or Threatened Physical Harm to Students or School Employees

The Madison County Board of Education prohibits any person from doing physical harm, or from threatening physical harm, to students or employees. School officials must treat it seriously when any person causes physical harm, or threatens to do physical harm, to students or school employees.

1. Each report of such actions will be investigated and appropriate action taken.
2. School administrators have the prerogative to take extenuating circumstances into account when deciding on a course of action when investigating such incidents.
3. If conditions warrant, the administrator may request a hearing to determine if additional action is necessary, and based on circumstances may recommend expulsion of a student from school.
4. Such decisions to suspend and/or expel must include a review and consideration of the student's exceptional status, if applicable, discipline of students with disabilities who violate this policy shall be determined on a case-by-case basis in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.
5. Such actions by students, employees or outside individuals may necessitate the involvement of local law enforcement officials.

The Criminal Code of the State of Alabama (13A-10-15) makes it a Class C felony to threaten by any means to commit a crime of violence or damage any property by intentionally or recklessly:

1. Terrorizing another person
2. Causing the disruption of school activities
3. Causing the evacuation of a building, place of assembly, or facility of public transportation, or other serious public inconvenience

When matters of this or a similar nature are reported to law enforcement officials, school officials are removed from enforcement of criminal law. School officials may, however, take appropriate disciplinary action against a student for such violations. School officials are required to report all criminal matters to law enforcement immediately.

In the event a student violates this policy, he/she may not be readmitted to the public schools of this state until:

1. Criminal charges or offenses arising from the conduct, if any, have been disposed of by appropriate authorities, and
2. The person has satisfied all other requirements imposed by the local board of education as a condition for readmission.
3. Students may be required to attend the Alternative School for a period of time following the disposal of charges by the appropriate authorities.

Persons found guilty of an offense involving drugs, alcohol, a handgun, firearm, rifle or shotgun, weapons, physical harm to a person, or threatened physical harm to a person, may be readmitted to school upon such conditions prescribed by the school system to ensure the preservation of the safety or security of students and employees.

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

SAFE-2-TELL

Madison County Schools works with the Madison County Sheriff's Department to provide a safe learning environment for our students and staff. Any person, who feels threatened or unsafe, has knowledge of weapons, drugs, violence, bullying, etc., in any of our schools is encouraged to use the anonymous SAFE-2-TELL tip line. Text or call 256-536-TELL (8355) or email 256TELL@madisoncountyal.gov. The tip line is provided and monitored by the Madison County Sheriff's Department.

Students, staff, parents, and community members are encouraged to report any threats or any other unsafe acts at or on school grounds/school-sponsored activities to the school principal. Any complaint of bullying and/or harassment should be documented on the Bullying/Harassment/Complaint form located on the Student Services page of our website and turned in to the school administrator/designee. For the district's Student Anti-Harassment Policy, see pages 34 through 37 of this Code of Conduct.

Classification of Violations and Consequences

Following is a list of local and State violations classified according to each one's seriousness. These lists are not intended to contain all violations of the Code of Conduct, or all the rules, regulations, crimes, and procedures of a school. School officials will use the list to handle violations and assign the appropriate resulting consequences. When violations occur in the school that are not found within any one classification, the principal of the school should contact the Student Services Department to classify them accordingly. All schools are required follow the discipline policies and procedures outlined in this Code of Conduct book.

Local Code Violations

Code	Violation	Code	Violation
L58-1	Dishonesty or cheating To lie or be deliberately deceptive or any act to obtain, attempt to obtain, or aid another to obtain credit for work by dishonest or deceptive means	L11-1a	Minor disruption in a classroom Any minor behavior or actions that causes a disruption in the classroom
L16-1	Electronic Devices – unauthorized use The use or possession of any electronic communication device that is a violation of local board policy, the MCBOE acceptable use agreement, or legislation	L11 -1b	Minor disruption on a school bus Any minor behavior or action that causes a disruption on the school bus
L10-1a	Failure to follow appropriate directives from a local Board of Education employee Willfully not following appropriate directives	L10-1b	Non-conformity to dress code Failure to comply with the dress code outline in this handbook
		L36-1a	Tardiness (to School or to Class < 10 minutes) Any unexcused absence from class less than 10 minutes
<p>Consequences</p> <p>Parent Contact and one of the following consequences as determined by the Principal:</p> <ul style="list-style-type: none"> • Conference with the student • Verbal reprimand • Withdrawal of privileges • Temporary removal from class (<i>less than a full</i>) • Removal from bus • Detention • Community Service • Seizure of property (<i>to be returned to parent</i>) • Restitution of property and damages (<i>where appropriate</i>) 			

Class I – Minor Violations

SIR Code	Violation	SIR Code	Violation
S58-1a	Dishonesty or cheating Repetitive - To lie or be deliberately deceptive or any act to obtain, attempt to obtain, or aid another to obtain credit for work by dishonest or deceptive means	S36-1a	Tardiness (to School or to Class < 10 minutes) Any repetitive unexcused absence from class less than 10 minutes
S10-1a	Failure to follow appropriate directives from a local Board of Education employee Repetitive - Willfully not following appropriate directives	S31-1	Threat/Intimidation (<i>low concern on threat assessment form</i>) Any communication (verbal, written, or gesture) to place another person in fear of bodily harm without displaying a weapon or subjecting the person to actual physical attack
S05-1	Inappropriate physical contact of another person Any unsolicited or unwanted touching that involves physical harm or injury	S36-1b	Unauthorized absence from class or school for part of a day (<i>skipping class ≥ 10 minutes</i>) Any unexcused absence from class 10 minutes or greater
S11-1a	Minor disruption in a classroom Any repetitive minor behavior or actions that causes a disruption in the classroom	S08-1	Vandalism – less than \$100 Inflicting damage to private or school property
S11-1b	Minor disruption on a school bus Any repetitive minor behavior or action that causes a disruption on the school bus	S16-1	Violation of Acceptable Use Policy (AUP) and Internet Safety - Minor) Failure to comply with the AUP outlined in this handbook
S10-1b	Non-conformity to dress code Repetitive - Failure to comply with the dress code outline in this handbook	S58-1b	Any other violation Any act that the principal may deem reasonable to fall within this category after investigation and consideration of extenuating circumstances
S26-1	Profane/obscene language or manifestations – non-direct use verbal, written, or gesture The use of obscene, abusive, vulgar, racial motivated, demeaning, or irreverent language on school grounds or at a school-related activity		
<p>Consequences</p> <p>Parental contact AND one of the following consequences as determined by the Principal:</p> <ul style="list-style-type: none"> • Corporal punishment • In-School suspension - up to 2 days 			

Class II – Intermediate Violations

<u>SIR Code</u>	<u>Violation</u>	<u>SIR Code</u>	<u>Violation</u>
S08-2	Criminal Mischief – less than \$100 The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it	S26-2	Profanity/obscene language or manifestation Directed use whether verbal, written, or gesture
S10-2	Disobedience <i>(Refusal to follow appropriate directive from a local board of education employee)</i> Repetitive failure to follow directives that may impede the learning environment, or pose a threat to the health, safety, and or welfare of students, staff, or others	S29-2	Sexual Harassment Unwanted, verbal, or physical sexual behavior that is offensive and objectionable to the recipient, causes discomfort or humiliation, and interferes with school performance
S11-2	Disorderly Conduct (Other Than Those Incidents Listed) Any act that substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others	S31-2	Threat/Intimidation (medium concern on threat assessment form) Any communication (verbal, written, or gesture) to place another person in fear of bodily harm without displaying a weapon or subjecting the person to actual physical attack
S12-2	Disruptive Demonstration Demonstrations of five or more participants who, in a course of a demonstration, are likely to cause substantial harm or serious inconvenience, annoyance, or alarm, and intentionally refuse or fail to disperse when ordered to do so by an authorized school official, peace officer, or other public servant lawfully engaged in executing or enforcing the law	S36-2	Unauthorized school absence Leaving campus without permission
S17-2	Fighting Any physical altercation between two or more individuals with an intent to harm	S35-2	Trespassing Knowingly entering or remaining unlawfully on any school premises
S19-2	Gambling – minor To bet on the outcome of a game, contest, or other event; play a game of chance for stakes; or take a risk in the hopes of gaining an advantage where the stakes are \$100 or less	S32-2	Tobacco Possession The possession, use, distribution, or sale/transfer of tobacco products on school grounds, at school-sponsored events, and on transportation to and from school or other school-sponsored transportation
S22-2	Inciting others – without injury Leading, encouraging, or assisting in a major disturbance causing destruction/damage to property and/or injury to others; a disruption of the normal routine operations and orderly conduct of the school/school function	S33-2	Tobacco Sale/Transfer The possession of tobacco products with the intent to distribute, sale, or transfer on school grounds, at school-sponsored events, and on transportation to and from school or other school-sponsored transportation
S52-2	Knife possession (Simple pocketknife or inadvertent possession) Possession of a knife or other blade less than three (3) inches long without intent to harm or intimidate others	S34-2	Tobacco Use The possession, use, or intent to use tobacco products on school grounds, at school-sponsored events, and on transportation to and from school or other school-sponsored transportation
S24-2	Larceny/Theft/Possession of Stolen Property (less than \$100) The unlawful taking, carrying, leading, riding, or driving away of another person's property with intent to convert it or deprive the owner thereof	S16-2	Violation of Acceptable Use Policy (AUP) and Internet Safety – Intermediate Failure to comply with the AUP outlined in this handbook
S58-2a	Medication Policy Violation Failure to comply with the medication policy outlined in this handbook	S58-2b	Any other violation Any act that the principal may deem reasonable to fall within this category after investigation and consideration of extenuating circumstances
S05-2	Physical attack To intentionally inflict physical harm or causing minor injury to another individual		
Consequences Parental contact AND one of the following consequences as determined by the Principal: <ul style="list-style-type: none"> ▪ Corporal punishment ▪ In-School suspension - up to 3 days ▪ Out-of-School suspension - up to 3 days 			

Class III – Major Violations

SIR Code	Violation	SIR Code	Violation
S01-3	Alcohol Possession (<i>refer to page 12 Drugs and Alcohol</i>) Knowing possession, or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated or under the influence of alcohol at school, school-sponsored events, and on school-sponsored transportation	S22-3	Inciting Others – with injury/damage Leading, encouraging, or assisting in a major disturbance using any form communication including virtual transmissions causing destruction/damage to property and/or injury to others; a disruption of the normal routine operations and orderly conduct of the school/school function
S02-3	Alcohol Sale/Transfer (<i>refer to page 12 Drugs and Alcohol</i>) Alcohol definition + Sale/transfer includes, but is not limited to, giving away, furnishing, and distributing	S52-3	Knife Possession Possession of a knife or other blade with or without intent to harm, intimidate others or inflict damage to property
S03-3	Alcohol Use (<i>refer to page 12 Drugs and Alcohol</i>) Alcohol definition + Use includes individuals caught in the act of using, are tested and use found by an officer during/after arrest, or discovered in the course of investigating the incident to have used alcohol	S53-3	Knife Sale/Transfer Possession of a knife or other blade with intent to distribute, sell, or transfer
S05-3	Assault (<i>bodily harm – 3rd degree</i>) Any intentional touching or striking of another person against his or her will causing bodily harm to an individual	S24-3	Larceny/Theft/Possession of Stolen Property (<i>greater than \$100</i>) The unlawful taking, carrying, leading, riding, or driving away of another person’s property with intent to convert it or deprive the owner thereof
S08-3	Criminal Mischief (<i>less than \$500</i>) The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it	S25-3	Motor Vehicle Use – Unauthorized The unlawful use of any school vehicle
S09-3	Defiance of Authority (<i>Persistent and intentional refusal to follow appropriate directive from a local board of education employee</i>) Repetitive and persistent disobedience that may impede the learning environment, or pose a threat to the health, safety, and or welfare of students, staff, or others	S26-3	Profanity/obscene language or manifestations Directed use towards a Board of Education employee
S11-3	Disorderly Conduct (<i>with arrest by law enforcement</i>) Any act that substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others	S58-3a	Refusal for drug or weapon search Any refusal to submit to a search of person or property when reasonable suspicion exists about possession of substances/material prohibited by school policy or state law
S13-3a	Drug Possession (<i>refer to page 12 Drugs and Alcohol</i>) The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug or narcotic substance, or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of or possessing drugs or substances represented as drugs on school transportation, at school-sponsored events, or on school property	S29-3	Sexual Harassment Unwanted, repeated, verbal, or physical sexual behavior that is offensive and objectionable to the recipient, causes discomfort or humiliation, and interferes with school performance
S13-3b	Drug Paraphernalia Possession of equipment and/or devices used for preparing or taking drugs or narcotics	S30-3	Sexual Offenses Any sexual contact or other behavior/conduct intended to result in sexual gratification
S14-3	Drug Transfer (<i>refer to page 12 Drugs and Alcohol</i>) Drug Definition + transfer or intent to transfer to or from an individual. This includes individuals caught in the act of transfer or that are discovered to have transferred in the course of investigating the incident	S31-3	Threats/Intimidation (<i>Other Than Bomb – repeated or high concern on threat assessment form</i>) Any communication (verbal, written, or gesture) to another individual causing reasonable fear of bodily harm with or without subjecting the person to actual physical attack
S15-3	Drug Use (<i>refer to page 12 Drugs and Alcohol</i>) Drug definition + Use includes individuals caught in the act of using, are tested and use found by officer during/after arrest, or are discovered to have used in the course of investigating the incident	S16-3	Violation of Acceptable Use Policy (AUP) and Internet Safety – Major Failure to comply with AUP as outlined in this handbook.

Class III Violations Continue on next page

S17-3	Fighting – repeated or with serious injuries Any physical altercation between two or more individuals with an intent to harm	S49-3	Weapon Possession Possession of any instrument or object designed to inflict harm on another person, or to intimidate any person. This includes any instrument not being used for the purpose for which it was normally intended and capable of harming an individual
S18-3	Fire Alarm/False Alarm (<i>Tampering With or Setting Off</i>) Rendering a false fire alarm occurs when a person knowingly causes a false fire report to be transmitted to or within an official or volunteer fire department or a false alarm to any other governmental agency	S50-3	Weapon Sale/Transfer Possession, distribution, sale, or transfer of any instrument or object to inflict harm on another person, or to intimidate any person
S19-3	Gambling - major To bet on the outcome of a game, contest, or other event; play a game of chance for stakes; or take a risk in the hopes of gaining an advantage where the stakes are \$100 or more	S58-3b	Any Other Violation (<i>Must be approved by Hearing Officer or designee</i>) Any act that the hearing officer may deem reasonable
S20-3	Harassment (<i>Bullying or Hazing reported here</i>) Any intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function, including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic as identified in Madison County Board policy		* Note: <i>Students assigned to an alternative placement are not allowed to attend any school function nor be on any other Madison County School System property besides the PACE Academy for the duration of the placement period. Any violation of this guideline could result in a report to law enforcement authorities and/or arrest.</i>
<p>Consequences</p> <p>Parent Contact and one of the following consequences as determined by the Principal:</p> <ul style="list-style-type: none"> • In-School Suspension up to 5 days AND Referral for Disciplinary Hearing • Out-of-School Suspension up to 5 days AND Referral for Disciplinary Hearing 			

Any student charged with a Class III violation and confirmed through the hearing process may be assigned an alternative school placement at PACE Academy for up to 90 days. The PACE Academy is located at 1275 Jordan Road, Valiene C. Battle Building, Huntsville, AL 35811. It is the parent’s responsibility to transport the student to and from the PACE Academy during the assigned period. The base school will provide all assignments and record grades and PACE Academy faculty will provide instruction while the student attends PACE Academy.

Class IV - Criminal Violations

<u>SIR Code</u>	<u>Violation</u>	<u>SIR Code</u>	<u>Violation</u>
S04-4	Arson Intentionally damaging a building or structure or puts a building or structure at risk of damage by starting or maintaining a fire or causing an explosion	S21-4	Homicide Murder, non-negligent manslaughter, killing of one human being by another, or killing a person through negligence
S05-4	Assault (serious bodily harm-1st or 2nd degree) An actual and intentional touching or striking of another person against his or her will or intentionally causing serious bodily harm to an individual	S23-4	Kidnapping The unlawful seizure, transportation, and/or detention of a person against his/her will or of a minor without the consent of his/her custodial parent(s) or legal guardian
S06-4	Bomb Threat To unlawfully place any person in fear of bodily harm by threat of explosives by any means of communication regardless as to whether or not a bomb actually exists	S54-4	Knife Use The use, intent to use, or possession of a knife, with the intention to inflict harm on another person or to intimidate any person
S07-4	Burglary The unlawful entry into a building or other structure with the intent to commit a crime	S25-4	Motor Vehicle Theft The unlawful taking, riding, or driving away of another person's motor vehicle
S08-4	Criminal Mischief (greater than \$500) The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it	S27-4	Robbery The taking or attempting to take anything of value that is owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear.
S14-4	Drug Sale (refer to page 12 Drugs and Alcohol) The exchange of drugs for money or other possessions	S28-4	Sexual Battery Any oral, anal, or vaginal penetration by, or union with, the sexual organ of another, or the anal or vaginal penetration of another by any other object, or attempts forcibly and/or against the person's will
S46-4	Explosive Possession (Including Incendiary Devices or Poison Gas) Possession of a destructive device (bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing some type of explosive) that is designed to explode and is capable of causing bodily harm or property damage	S30-4	Sexual Offenses Any sexual intercourse or other unlawful behavior or conduct intended to result in sexual gratification without force or threat of force and where the victim is capable of giving consent
S47-4	Explosive Sale/Transfer Possession of a destructive device (bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing some type of explosive) that is designed to explode and is capable of causing bodily harm or property damage with the intent to distribute, sale or transfer	S31-4	Terroristic Threat Any threat to commit a crime of violence or damage to school property causing the disruption of school activities and the evacuation of school building
S48-4	Explosive Use/ Intent to Use Possession and use (or intent to use) a destructive device (bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing some type of explosive) to cause bodily harm or property damage	S16-4	Violation of Acceptable Use Policy (AUP) and Internet Safety – Criminal Failure to comply with the AUP outlined in this handbook.
S43-4	Firearm Possession Possession of a firearm of any kind (loaded or unloaded). Includes, but is not limited to, hand, zip, pistol, rifle, shotgun, starter gun, flare gun which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive	S51-4	Weapon Use/ Intent to Use Possession and use (or intent to use) any instrument or object designed to inflict harm on another person, or to intimidate any person. This includes any instrument not being used for the purpose for which it was normally intended and capable of harming an individual
S44-4	Firearm Sale/Transfer Possession and intent to distribute, sell, or transfer a firearm of any kind (loaded or unloaded). Includes, but is not limited to, hand, zip, pistol, rifle, shotgun, starter gun, flare gun which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive	S58-4	Any other violation (Must have Superintendent or designee approval) Any act that the hearing officer may deem reasonable
S45-4	Firearm Use/Intent to Use Possession and use (or intent to use) a firearm of any kind (loaded or unloaded). Includes, but is not limited to, hand, zip, pistol, rifle, shotgun, starter gun, flare gun which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive		* Note: <i>Students who are expelled from the Madison County School System are not allowed to attend any school function nor be on any of the Madison County School System properties during the duration of the expulsion. Any violation of this guideline could result in a report to law enforcement authorities and/or arrest.</i>
<p>Consequences Parent Contact <u>and</u> the following consequences: Out-of-School Suspension up to 10 days AND Referral for Expulsion Hearing</p>			

Any student charged with a Class IV violation and confirmed through the hearing process may be expelled from Madison County Schools. If the student is expelled, it is the parent's responsibility to continue the student's education during the expulsion period if the student is between the ages of six and 17.

Due Process

School officials are to ensure fairness in treatment when a student violates conduct codes. Generally speaking, and depending on the seriousness of the incident, school officials will abide by the following procedures:

School level (teacher-initiated referral):

1. The teacher will submit the referral form to the administrator
2. The administrator will investigate the referral
 - a. The student will know what has occurred
 - b. The student will know the evidence to support the violation
 - c. The student will be allowed to give an explanation
3. Discipline alternatives will be discussed
4. When possible, the student will be allowed to choose a discipline method from those offered to the student. If a parent(s) disagrees with the decision, he or she may appeal in writing to the school principal.
 - a. Appeal should identify the student
 - b. Reason for appeal
 - c. Indicate what he or she would like to happen in order to resolve the issue

District level (principal-initiated disciplinary hearing)

1. The school level referral process will occur.
2. If the evidence supports a Class III violation, the school administrator will submit a hearing packet to the Student Services Department for review. If a hearing is warranted, the follow procedure will occur:
 - a. Date and time of hearing will be set by the Student Services Department
 - b. Hearing will normally be held at the Central Office within 10 school days.
 - i. Administrator will review statements and evidence
 - ii. Student and parent/custodian will be given an opportunity to address hearing officer and present evidence
 - iii. Grades, attendance, and discipline will be reviewed
 - iv. Parent/Custodian will be notified in writing of the decision of the hearing officer within 24 hours.
3. If the parent/custodian disagrees with the decision, he or she may appeal in writing to the Superintendent.
 - a. Appeal should identify the student
 - b. Reason for appeal
 - c. Indicate what he or she would like to happen in order to resolve the issue
 - d. All decisions by the Superintendent are final.

District level (principal-initiated expulsion hearing)

1. The school level referral process will occur.
2. If the evidence supports a Class IV violation, the school administrator will submit a hearing packet to the Student Services Department for review. If a hearing is warranted, the follow procedure will occur:
 - a. Date and time of hearing will be set by the Student Services Department
 - b. Hearing will normally be held at the Central Office within 10 school days.
 - i. Administrator will review statements and evidence
 - ii. Student and parent/custodian will be given an opportunity to address hearing officer and present evidence
 - iii. Grades, attendance, and discipline will be reviewed
 - c. Parent/Custodian will be notified in writing of the decision of the hearing officer within 24 hours.
3. If the hearing officer confirms the expulsion recommendation, the review committee and the Superintendent will review the case and make a recommendation to the Board of Education
4. Only the Board of Education can expel a student from school; therefore, the expulsion hearing will be conducted at the next scheduled board meeting after the hearing.
5. The decision of the Board of Education is final

The Principal and other school officials are encouraged to involve parents when possible and practical in discipline matters, especially those serious enough to warrant the more serious types of discipline alternatives, e.g., corporal punishment, suspension.

Corporal Punishment

Corporal punishment shall be defined as bodily punishment, and shall be restricted to the use of a paddle on the buttocks. Paddles should be kept in the administrative office or other designated area. If corporal punishment is required:

1. It should be administered with care, tact, and caution. Additionally, if the student is in grades 4-12 then the administrator of the corporal punishments will be of the same gender.
2. It must be done in the administrative office or other designated area (such area shall not be an occupied classroom).
3. It must be done in the presence of another certified staff member.
4. Due process must be followed and record-keeping forms as prescribed by the Superintendent shall be completed.

School officials are encouraged to involve parents in making decisions relative to corporal punishment. Parents who do not want their child subjected to corporal punishment must notify the principal in writing annually.

Unsafe School Choice Option

The Madison County Board of Education complies with the Alabama Unsafe School Choice Option as developed by the State Department of Education in compliance with the No Child Left Behind Act of 2001. As a result, students in Madison County Schools are offered a transfer option when for three (3) consecutive years a school in which a child is enrolled becomes a persistently dangerous school by having expelled one percent (1%) of the student population or five (5) students (whichever is greater) for violent criminal offenses committed on school property during school hours or committed at school-sponsored activities.

For purposes of this policy, a "violent criminal offense" shall mean homicide; robbery; assault in the first and/or second degree; sexual battery (including rape); and use of a handgun, firearm component, explosive, knife, and other "unknown weapons" as defined by the Student Incident Report (SIR).

Seclusion and Physical Restraint for All Students

As a part of the policies and procedures of the school system, the use of physical restraint is prohibited in the system and its educational programs except in those situations in which the student is in an immediate danger to himself or others and the student is not responsive to reasonably implemented and less intensive behavioral interventions such as verbal directives and other de-escalation techniques. Physical restraint is prohibited when used as a form of discipline or punishment. The use of other physical restraint, chemical restraint, mechanical restraint, or seclusion is prohibited in the school system and its educational programs. The use of restraint may occur along with other emergency actions such as the school seeking assistance from law enforcement and/or emergency medical personnel, which could result in a removal of the student by such personnel.

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

Medication Policy

Students are not to have prescription or over-the-counter medications (OTC) in their possession during the school day or during school sponsored events. Students must take medication only in the presence of the licensed nurse, trained Medication Assistant or parent/custodian unless authorized to self-administer. A medication patch prescribed by the licensed Medical Provider may be worn during the school day.

Prescription medications will be administered only if a properly completed *School Medication Prescriber/Parent Authorization Form* (PPA) is thoroughly completed and signed by the licensed prescriber and parent/custodian.

The parent must provide OTC medicine in the original, unopened, sealed container with specific instructions as to when or why such medicines may be necessary. The delegating RN must evaluate and approve all OTC medicines and parental instructions. The delegating RN will determine if the OTC medicine is appropriate and whether a provider order is also necessary. OTC medications will be administered in accordance with manufacturer recommendations for dosage by age and/or weight only. The licensed school nurse or trained Medication Assistant will notify a student's parent if the student requests to take his/her OTC medication authorized for use only as necessary ten or more days during a one month period of school. Per direction from the Alabama Board of Nursing and the Alabama State Department of Education, schools are prohibited from keeping a stock supply of any OTC medication. Instructions for the delivery of medication to the school nurse or trained Medication Assistant are included below.

Procedure for Administering Medication to Students

1. Where required by Policy and Procedure Governing Student Medications, a properly completed *School Medication Prescriber/Parent Authorization Form* must be kept on file.
2. Prescription medications must be kept in a current pharmacy labeled container marked with the student's name, dosage, name of drug and directions for administration. All over-the counter medication must be delivered in a sealed manufacturers' labeled container with the student's name written in indelible ink on the container. No expired (by date on label &/or packaging) medications will be administered in the school setting.
3. Students are not allowed to transport any type of medication to and from the school. Medication must be transported by the parent/custodian unless other arrangements have been approved by the principal and school nurse, (exceptions: asthma inhaler, insulin/diabetic supplies, and epipen, only when so authorized by the prescriber/physician and parent/custodian). The trained Medication Assistant or licensed nurse will record the date and amount of medication received on the backside of the Medication Administration Record (MAR) form. School personnel and parent/custodian will sign the entry in the space provided.
4. All medication must be stored so that each medication is in an individual compartment and locked times two.
5. Students will be allowed to carry (on their person) and/or self-administer medications prescribed for treatment of chronic health conditions only when the prescriber and custodial parent have so indicated and signed on the *School Medication Prescriber/Parent Authorization Form*.
6. Any change in medication, medication orders, to include a change in the medication prescribed, or a change in the existing medication dosage amount or schedule, etc. must be documented on a new medication authorization form, signed by the licensed prescriber/physician and parent/custodian. Medication discontinuation orders, to include the effective date, must be documented in writing by the prescriber. The custodial parent must sign out and pick up any remaining doses of the discontinued medication stored at the school. The form can be faxed from the licensed prescriber's office to expedite the process. The stop date of the original medication order will be documented on the original authorization and daily medication record. The start date of the new medication order will be documented on the newly completed authorization form and daily medication record.
7. If an error in medication administration is made, the Medication Assistant or licensed nurse will do the following:
 - Locate and have the student brought to the office for assessment and observation.
 - Notify school administrator and Lead Nurse
 - Contact prescriber and/or Poison Control and follow instructions as provided
 - Contact parent and relay instructions provided and steps taken as directed by prescriber and/or Poison Control.
 - If the event a prescribed dosage of medication is omitted, contact the parent to advise him/her that particular dosage was omitted. At no time is it permissible to administer dosage upon parent authorization only.
 - Complete and sign the *Unusual Occurrence Form*.
 - Forward the completed form onto the Lead Nurse.
8. Unused portions of medication must be picked up from school by the custodial parent at the end of the school year. Unused portions not picked up will be disposed of by school personnel in the presence of a witness and documented on the back of the Medication Administration Record (MAR) Form.
9. All medication documentation must be maintained until the individual student reaches the age of 21 (per the Functional Analysis and Record Disposition Authority document) and stored in the nurse's office, school's record room or school office in a secure area that is locked times two.
10. The on-site nurse or delegating nurse must periodically monitor and document the trained Medication Assistant's skills and retains the responsibility for all outcomes concerning the administration of the student medication. The delegating nurse will complete and submit to the Lead Nurse annually a copy of the *ABN/SDE Delegation to Unlicensed School Personnel Assisting with Medication* form.

11. Procedure for the application and removal of a medication patch:

- Treat medication patch as a topical route of administration.
- Patch requires a completed *School Medication Prescriber/Parent Authorization Form* with times noted for application and removal of the patch
- If the patch should fall off during the school day, the student must bring the patch to the nurse for disposal and to complete a thorough hand washing.
- The trained Medication Assistant or licensed nurse can apply or remove the patch
- Gloves must be worn during application and removal of patch
- Dispose of used patch in a lidded container in the presence of a witness and document.

12. Licensed School Nurses or trained unlicensed school personnel will administer epinephrine to students via single dose auto-injectors as prescribed by individual students' healthcare providers or from unassigned school doses in accordance with the Madison County *Anaphylaxis Preparedness Program* protocol.

Communicable Diseases

A student may be excluded from school if he/she is known to have a communicable disease or parasite known to be spread by any form of casual contact and considered to be a health threat to the school population. To help maintain a safe and healthy learning environment, the local health department recommends that students with an oral temperature of 100 degrees or higher be excluded until fever-free for twenty-four hours, without fever controlling medication. Additionally, it is recommended that students with gastrointestinal symptoms be excluded for a twenty-four hour period following the last episode of vomiting and/or diarrhea. The School Principal and/or School Nurse shall report to the local Health Department all incidents of potential and confirmed cases of communicable disease, in accordance with the state's Notifiable Disease Law. The Superintendent shall have the authority to exclude any student, and such exclusion shall be for a period of time as may be prescribed by the local health department, school nurse, or physician. In all such cases, a statement of clearance from the Department of Health, school nurse, or a physician shall be required before the student may re-enter school.

Body Fluid Procedures

It is the position of the Madison County School system that a student entering Pre K-K programs show independence and self-care skills, specifically in the area of toileting. It is considered age appropriate behavior upon school entry to expect "toileting independence".

If a student has special needs and requires assistance with diapering or toileting, this should be discussed with the teacher and school nurse. Toileting needs will be addressed both during the time period the student is being evaluated for services, and after he/she is found to qualify, in his/her Individualized Education Plan (IEP) or Section 504 Plan. Every effort will be made to meet these needs in the least restrictive environment. In the best interest of both the student and the employee, the school nurse or other school staff member designated to assist the student with toileting needs will do so in the presence of another staff member whenever possible.

Environmental/Safety Concerns

Exposure to other's body fluids is not safe practice. All body fluids are considered potentially infectious and can transmit a variety of communicable diseases. Therefore, it is not viewed as staff responsibility to change or clean a student if feces and/or urine are involved. In the case of stomach contents (vomit), the school custodian has been instructed in the proper procedure for cleanup. If a student vomits, the parent will be notified to pick the student up from school.

Parent Responsibility-General Education Classes

If a student does not make it to the bathroom and soils his/her clothes with urine or feces, the parent will be called to come to the school to clean the student, dress the student in clean clothes and take the soiled clothing off-campus. Once cleaned, the student may return to the classroom. In cases where the student self-cleans, the same procedures apply.

Soiled clothes must be stored in a plastic bag until the items can be picked up by the parent. Clothing soiled with the body fluids cannot be transported via the school bus and will be available for parent pick up for one additional day after the incidence had occurred. Otherwise, the soiled clothing will be discarded.

Pediculosis (head lice)

According to The Alabama Department of Public Health (ADPH), head lice is not a disease and does not require that a student with nits be denied attendance in school. This position is supported by the Center for Disease Control, the American Academy of Pediatrics, and the National Association of School Nurses. Children found with live head lice or nits will be referred to parents for treatment. The school nurse, being the most knowledgeable professional in the school community, will provide education and guidance to parents/guardians regarding "best practices" for Pediculosis (head lice) management.

Acceptable Use and Internet Safety Policy

The Madison County Schools' electronic network is available to students and employees, and the goal is to promote educational excellence in schools by facilitating resource sharing, innovations, and communications. As the technological environment is large and varied, the use of technology by students and employees must be legal and ethical; and it should be consistent with the educational vision, mission, and goals of the Board of Education.

The use of the Madison County Schools' network is a privilege, not a right, and each user is expected to abide by the generally accepted rules of network etiquette and the provisions in this document. Violations of these provisions, or applicable laws and regulations, may result in the loss of computer services, disciplinary action to include termination of employment and/or appropriate legal action, and/or assessment of the cost of damages to hardware/software.

Violations

112 Violation of Acceptable Use Policy (AUP) and Internet Safety - Minor

- a. Accessing another individual's materials, information, or files without the permission of that person;
- b. Violating copyright or otherwise using the intellectual property of another individual or organization without permission
- c. Using passwords other than one's own.
- d. Giving out personal information on-line such as full name, home address, phone number, etc.;
- e. Using software which has not been assigned or approved by staff
- f. Failing to follow a district policy while using computers or failing to follow any other policies or guidelines established by district administration, teachers, or other appropriate district staff
- g. Seeking to gain or gaining unauthorized access to information resources or other computing devices
- h. Accessing chat rooms, and sites selling term papers, book reports and other forms of student coursework

221 Violation of Acceptable Use Policy (AUP) and Internet Safety - Intermediate

- a. Accessing, uploading, downloading, or distributing pornographic, obscene, or sexually explicit material;
- b. Transmitting obscene, abusive, sexually explicit, or threatening language;
- c. Using the network for commercial purposes
- d. Harassing, insulting, or attacking others
- e. Altering the setup of computers as set by the system administrator

326 Violation of Acceptable Use Policy (AUP) and Internet Safety – Major

- a. Accessing, uploading, downloading, or distributing pornographic, obscene, or sexually explicit material;
- b. Vandalizing, defined as any unauthorized access and/or malicious attempt to damage computer hardware/software or networks or destroying the data of another user, including creating, uploading, or intentionally introducing viruses
- c. Gaining unauthorized access ("hacking") to resources or entities
- d. Invading the privacy of individuals
- e. Using personal devices (Hotspots, Myfi) to circumvent the MCSS Network

419 Violation of Acceptable Use Policy (AUP) and Internet Safety – Criminal

Any of the uses named above that violate any local, state, or federal statute

The school district maintains the right to limit the content of material that students read due to legitimate pedagogical concerns.

Because the Internet contains an unregulated collection of resources, the district cannot guarantee the accuracy of the information or the appropriateness of any material that a student/employee may encounter. Therefore, before using the district's on-line resources, each student/employee (and the parents/guardians of the student) shall sign and return an Acceptable Use Agreement. Students/Employees and parents/guardians shall agree to not hold the district responsible for materials acquired on the system, for violations of copyright restrictions, users' mistakes or negligence or any costs incurred by users.

There have been cases of the Internet being used as a tool in credit card fraud, electronic forgeries, and other forms of illegal behavior. Students and employees should be aware that these activities exist, and should exercise extreme caution to prevent themselves from becoming a victim of such scams.

Although the staff will supervise student use of the Internet while at school, we encourage parents to have a discussion with their children about values and how those beliefs should guide student activities while using the Internet.

Internet Safety

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

Personal Safety. Be safe. In using the computer network and Internet, do not reveal personal information such as your home address or telephone number. Do not use your real last name or any other information that might allow a person to locate you without first obtaining the permission of a supervising teacher. Do not arrange a face-to-face meeting with someone you “meet” on the computer network or Internet without your parent’s permission (if you are under 18). Regardless of your age, you should never agree to meet a person you have only communicated with on the Internet in a secluded place or in a private setting.

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

Online Behavior Education. All students will receive education about appropriate online behavior, including cyber bullying awareness and response and interacting with other individuals on social networking sites and chat rooms. This education will be provided through the implementation of the Technology Course of Study, through Internet Safety awareness and education programs at each school. In addition, educational materials and links regarding cyber bullying as well as safe and appropriate behavior will be placed on the System’s website for access by parents and students.

Internet Filtering

The Madison County Schools, either by itself or in combination with the Internet Provider, will utilize filtering software or other technologies to prevent students from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors. The School will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or any other material that is inappropriate for minors.

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

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

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

Electronic Mail (Email)

The Madison County Schools provides access to electronic mail for all employees and for specific and selected student use. Such access is for his/her use in any educational and instructional business that they may conduct. Limited personal use of electronic mail is permitted as long as it does not violate Madison County Schools policy and/or adversely affect others. Electronic mail shall not be used to promote political, religious, and/or personal gains. *The Board cannot guarantee the privacy, security, or confidentiality of any information sent or received via electronic mail. Network administrators can review e-mail, file folders, and communications to maintain system integrity and insure that users are using the system responsibly.*

Network Etiquette ("Netiquette")

Users of E-mail and other network services should be aware of the common expectations or network etiquette that users expect from one another.

- E-mail messages are not guaranteed to be private.
- When sending e-mail, make your "subject" as descriptive as possible.
- Do not post the personal address or phone numbers of students or colleagues.
- Check your e-mail frequently and delete it after reading it.
- Proofread and edit messages before they are sent, but be tolerant of errors in messages from others.
- Be careful when using sarcasm and humor: without face-to-face communications, a joke may not be taken the way it was intended.
- Do not publicly criticize or inflame others.
- Protect the privacy of other people.
- Messages written in all capitals are difficult to read and are the network equivalent of shouting.

Internet Publishing

Design and Development:

Project pages and other documents for publication may be designed and developed as desired by individual students, teachers, or groups as appropriate. The content of the school's/department's home page is left to the discretion of the school/department except for the required elements listed above.

Approval and Implementation:

The school principal/department supervisor is responsible for implementation of the homepage and the documents maintained on the server. The principal/supervisor is also responsible for maintaining a backup of the information so that a prompt recovery can be made in the event of corruption or loss.

Maintenance:

School principals/department supervisors are responsible for ensuring that all publications implemented by their respective areas are updated as necessary to maintain accurate and current content. This includes the regular review, testing, and modification of all links and the withdrawal of any documents that become inaccurate or irrelevant.

The Webmaster

The Webmaster will provide assistance as requested in the design and development of electronic documents. In addition, the Webmaster will monitor all Madison County Schools publications. Internet documents published by students and employees will normally reside on the system's server or a school or project server maintained by an individual school. As school principals/department supervisors are responsible for ensuring the integrity and recoverability of their respective servers, the Webmaster's role in implementation is limited to advising and assisting as requested.

Web Pages

The Internet is a worldwide system of networks, which makes a vast quantity of information and resources available to anyone who has a computer, a modem, and an Internet access account. Examples of documents, which Madison County Schools students and employees might publish on the Internet, include job vacancies, school assignment information, bus routes, student project information and other information of public interest. All web pages created by students and student organizations on the district's computer system will be subject to treatment as a district-sponsored publication. Accordingly, the district reserves the right to exercise editorial control over such publications.

Content published via the Madison County Schools network must comply with the following regulations:

- All publications must comply with all policies and regulations of the district and all state, federal and international laws concerning copyright, intellectual property and use of computers.
- All Madison County Schools publications should reside on the district's communication network. Any exceptions must be approved by the Director of Technology.
- All content must be appropriate, decent, in good taste, and not intended to harass or demean individuals or groups.
- Correct grammar and spelling should be used.
- Publications must include a statement of copyright, when appropriate, and indicate that permission has been secured to include copyrighted materials.
- Factual information must be documentable.
- Only a student's first name will be used when publishing student work and/or pictures. Pictures that are a part of student publishing will not include any identifying information. Under no circumstances, will a student's home address or phone number be included.

- Links to other sites should be scrupulously researched to make sure that the linked site is free from objectionable material. The following disclaimer should be posted on the school's web page; "The links in this area will let you leave the school and school district site. The linked sites are not under the control of the school/district, and the school/district is not responsible for the contents of any linked site or any link contained in a linked site, or any changes or updates to such sites. The school/district is providing these links to you only as a convenience, and the inclusion of any link does not imply endorsement of the site by the school/district".
- Publications must identify affiliation with Madison County Schools.
- All publications must provide a link to the Madison County Schools home page.
- The date of creation and the date last updated are required on all publications.
- All publications must include the e-mail address of the person maintaining the page.
- All publications must include the statement, "Madison County Schools does not discriminate in admission, treatment, or access to program or activities on the basis of race, color, national origin, religious preference, disability, age, gender, sexual orientation, citizenship, non-English speaking ability, or homeless status, except as provided by the law or policy."
- Commercial use (advertisements, business logos, etc.) is prohibited. (A listing of school adopters is permitted)
- Documents should be high quality and structured for clarity and readability.
- All publications must be reviewed and approved as described below.
- Written permission must be on file for all students/employees pictures to be placed on the page.
- Permission must be granted, and on file, for all original work (poems, stories, artwork, etc.) done by students/employees that is posted on the page.

Security

Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the Madison County Schools network, please contact Computer Services. Do not demonstrate the problem to other users. Do not use another individual's account without written permission from that individual. Attempts to login to any system, program, or network as an administrator may result in cancellation of user privileges.

Occasionally, individuals are issued passwords in order to access programs as part of the tasks they perform. It is each individual's responsibility to protect the integrity of those passwords, and password sharing is strictly prohibited.

Any individual identified as a security risk or having a history of problems with other computer systems may be denied access.

Copyright Restrictions

All copyright laws and regulations, in all formats, including electronic-based works or processes will be enforced.

Material that may be copyrighted: "Any tangible medium of expression now known or later developed, which can be perceived, reproduced, or otherwise communicated either directly or with the aid of a machine, i.e. books, videos, pictures, etc." (Public Law 94-553 [U.S. Code 17] January 1, 1978.

Public or private educational institutions must comply with copyright laws. A 1980 amendment to the 1976 Copyright Act gives computer programs the same basic protection as other original works of authorship. All material, including graphics, available on the Internet is copyright protected unless otherwise stated. It is illegal to make or distribute copies of copyrighted material without proper authorization.

Madison County Schools licenses the use of copies of computer software from a variety of outside companies. Madison County Schools does not own the copyrighted software or it's related documentation and, except for a single copy for backup purposes or unless expressly authorized by the copyright owner(s), does not typically have the right to reproduce it for use on more than one computer, unless district licenses have been obtained.

Madison County Schools students/employees are not permitted to install their personal copies of any software on the system's computers unless specifically authorized by the licensee. Madison County Schools students/employees are not permitted to copy software from the system's computers and install it on home or any other computers unless specifically authorized by the licensee.

Madison County Schools employees learning of any misuse of software or related documentation within the school system shall notify the Computer Services Department. Unauthorized reproduction of software is a federal offense. Offenders can be subject to civil damages up to \$100,000 per title copied and criminal penalties including fines up to \$250,000 per work copied and imprisonment up to five years per title copied.

Any Madison County Schools employee, who knowingly makes, acquires, or uses unauthorized copies of computer software licensed to Madison County Schools or who places or uses unauthorized software on the system's premises or equipment shall be subject to disciplinary action, as appropriate.

Madison County Schools does not condone and specifically forbids the unauthorized duplication of software.

Electronic Communication Devices

Students are permitted to keep personal wireless devices only in locations approved by the principal or his/her designee. The Board assumes no responsibility for theft, loss, or damage to any personal/wireless communication device.

The principal or his/her designee may approve the use of such devices during medical emergencies, natural disasters, after regular school hours, at events or under circumstances in which the use of the devices serves safety, instructional, and/or convenience without disrupting academic or school operations. Principals or their designees will also have the authority to further restrict or 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 Board policy, the Student Code of Conduct, or other school rules.

Violations of this policy will be handled the same as other similar violations of policies, rules, and procedures by students in school. Personal, wireless communication devices may be confiscated from students who violate this policy and will be returned only to parents.

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

Please note that these guidelines were created with the assumption that students (and preferably parents) have been notified (verbally and in writing when at all possible) that: (1) the possession of a digital devices is strictly prohibited during the administration of a secure test; (2) if the device is used during the administration of a secure test, the device will be confiscated and is subject to a search; and (3) if the device is used during the administration of a secure test, the student's test will automatically be invalidated.

The suggested guidelines are as follows and are subject to change as testing requirements change:

1. Assuming that a student is observed in the possession of or use of a digital device during the administration of a secure test, the device will be confiscated by the test administrator. "Smart phones" and wearable devices should temporarily be turned off to help prevent any remote-access data-wipe.
2. The test administrator should deliver the device as soon as practicable to a school administrator.
3. A "chain of custody" list should be kept to record everyone who had possession of the device and when the device was transferred to someone else. The device should be stored by the school administrator in a secure location until the next step is taken.
4. For the purpose of determining whether a search of a digital device should take place, the school administrator should:
 - a. Learn the facts regarding the seizure of the device from the test administrator, and
 - b. Determine whether it is reasonable under all the circumstance to believe that the student could have been using the device to cheat or for some other unpermitted purpose.
5. If the school administrator determines that the student was merely in possession of the digital device then it may be returned to the student in accordance with the school system's policy.
6. If the school administrator believes that it is reasonable to suspect the student was using the device for an impermissible purpose then he or she may search the device, limiting the search to only what is necessary to reasonable determine whether the student was cheating, copying secure test information, or violating a school rule. The school administrator should follow the local policy requirements regarding the search of student property.
7. If no wrongful activity is discovered on the device then it may be returned to the student in accordance with the school system's policy.
8. If wrongful activity is discovered on the device regarding the test at issue or, if other wrongful activity is inadvertently discovered on the device, then the school administrator should secure the device in accordance with the school system's policy and notify the system test coordinator, school system attorney, or local superintendent as appropriate.
9. Following a search in which wrongful activity is discovered, and when the device is a "smart phone," the device should be turned off after the search to help prevent a potential remote-access data-wipe.
10. Any disciplinary actions should be taken in accordance with the school system's disciplinary policy.
11. Test irregularity reports should be completed in accordance with the Alabama State Department of Education's student assessment handbook.
12. In any situation involving the search and seizure of a student's property, a school administrator should consult with his or her supervisor in accordance with the school system's policy.

Public Notice Statements

Equal Educational Opportunities

No student will be unlawfully excluded from participation in, be denied the benefits of, or subjected to discrimination in any program or activity offered or sponsored by the Madison County Board of Education on the basis of race, color, national origin, religious preference, disability, age, gender, sexual orientation, citizenship, non-English speaking ability, or homeless status. Students with disabilities will be provided with the same needed supports and services for extracurricular programs and activities that are provided during the school day, unless doing so would fundamentally alter the nature of the program and activity.

The Madison County Board of Education does not discriminate on the basis of disabilities in its admission, access, treatment, or employment in its programs and activities related to students, employees, and applicants. It is the policy of the Board to provide a free and appropriate public education to each student with disabilities within the system's jurisdiction, regardless of the nature or severity of the disability. Due process rights of students with disabilities and their parents under Section 504 of the Rehabilitation Act and Individuals with Disabilities Education Act will be followed.

The Section 504 and the ADA Compliance Officer's contact information: Mrs. Michelle Stovall, Student Services Coordinator; 1275 F Jordan Road, Building B; Huntsville, AL 35811; Telephone: 256.852.2557 extension 61715; Facsimile: 256.852.1038; Email address: mstovall@mcsc12.org.

The Title IX Compliance Officer's contact information: Mr. Kenneth Kubik, Director of Personnel; 1275 F Jordan Road, Building B; Huntsville, AL 35811; Telephone: 256.852.2557 extension 61401; Facsimile: 256.852.1038; Email address: kkubik@mcsc12.org.

The Board complies with and adheres to the policies and procedures of the following regulations:

Response to Instruction

Response to Instruction (RtI) integrates core instruction, assessment, and intervention within a multi-tiered system to maximize student achievement and reduce behavior problems. Through implementation of RtI, schools identify and monitor students at risk, use problem-solving and data-based decision making to provide research-based interventions and adjust the intensity of interventions based on the student's response.

Response to Instruction done well at the classroom level will provide data from which educators can make instructional decisions for individuals and groups of students. Given high quality decisions, RtI shows promise in supporting all students, especially those at risk of failing to achieve state performance standards. For further information, please contact your child's school.

Americans with Disabilities Act (ADA)

The Board complies with and adheres to the provisions of the Americans with Disabilities Act of 1990, including changes made by the ADA Amendments Act of 2008 (P.L. 110-325), which became effective on January 1, 2009.

Madison County Schools does not discriminate in admission, treatment, or access to program or activities on the basis of race, color, national origin, religious preference, disability, age, gender, sexual orientation, citizenship, non-English speaking ability, or homeless status. Students with disabilities will be provided with the same needed supports and services for extracurricular programs and activities that are provided during the school day, unless doing so would fundamentally alter the nature of the program and activity.

For more specific information concerning ADA and its provisions, please contact the ADA Coordinator for the Madison County Board of Education: Mrs. Michelle Stovall, Student Services Coordinator; 1275 F Jordan Road, Building B; Huntsville, AL 35811; Telephone: 256.852.2557 extension 61715; Facsimile: 256.852.1038; Email address: mstovall@mcsc12.org.

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. Section 504 defines a person with a disability as anyone who:

1. Has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as walking, seeing, hearing, speaking, breathing eating, and working, etc.);
2. Has a record of such an impairment; or
3. Is regarded as having such impairment.

In order to fulfill its obligation under Section 504, the Board recognizes the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any programs and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any programs and practices of the school system.

The Board has specific responsibilities under the Act, which includes the responsibility to identify, evaluate, determine eligibility, and afford appropriate educational services if a student is determined eligible.

For more specific information concerning Section 504 or its provisions, contact the 504 Coordinator of the Madison County Board of Education: Mrs. Michelle Stovall, Student Services Coordinator; 1275 F Jordan Road, Building B; Huntsville, AL 35811; Telephone: 256.852.2557 extension 61715; Facsimile: 256.852.1038; Email address: mstovall@mcssk12.org.

The Madison County Board of Education has an established Grievance Policy related to Section 504 and Americans with Disabilities Act (ADA).

Individuals with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a federally funded statute whose purpose is to provide financial aid to states in their efforts to ensure adequate and appropriate services for school-aged children who fall within one of the following specific disability categories, and who because of the disability, need special education (specially designed instruction).

Disabilities include:

- Intellectual Disability
- Orthopedic Impairments
- Emotional Disturbance
- Traumatic Brain Injury
- Developmental Delay
- Autism
- Speech or Language Impairment
- Visual Impairments (including blindness)
- Hearing Impairments (including deafness)
- Specific Learning Disabilities
- Deaf/Blindness
- Other Health Impairment
- Multiple Disabilities

Disabled students are those (ages 3-21) with one or more disabilities who need special education and related services to meet their unique needs and to receive a free, appropriate public education. All individuals who are disabled under IDEA are protected under Section 504 of the Rehabilitation Act.

For more specific information concerning IDEA and its provisions, contact the Director of Special Education at the Madison County Board of Education, Ms. Mary Stump, at 256-852-7073 extension 62257; or to make a referral, please contact the Child-Find Coordinator at 256-852-7073.

Gifted Program

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

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

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

To make a referral, contact the counselor at your child's school.

Discrimination and Harassment

The Madison County Board of Education is committed to having a positive learning environment for its students free of discrimination or harassment. It is for this purpose the Board expects students to abide by policy prohibiting such actions. Such policy is to ensure the system's compliance with Title IX of the Education Amendments of 1972, which prohibits sex discrimination in educational institutions, and to prohibit discrimination or harassment.

Madison County Schools does not discriminate in admission, treatment, or access to program or activities on the basis of race, color, national origin, religious preference, disability, age, gender, sexual orientation, citizenship, non-English speaking ability, or homeless status. Students with disabilities will be provided with the same needed supports and services for extracurricular programs and activities that are provided during the school day, unless doing so would fundamentally alter the nature of the program and activity.

Student Anti-Harassment

Harassment, Sexual Harassment, Violence, Threat of Violence, Intimidation, Discrimination, and Threat of Suicide Prohibited

No student shall engage in or be subjected to harassment, sexual harassment, violence, threat of violence, intimidation, or discrimination by any other student that is based on any of the specific characteristics that have been identified by the Board in this policy. Students who violate this policy will be subject to disciplinary sanctions and may be referred to an outside agency as applicable by law.

If a student threatens to harm themselves or commit suicide, their parents will be notified and the student should speak with the school counselor or school administrator and may be referred to an outside agency for additional services.

Definitions

- a. The term "harassment" as used in this policy means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics set forth below. To constitute harassment, a pattern of behavior may do any of the following:
 - Place a student in reasonable fear of harm to his or her person or damage to his or her property.
 - Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
 - Have the effect of substantially disrupting or interfering with the orderly operation of the school.
 - Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
 - Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.
- b. The term "sexual harassment" is defined under Student Sexual Harassment.
- c. The term "violence" as used in this policy means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- d. The term "threat of violence" as used in this policy means an expression of intention to inflict injury or damage that is made by a student and directed to another student.
- e. The term "intimidation" as used in this policy means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating in or taking advantage of any school program, benefits, activity or opportunity for which the student is or would be eligible.
- f. The term "discrimination" as used in this policy means unjust or prejudiced treatment of students based on personal characteristics set forth below.
- g. The term "threat of suicide" as used in this policy means threatened self-directed injurious behavior with the intent to cause serious bodily injury or death.
- h. The term "student" as used in this policy means a student who is enrolled in the Madison County School System.

Description of Behavior Expected of Students

- a. Students are expected to treat other students with courtesy, respect, and dignity and comply with the Student Code of Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting harassment, sexual harassment, violence, intimidation, or discrimination; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of 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; (3) to refrain from threatening harm or suicide to self.
- b. **Harassment, sexual harassment, violence, threat of violence, intimidation, and discrimination**, are prohibited and will be subject to disciplinary consequences and sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the victim of such conduct:
 - The student's race, color, religious preference, disability, age, gender, national origin, citizenship, non-English speaking ability, or homeless status.

Reporting, Investigation, and Complaint Resolution Procedures

- a. Complaints alleging violations of this policy must be made on Board approved complaint forms available at the principal and/or counselor's office. The complaint must be signed by the student alleging the violation or by the student's parent or legal custodian and delivered to the principal or the principal's designee by either mail or personal delivery. At the request of the complaining student or the student's parent or legal custodian, incidental or minor violations of the policy may be presented and resolved informally.
- b. Upon receipt of the complaint, and evidence, if applicable, the principal or the principal's designee will undertake an investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence and will be conducted in the following manner:
 - i. The principal or the principal's designee shall investigate all complaints within ten (10) school days of the date of receipt of the complaint.
 - ii. The Principal or the principal's designee shall use the Complaint Action Form to document actions taken throughout the investigation within twenty (20) days following the investigation.
 - iii. The Principal or the principal's designee, within thirty (30) school days of the receipt of complaint, shall complete Investigative Summary Report and mail to the parents of the complainant.
- c. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system.
- d. Acts, reprisal, or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the Code of Student Conduct.
- e. 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 student threatens to harm themselves or commit suicide, their parents will be notified and the student should speak with the school counselor or school administrator and may be referred to an outside agency for additional services.

Consequences of Violation

The extent of the action taken will be determined by the degree and nature of the harassment. Such action may include disciplinary measures within Board policy guidelines. The intent of any action taken should be to eliminate the harassment and take appropriate steps to ensure it does not continue. The extent of action taken by the Board will be determined by the severity of the actions and other circumstances. Such action may involve disciplinary measures. In certain circumstances, law enforcement or other appropriate government agencies may be contacted.

Promulgation of Policy and Related Procedures, Rules, and Forms

This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and custodians, and employees by such means and methods as are customarily used for such purposes, including publication on the Board's website, the Student Code of Conduct, Student Handbooks, or from the District's Student Services Coordinator, Mrs. Michelle Stovall, 1275 F Jordan Road, Building B, Huntsville, AL 35811, 256-852-2557 ext. 61715; email address: mstovall@mcsc12.org.

Student Sexual Harassment

Sexual Harassment Prohibited

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

Definitions

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

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

The following are examples of conduct that may constitute sexual harassment, depending on the circumstances:

- a. Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or pictures, and sexual propositions;
- b. Repeated unwelcome solicitations of sexual activity or sexual contact;
- c. Unwelcome, inappropriate sexual touching;
- d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to the student's educational status.

Sexual Harassment Complaint Procedures

Complaints alleging violations of this policy should be made on Board approved complaint forms available at the principal and/or counselor's office. The complaint must be signed by the student alleging the violation or by the student's parent or legal custodian and delivered to the principal or the principal's designee by either mail or personal delivery. At the request of the complaining student or the student's parent or legal custodian, incidental or minor violations of the policy may be presented and resolved informally.

Upon receipt of the complaint, the principal or the principal's designee will undertake a prompt investigation of the complaint to determine if a referral to an outside agency, to include the Alabama Department of Human Resources (DHR) and/or law enforcement, is warranted. The investigation will entail the gathering of relevant facts and evidence. The investigation will be conducted as follows:

- a. The principal or the principal's designee shall investigate all complaints within ten (10) school days of the date of receipt of the complaint.
- b. The Superintendent or designee will investigate within ten (10) school days of receipt of complaint filed against an employee.
- c. Within twenty (20) school days following the investigation, the principal or principal's designee shall conduct a follow up conference with the complainant alleging the violation and the parent(s) or custodian(s) to report the outcomes of the investigation.
- d. Within twenty (20) school days following the investigation, the superintendent or designee shall conduct a follow up conference with the complainant alleging the violation and the parent(s) or custodian(s) to report the outcomes of the investigation.
- e. The Principal, designee or Superintendent, designee, shall use the Complaint Action Form to document actions taken throughout the investigation.
- f. The Principal, designee, or Superintendent, designee, within thirty (30) school days of the receipt of complaint, shall compile the Investigative Summary Report. The written outcome will be provided to the complainant and the parent(s) or legal custodian(s).

If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures to prevent a recurrence of the violation(s) may also be imposed by the principal or the school system. The formal written outcome will be placed in the employee's personnel file and could lead to disciplinary action according to the policies set forth by the Madison County Board of Education.

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

Initial Confrontation of Accused Harasser Not Required

A student who invokes the harassment complaint procedure will not be required to present the complaint to the accused or suspected harasser for resolution. Students will be permitted to report allegations of suspected harassment to any appropriate Board administrator, teacher, counselor, or employee, and such persons have a duty to promptly refer such allegations to the Superintendent or designee. 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.

A copy of this policy and the Complaint Action Form can be obtained on the District's Web Site on the Pupil Services' Web Page or by contacting the Student Services Coordinator, Mrs. Michelle Stovall, 1275 F Jordan Road, Building B, Huntsville, AL 35811, 256-852-2557 ext. 61715; email address: mstovall@mcssk12.org

Consequences of Violation

The extent of the action taken will be determined by the degree and nature of the harassment. Such action may include disciplinary measures within Board policy guidelines. The intent of any action taken should be to eliminate the harassment and take appropriate steps to ensure it does not continue. The extent of action taken by the Board will be determined by the severity of the actions and other circumstances. Such action may involve disciplinary measures, to include, but not limited to, employment termination, transfer, etc. In certain circumstances, law enforcement or other appropriate government agencies may be contacted.

Confidentiality

The confidentiality of the parties involved will be observed provided it does not interfere with the system's ability to investigate or take corrective action.

Retaliation Prohibited

Retaliation against anyone reporting, or thought to have reported, sexual harassment is prohibited. Such retaliation shall be considered a serious violation of this policy and shall be independent of whether a charge or informal complaint of sexual harassment is substantiated. Encouraging others to retaliate also violates this policy. Disciplinary action may be taken against anyone guilty of retaliation.

Non-Discrimination Policy

Madison County Schools does not discriminate in admission, treatment, or access to program or activities on the basis of race, color, national origin, religious preference, disability, age, gender, sexual orientation, citizenship, non-English speaking ability, or homeless status. Students with disabilities will be provided with the same needed supports and services for extracurricular programs and activities that are provided during the school day, unless doing so would fundamentally alter the nature of the program and activity.

ADA Compliance Officer's Contact Information

*Mrs. Michelle Stovall,
Student Services Coordinator
1275 F Jordan Road, Building B
Huntsville, AL 35811
Telephone: 256.852.2557 extension 61715
Facsimile: 256.852-1038
Email address: mstovall@mcssk12.org*

Title IX Compliance Officer's Contact Information

*Mr. Kenneth S. Kubik,
Director of Personnel
1275 F Jordan Road, Building B
Huntsville, AL 35811
Telephone: 256.852.2557 extension 61401
Facsimile: 256.852-1038
Email address: kkubik@mcssk12.org*

Parents and students should complete and sign the following pages.

- 1. Notice of Consent of Receipt of the Student Code of Conduct for the 2018-2019 school year**
- 2. Parent's Annual Opt Out Form, as necessary**

These forms should be returned to school within five (5) school days.

Teacher _____

Grade _____

NOTICE OF RECEIPT

(Please print)

_____, a student enrolled in
(Name of Student)

(Name of School) School

and parent, _____
(Name of Parent)

hereby acknowledge by our signatures that we have received and read, or had read to us, the Madison County Board of Education Student Code of Conduct, to include the system’s policy on Harassment, Sexual Harassment, Section 504 of the Rehabilitation Act, the Individuals with Disabilities Education Act, Acceptable Use and Internet Safety Policy, Bring Your Own Technology (BYOT). Also, we have read and understand the Attendance Policy, and that it applies to any student enrolled in any grade in Madison County Schools. We understand that all policies apply to all students and parents in the public schools, to school campuses, school buses, or other school-owned/operated vehicles, and school-related activities and events.

Student Signature _____
(Grades 5-12 ONLY)

Date _____

Parent Signature _____

Date _____

Parent Signature _____

Date _____

NOTE: Only students in grades 5-12 are to sign the above statement. If the student lives with both parents, both are to sign the statement. If the student lives with only one parent, only one is to sign.

A separate statement is to be signed for each student in the household.

Please sign this page and have the student return it to the school. Keep the Student Code of Conduct for future reference.

Madison County School System Bring Your Own Technology (BYOT) Annual Student User Agreement

As new technologies continue to change the world in which we live, they also provide many new and positive educational benefits for classroom instruction. To encourage this growth, students in select classes on Madison County School System campuses may now “Bring Your Own Technology” (BYOT).

Definition of “Technology”

For purposes of BYOT, “Technology” is privately-owned wireless and/or portable electronic hand-held equipment or device that includes, but is not limited to, existing and emerging mobile communication systems and smart technologies, portable Internet devices, hand held entertainment systems or portable information technology systems that can be used for word processing, wireless Internet access, image capture/recording, sound recording and information transmitting/receiving/storing, etc. (ex. laptop, netbook, tablet, smartphone, etc.)

Agreement:

I understand that my computer use is not private and that the school district will monitor my activity on the computer system.

I have read the school district's electronic network and Internet policy and agree to abide by their provisions. I understand that violation of these provisions may result in suspension or revocation of system access.

Guidelines:

1. Any student who wishes to use a personally owned electronic device within the Madison County School District must read and sign this agreement and submit to the building principal or designee.
2. The student takes full responsibility for his or her device and keeps it with him or herself at all times. The school/district is not responsible for the security of the device.
3. The student is responsible for the proper care of their personally-owned device, including any costs of repair, replacement or any modifications needed to use the device at school.
4. The school/district reserves the right to inspect a student's personally-owned device if there is reason to believe that the student has violated Board policies, administrative procedures, school rules or has engaged in other misconduct while using their personally owned device.
5. The use of personal devices to support the educational experience is *not a necessity but a privilege*. Violations of any Board policies, administrative procedures or school rules involving a student's personally owned device may result in the loss of use of the device in school and/or disciplinary action.
6. The technology is allowed for educational purposes and only to enhance the classroom experience. Teachers will decide when it may be used and for what purpose(s). The technology may only be used to access files on computers or Internet sites, which are relevant to the classroom curriculum.
7. Personally-owned devices shall be fully charged prior to bringing to school and shall be capable of running off battery while at school.
8. The student may not use the device to record, transmit or post photos or video of a student or students on campus. Nor can any images or video recorded at school be transmitted or posted at any time without the express permissions of a teacher/principal.
9. The student should only use their device to access relevant files. District-owned software/apps will not be loaded on personally-owned devices.
10. Printing and scanning from personal devices will not be possible at school.
11. The student will use the *Student BYOT* wireless network. The use of 3G or 4G, or similar wireless connections is not allowed.

As a student, I understand and will abide by the above policy and guidelines. I will also abide by the Madison County Schools' Internet Safety and Acceptable Use Policy. I further understand that using the district's computer network is a privilege and any violation of the above may result in the loss of my network and/or device privileges as well as other disciplinary action.

As a parent, I understand that my child will be responsible for abiding by the above policy and guidelines along with the Madison County Schools' Internet Safety and Acceptable Use Policy. I have read and discussed them with him/her and they understand the responsibility they have in the use of their personally owned device. I hereby release the school district, its operators, and institutions with which they are affiliated from any and all claims and damages of any nature arising from my child's use of, inability to use, the system, including, without limitation, the types of damages identified in the school district's policy.

I understand that if I do NOT wish for my student to use the district's network in compliance with BYOT, that I will complete the Opt Out form and return it to the school within five (5) days of receipt of the Code of Conduct.

MADISON COUNTY SCHOOLS

PARENT'S ANNUAL OPT OUT FORM

School _____

Student's Name _____

Homeroom Teacher _____ Grade _____

Madison County Schools strives to provide current technologies in the classroom to support student learning in an ever-changing world and uses the Internet to provide such access. We adhere to strict Child Internet Protection Act policies and other Federal regulations to keep our students safe. Therefore...

- I understand that the school wishes to publish photographs of students on an Internet accessible World Wide Web server.

_____ I would prefer that my child's photograph **NOT** be published on the Internet.

- I understand that the school wishes to publish examples of student projects, and other work on an Internet accessible World Wide Web server.

_____ I would prefer that my child's work **NOT** be published on the Internet.

- I understand that my computer use is not private and that the school district will monitor any activity on the computer system.

_____ I would prefer that my child **NOT** use the school district's electronic network and the Internet while at school.

Parent's Name (print) _____

Parent's Signature _____

Date: _____