

Midfield City Schools

Code of Student Conduct

2017-2018

Midfield Board of Education

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Mission Statement:

The mission of Midfield City Schools is to provide students with a secure and orderly learning environment, diverse and challenging curriculum and multiple opportunities for developing exemplary character

This document has been printed for the 2017-2018 school year and supersedes all previous Code of Conduct information.

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INTRODUCTION

The Midfield City Board of Education requires that school personnel will operate the schools in a manner that will provide an orderly process of education and that will provide for the welfare and safety of all students in the District. To accomplish these goals, students and school personnel must work together in a school environment that is characterized by mutual respect. Positive behavior intervention and supports emphasize the promotion of safe, respectful, resourceful and responsible behaviors. The emphasis of the discipline approach shall be on the prevention of inappropriate student behavior and the development of individual responsibility. Even though discipline does not appear as a subject in the curriculum, it underlies the entire educational structure. Discipline is recognized as the training that helps students develop self-control, character, orderliness, efficiency, and effectiveness. Therefore, the Board views discipline as the key to good conduct and appropriate consideration for other people. Principals, teachers, and other school personnel have both the authority and the duty to take appropriate action whenever student behavior is not consistent with established rules of conduct.

Principals and teachers of the schools shall develop reasonable, proper, and specific rules for students. Such rules must be based on policies of the Board and be directed toward the improvement of education within the schools. Principals shall be responsible for ensuring that students, parents/guardians, and staff members have been informed regarding pertinent student policies and procedures. Rules and regulations shall be disseminated to students, parents/guardians, and staff. Student handbooks, faculty handbooks, school newsletters, PTA/PTO/PTSO meetings, and classroom instruction are some of the ways that can be used to accomplish this task.

Midfield City Board of Education students and their property are subject to all the rules and regulations of the Midfield City Board of Education during the school day, during school-sponsored activities, while on or in School Board property and facilities, while being transported on school buses, and at times and places, including but not limited to, school-sponsored events, field trips, athletic functions, and other school-related activities. All regulations and prohibitions also apply to automobiles and other property brought onto Board property. In addition to the foregoing, application of this Code of Student Conduct may be extended to the immediate vicinity of the school, as well as before, during, and after-school hours when and where student conduct could have a detrimental effect on the health, safety, and welfare of other students and the school or where the conduct could otherwise disrupt the educational process.

DESCRIPTIONS OF CONSEQUENCES FOR INAPPROPRIATE BEHAVIOR

Detention

A student may be detained for disciplinary purposes before, during, or after school and will be under the supervision of a school staff member.

Bus Suspension

A student who misbehaves on the bus or one who demonstrates misbehavior at the bus stop may lose the privilege of riding the bus for a period of time. The period of time that a student is suspended from riding the bus may range from one day to removal for the remainder of the school year.

Saturday School

A student may be assigned Saturday School for duration of from one to four hours and will be under the supervision of a school staff member.

Restitution for Damages

A student or his/her parent may be assessed the exact amount of replacement/repair/service costs which result from damage to school property or the property of others caused by the student. In addition, disciplinary action may be taken. A parent/guardian will be contacted and a payment schedule determined by the student, parent/guardian, administrator, and other appropriate persons.

Required Parent Conference

A student whose behavior requires parental/guardian intervention may be asked to remain at home until a conference is convened with the student, a parent/ guardian, and an administrator.

Out of School Suspension (OSS)

A student may be temporarily denied attendance at school for disciplinary purposes. A school administrator may assign short-term suspensions not to exceed the number of days allowed by law. A suspended student shall not attend school or any school-related activities during the suspension. A suspended student will not return to regular classes on the day of the suspension but will leave school only when the parent/guardian or other proper authority assumes responsibility for the student. A school conference shall be convened prior to the student returning to classes and will include the student, a parent/guardian, an administrator, and other appropriate persons. Suspended students will be provided the opportunity to make up and receive credit for major projects and tests that were missed due to the OSS. If a student commits an offense that requires an out of school suspension, the parent will be contacted immediately. If the student commits an offense prior to 11:30 am., that day counts as one of the days of suspension. If the student commits an offense after 11:30 am, then that day does not count as one of the days of suspension.

Alternative School Program

A student may be temporarily removed to an alternate academic setting when their behavior is such that it requires removal from the regular school setting. A student can only be placed in the alternative setting by the Midfield Board of Education's Hearing Officer or through a disciplinary hearing before the Midfield Board of Education. The number of days that the student will be placed in the alternative school setting will also be determined by the hearing officer for Midfield City Schools or by the Midfield Board of Education through a disciplinary hearing.

STUDENT CODE OF CONDUCT and CLASSIFICATION OF VIOLATIONS

The school's primary goal is to educate, not to discipline. However, when the behavior of an individual student conflicts with the rights of others, corrective actions are necessary for the benefit of the individual and the school.

PHILOSOPHICAL BASIS

Instruction should occur in an environment that is conducive to learning. Effective instruction requires good order and discipline, which may be described as the absence of distraction, friction and disturbances that interfere with the effective functioning of the student, class, and school.

We believe that every student is entitled to an education which shall be offered in an orderly, healthy atmosphere, and to firm, fair treatment in all matters pertaining to school life.

We further believe that every student shall comply with all rules and regulations having to do with behavior established by the State and the Midfield Board of Education. In a democracy there exist many privileges and freedoms, all of which are dependent upon adherence to certain rules and regulations. It should be made very clear that any student, by his own failure to comply with school regulations, may lose his right to a public education.

As students' progress in our public schools, it is reasonable to assume that an increase in age and maturity will result in the student assuming greater responsibility for their actions. It is recognized that differences in age and maturity require different types of disciplinary implementation; however, these general rules and regulations shall apply to all students in grades K-12.

Violations of the Code of Student Conduct are grouped into three (3) classes - **minor, intermediate and major** and are applicable to all elementary (K-4) and secondary (5-12) students of the School System. Before determining the classification of violation, the principal or his/her designee will consult with the involved student(s) and school personnel. Once the classification of the violation is determined, the principal or his/her designee will implement the disciplinary procedure.

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

MINOR OFFENSES-CLASS I

- 1.01 CONTINUED FAILURE TO BRING MATERIALS TO CLASS**
- 1.02 ELECTRONICS. Unauthorized possession of audio and/or video devices or other similar devices/materials (this includes, but is not limited to tapes and CDs)**
- 1.03 EXCESSIVE DISTRACTION OF OTHER STUDENTS.** Any conduct and/or behavior, which is disruptive to the orderly education process in the classroom or any other students. Examples: talking excessively, interrupting class functions, chewing gum, talking back, angry outbursts, provoking other students.
- 1.04 INAPPROPRIATE PUBLIC DISPLAY OF AFFECTION.** Inappropriate public display of affection, including, but not limited to embracing and kissing.
- 1.05 INCIDENTAL USE OF PROFANE OR OBSCENE LANGUAGE**
- 1.06 MINOR DISRUPTION ON A SCHOOL BUS**
- 1.07 MINOR INTIMIDATION/HARASSMENT OF A STUDENT.** Examples Include horseplay, shoving, running, elements of bullying, etc.
- 1.08 NON-CONFORMITY TO DRESS CODE**
- 1.09 DEFIANCE OF A SCHOOL BOARD EMPLOYEE**
- 1.10 PARTICIPATION IN GAMES OF CHANCE FOR MINOR SUMS OF MONEY AND/OR THINGS OF LITTLE VALUE (LESS THAN \$50)**
- 1.11 SKIPPING.** Unauthorized absence from class or classes.
- 1.12 UNAUTHORIZED USE OF SCHOOL OR PERSONAL PROPERTY**
- 1.13 ANY OTHER MINOR VIOLATION WHICH THE PRINCIPAL MAY DEEM REASONABLE TO FALL WITHIN THIS CATEGORY AFTER CONSIDERATION AFTER CONSIDERATION OF EXTENUATING CIRCUMSTANCES.**

A COPY OF ALL SUSPENSIONS MUST BE FAXED TO THE SUPERINTENDENT'S OFFICE.

**CLASS I- DISCIPLINARY ACTIONS
GRADES K-12**

- First Offense: Principal/Assistant Principal/student conference, parental contact, and required academic or work assignment.
- Second Offense: Required in school parental conference. Students cannot return to school until the parental conference is held.
- Third Offense: Required in-school parental conference. Up to one (1) day suspension.
- Fourth Offense: Student is referred to Student Services
- Fifth Offense: Same as a Class II Offense.

CLASS I OFFENSES MAY NOT BE APPEALED BEYOND THE LOCAL SCHOOL LEVEL

INTERMEDIATE OFFENSES-CLASS II

- 2.01 UNAUTHORIZED ABSENCE:** Any unexcused absence as determined by the local school administrator. Included in this category are skipping, cutting class, and leaving school grounds without permission.
- 2.02 GAMBLING.** The intentional, unlawful participation in gambling activities, such as flipping coins, matching, etc. involving amount of less than \$100.00.
- 2.03 DEFIANCE OF AUTHORITY/DISRESPECT:** Willful disobedience of a direct order of instruction of, refusal to comply with directions of, or verbal or non-verbal conduct and/or behavior that is rude or discourteous to, a school board employee or other adult in the school in an official capacity such as a School Resource Officer or substitute teacher.
- 2.04 UNAUTHORIZED USE OF A COMPUTER OR COMPUTER SYSTEM:** Unauthorized access to a computer system or knowledge of restricted computer passwords.
- 2.05 INDIRECT THREATS.** The indirect, intentional threat by word or act to do violence to a school board employee or another student, coupled with an apparent ability to do so, or the doing of an act which creates a fear in the person that such harm is likely.
- 2.06 PROHIBITED OBJECTS.** Possession, sale, or use of any object that can be used in an intimidating or threatening fashion that has the potential to cause harm or put student learning or participation in school activities at risk. These items include, but are not limited to lighters and matches, laser pointers or other similar

devices, such as “pen knife” or any similar instrument that would normally be considered a weapon or any facsimile or other item resembling a firearm that is not being used for the purpose that it is normally intended. Also included in this category are the possession and/or sale of fireworks, firecrackers, or stink bombs.

- 2.07 POSSESSION OF OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIAL**
- 2.08 PARTICIPATION IN ILLEGAL ORGANIZATION.** Any unapproved on-campus fraternities, sororities, secret sororities or non-school affiliated school clubs. The wearing of clothing, possession of writings or drawings, use of gestures or signals which indicate gang affiliation, or promote the use of alcohol, drugs and violence.
- 2.09 FALSE INFORMATION.** Intentionally providing false information to a School Board employee, including giving false student information, data, and concealment of information directly relating to school business. This includes but is not limited to forgery of any school document, parent or guardian notes, or other related material.
- 2.10 TOBACCO.** The possession, distribution, sale/transfer or use of tobacco products on school grounds, at school- sponsored events, and on transportation to and from school or other school- sponsored transportation.
- 2.11 FIGHTING.** Physical conflict (e.g. fisticuffs) between two (2) or more individuals. All parties involved in are subject to disciplinary action.
- 2.12 BATTERY:** Actual and intentional striking of another student against the will of the other student, causing bodily harm to the individual.
- 2.13 TRESPASSING.** To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, or to enter and remain on a campus, or school board facility after being directed to leave by chief administrator or designee of the facility, campus, or function.
- 2.14 CRIMINAL MISCHIEF/VANDALISM.** Intentional and deliberate action resulting in injury or damages of less than \$200.00 to public property or the real estate or personal property of another. Restitution to be paid by the student or guardian of student may be required.
- 2.15 STEALING-LARCENY.** The intentional unlawful taking and carrying away of personal property valued less than \$100.00, or possession of stolen property with the knowledge it is stolen. Restitution to be paid by the student or guardian of student may be required.

- 2.16 EXTORTION.** Verbally or by a written or printed communication, maliciously threatening to accuse another of any crime or offense.
- 2.17 DISORDERLY CONDUCT.** Any act which substantially disrupts the orderly conduct of the school learning environment or a school function or poses a threat to the health, safety and/or welfare of students, staff or others, including, but not limited to, making unreasonable noises, disrupting any lawful assembly or meeting, or obstructing vehicular/pedestrian traffic.
- 2.18 CHEATING/PLAGIARISM.** The use or attempted use of any deceptive or dishonest method of improving a grade. In addition to any disciplinary action appropriate to this offense, cheating or plagiarism will result in a grade of zero.
- 2.19 ID POLICY VIOLATION.** Failure to follow the Midfield City Schools Student I.D. Badge Policy
- 2.20 WILLFUL DISOBEDIENCE.** Any other offense which fits the principal may reasonably deem to fall into this category.
- 2.21 HARASSMENT/BULLYING.** With intent to harass, annoy, intimidate, or alarm whether socially, physically, or emotionally, a student:
- a) Strikes, shoves, kick or otherwise touch a person or subject him/her to physical contact.
 - b) Directs abusive or obscene language or makes an obscene gesture towards another person.
 - c) Makes a threat, verbal or non-verbal, that will cause the student who is the target or the threat to fear for his/her own safety; or
 - d) Uses any forms or written or electronic communication in a manner likely to harass or cause alarm;
 - e) Uses speech or other expression intended to insult or stigmatize others on the basis of their sex, race, color, handicap, religion, sexual orientation or national origin;
 - f) Touches another with sexual connotations or makes written or verbal proposition to engage in sexual acts.
- 2.22 ELECTRONIC PAGERS/UNAUTHORIZED COMMUNICATION DEVICES.** Use of wireless communication devices such as cellular telephones, iPad, iPhones, eBooks, or other communication devices are prohibited during school hours or while being transported on a school bus without specific authorization by school officials. The school administrator may review messages, images, or information on any electronic device that is used in an unauthorized manner during the school day or while being transported on a school bus. Circumstances arising from the unauthorized use of wireless communication may result in a Class III offense. Please refer to Class III offenses for further information.

A COPY OF ALL SUSPENSIONS MUST BE FAXED TO THE SUPERINTENDENT'S OFFICE.

**CLASS II- DISCIPLINARY ACTION
GRADES K-12**

First Offense	Grades K-4	Principal/Assistant Principal/student conference, parental contact and required academic or work assignment. (Exceptions- Offenses 2.11 and 2.12).
	Grades 5-12	Principal/Assistant Principal/student conference, parental contact and required academic or work assignment. (Exceptions- Offenses 2.11 and 2.12).
Second Offense	Grades K-4	Required in-school parental conference. Students cannot return to school until parental conference is held. (Exceptions Offenses 2.11 and 2.12).
	Grades 5-12	Required in- school parental conference. Students cannot return to school until parental conference is held. (Exceptions- Offenses 2.11 and 2.12).
Third Offense	Grades K-4	Required in school parental conference. Up to one day suspension. Student may be referred to the school's counseling department or PST (Problem Solving Team), (Exceptions- Offenses 2.11 and 2.12).
	Grades 5-12	Required in school parental conference. Up to three days suspension. Student may be referred to the school's counseling department or PST (Problem Solving Team). (Exceptions- Offenses 2.11 and 2.12).
Fourth Offense	Grades K-4	Required in school parental conference. Up to two days suspension. Student must be referred to the school's counseling department or PST (Problem Solving Team). Student will also be referred to Student Services. (Exceptions- Offenses 2.11 and 2.12).
	Grades 5-12	Required in school parental conference. Up to five days suspension. Student must be referred to the school's counseling department or PST (Problem Solving Team). Student will also be referred to Student Services.
Fifth Offense	Grades K-4	Same as Class III Offense.
	Grades 5-12	Same as Class III Offense.

Class II Violations at either level may warrant police contact.

CLASS II OFFENSES MAY NOT BE APPEALED BEYOND THE LOCAL SCHOOL LEVEL.

MAJOR OFFENSES - CLASS III

- 3.01 STEALING - LARCENY – GRAND THEFT.** - The intentional unlawful taking and/or carrying away of property valued at \$100.00 or more belonging to or in the lawful possession or custody of another. Restitution to be paid by the student or guardian of student may be required.
- 3.02 ALCOHOL.** Unauthorized possession, transfer, sale or use of, of the intent to use, buy, possess, transfer or sell, alcoholic beverages at school, school-sponsored events or on school-sponsored transportation; being intoxicated or under the influence of alcohol at school, school-sponsored events, and on school-sponsored transportation. **REFER TO THE ADMINISTRATIVE OPTIONS FOR ADDITIONAL CONSEQUENCES AS IT RELATES TO VIOLATION OF THIS OFFENSE.**
- 3.03 DRUGS.** Unauthorized possession, transfer, sale or use of drugs or drug paraphernalia (including, but not limited to syringes, water pipes, roach clips, pot pipes, bongs, rolling papers, etc.); the intent to use, buy, or sell drugs; being under the influence of drugs. “Drugs” includes all illegal controlled substances, prescription drugs, over the counter medications, substances other than drugs which by dosage unit, appearance (including color, size, shape and marking) and/or by representations made would lead a reasonable person to believe that the substance is a controlled substance, or other substances with a potential for abuse which might create a hazard to the user’s health or safety or the health or safety of another.
REFER TO THE ADMINISTRATIVE OPTIONS FOR ADDITIONAL CONSEQUENCES AS IT RELATES TO VIOLATION OF THIS OFFENSE.
- 3.04 BURGLARY/BREAKING AND ENTERING.** Unlawful entry into a building, or other structure, or school board vehicle with the intent to commit a crime, or breaking, entering or remaining in a building, structure or school board vehicle without justification during the hours the premises are closed to the public.
- 3.05 ARSON.** The crime of maliciously, voluntarily, and willfully setting fire to the building, buildings, or other property of another or of burning one’s own property for an improper purpose.
- 3.06 CRIMINAL MISCHIEF.** Willful and malicious injury or damages at or in excess of \$200.00 to public property, or to real or personal property belonging to another. Restitution to be paid by the student or guardian of student may be required.
- 3.07 SEXUAL BATTERY:** Forcible offenses, including rape, attempted rape, and/or offensive touching of a sexual nature against another’s will or when the victim is incapable of giving consent.

3.08 **AGGRAVATED BATTERY:** Unlawful and intentional touching or striking of, or intentionally causing bodily harm to any student, School Board employee, or any other adult at the school in an official capacity (School Resource Officer, substitute, etc.) against his/her will.

3.09 **INCITING OTHERS.** Inciting, promoting, publicizing, or participating in major student disorder. Leading, encouraging, or assisting in (major) disruptions, which result in destruction or damage of private or public property or personal injury to participants or other.

3.10 **FIREARMS.** Possession by student of deadly weapon or firearm in a school building, on school grounds, on school buses, or at other school sponsored functions. Any student who is determined by the Board of Education (a) to have brought a deadly weapon or firearm to school; or (b) to have had a deadly weapon or firearm in his/her possession in a school building, on school grounds, on a school bus or on a school sponsored function shall be expelled from school for a period of at least one year.

The term "deadly weapon" as used in this policy means a firearm or anything manifestly designed, made or adapted for the purposes of inflicting death or serious physical injury, and such term includes, but is not limited to, a bazooka, hand grenade, missile or explosive or incendiary device; a pistol, rifle or shotgun; or a switch-blade knife, gravity knife, stiletto, sword or dagger; or any club, baton, billy, block-jack, bludgeon or metal knuckles.

For purposes of this policy, the term "firearm" shall mean:

1. Any weapon (including a starter gun), which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver or any weapon;
3. Any firearm muffler or firearm silencer; or
4. Any destructive device, including explosives.

3.11 **THREAT/INTIMIDATION.** A threat to do serious bodily harm or violence to another student or school board employee by word or act, cyberbullying, or intimidation that may induce fear into another. Incidents under this infraction may include, but are not limited to, the following examples: a threat to kill, maim, or inflict serious harm; a threat to inflict harm involving the use of any weapon, explosive, firearm, knife, prohibited object or other object which may be perceived by the individual being threatened as capable of inflicting bodily harm. Any threat, made on or off campus, in form of a hit list, writing, statement, or communication evidencing a plan or intent to do violence may also be included in this category.

3.12 **WEAPONS.** Possession, sale/transfer, or use of any instrument or object not being used for the purpose that it was normally intended, but capable of inflicting damage or having the potential to cause great bodily harm to a person or to

intimidate a person. Weapons in this category may include, but not limited to the following examples; metallic knuckles, tear gas gun, chemical weapon or device, marital arts weapon, or any other similar object.

3.13 **TERRORIST THREAT.** A person commits the crime of making a terrorist threat when he/she threatens by any means to commit any crime of violence or to damage any property by doing any of the following:

- Intentionally or recklessly:
 - Terrorizing another person.
 - Causing the disruption of school activities.
 - Causing the evacuation of a building, place of assembly, or facility of public transportation, or other serious public inconvenience (i.e. unjustified activation of a fire alarm system or tampering with any component of a fire alarm system).

An objective standard governs whether a statement is a threat falling outside first amendment protection that is: "Whether a reasonable person would foresee that the statement would be interpreted by those to whom the maker communicates the statement as a serious expression of intent to harm or assault". Accordingly, alleged threats should be considered in light of their entire factual context, including the surrounding events and the reaction of the listener.

The ordinary, reasonable and prudent person considers a threat to be an expression of an intention to inflict evil or injury, on another with a reasonable expectation that the child has the ability to carry out the threat. Therefore, under this policy, a statement of threat, even if made in jest, may constitute a violation of this policy. Examples specifically include, but are not limited to, statements such as "I am going to blow up this school", "I will shoot you", or "I am going to cut you with a knife".

3.14 **BOMB THREATS.** Unlawfully place any person in fear of bodily harm or damage to property by threat of explosives by any means or communication, regardless of whether or not a bomb or other explosive device actually exists.

3.15 **EXPLOSIVES.** Preparing, possessing or igniting on School Board property, explosives (including live projectiles), which have the potential to cause serious bodily injury or property damage.

3.16 **SEXUAL HARASSMENT.** Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and any other physical or verbal conduct of a sexual nature when:

1. Submission to such conduct or communication is made a term or condition (either explicitly or implicitly) of employment, educational opportunity or other benefits provided by the school system;
2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment, educational opportunities, or other benefits provided by the school system; or

1. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working, learning or educational environment.

Examples of conduct that may constitute sexual harassment, depending on individual circumstances:

1. Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or picture, and sexual propositions;
2. Repeated unwelcome solicitation of sexual activity or sexual contact;
3. Unwelcome, inappropriate sexual touching;
4. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to an individual's employment or educational status. Any violation of the Sexual Harassment Policy shall be deemed to be a violation of this Policy IDEA.

3.17 UNAUTHORIZED USE OF A COMPUTER OR COMPUTER SYSTEM WHICH RESULT IN, BUT IS NOT LIMITED TO, THE FOLLOWING:

- a. Unauthorized access to a computer system resulting in data modification or disclosure of restricted information.
- b. Computer tampering which causes a major disruption in the educational process. The student must also pay restitution for the cost of repairs.
- c. Distribution of restricted computer passwords.
- d. Introduction of unauthorized software into computer system.

3.18 HAZING

- i. Any willful action taken or situation or situation created, whether on or off any educational premises, which recklessly endangers the physical or mental health of any student
- ii. Any willful act on or off any school or educational premises by any person alone or acting with others in striking, beating, bruising, or intent to maim, or seriously threaten or attempt to do physical violence to any student of any educational institution or any assault upon any such student made for the purpose of committing any acts or producing any of the results to such a student as defined herein,
- iii. The term hazing as defined herein does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with an initiation into or affiliation with any organization.

- 3.19** Other offenses reasonably likely to cause great harm to person or property or seriously disrupt the educational process including, but not limited to the following:
- a) Aggravated fighting involving two (2) parties or more participants under any of the following circumstances (ALL parties involved in a fight are subject to disciplinary action).
 - 1. When fight has reasonable potential to cause injury to those other than the participants;
 - 2. Which is premeditated by one or more of the participants;
 - 3. Which occurs in congested areas, during class changes, or where other students, employees, parents or the public are subjected to potential harm as a result of the fight;
 - 4. Which occurs in a classroom or during instructional time;
 - 5. Which continues despite specific instructions to cease by a teacher or other adult acting in an official capacity; or
 - 6. Which occurs on a school bus or while the school bus is in motion.
- 3.20** **ASSAULT:** Intentionally cause great bodily harm, disability or permanent disfigurement to another person, or recklessly using a deadly weapon or dangerous instrument to cause this harm.
- 3.21** **PROFANITY/VULGARITY:** Directing obscene or profane language or gestures toward a school board employee or any adult in an official capacity such as the School Resource Officer or substitute teacher.
- 3.22** **KNIFE.** Possession, sale, use or the intent to use a knife. The term “knife” includes but is not limited to pocket knives, switchblades, hunting knives, razor blades, or box cutters. Infractions in this category also include possession of any knife or other instrument which is used in a threatening manner and which is perceived by the individual being threatened as capable of influencing officials immediately.

A COPY OF ALL CLASS III SUSPENSIONS MUST BE FAXED TO THE SUPERINTENDENT’S OFFICE

DISCIPLINARY ACTION/MAJOR OFFENSES
CLASS III ELEMENTARY STUDENTS (K-4)
SECONDARY STUDENT (5-12)

Commission of a Class III Offense shall be reported immediately by the principal (or designee) to the following persons:

- * The student's parent(s) or guardian
- * The Hearing Officer of Midfield City Schools
- * The Superintendent or their designee

The principal or designee, after reviewing the allegations and evidence against the student and giving the student the opportunity to respond to the allegations, is initially responsible for deciding that a Class III Offense has been committed. Once that determination has been made, the principal or designee shall suspend the student until a hearing date to be determined by the hearing officer can occur (usually within 3 days of the suspension. The principal or designee shall also send the suspension notice to the parent(s) or guardian (via hand delivery or mail) and notify the Superintendent (via fax).

ADMINISTRATIVE OPTIONS

1. Suspension for up to ten (10) days with the approval of the Superintendent
2. Recommendation by the hearing officer for referral to Alternative School (Grades 3-12 only) with the approval of the Superintendent.
3. Recommendation by the hearing officer for expulsion with the approval of the Superintendent. The student will be referred to the Midfield Board of Education for an administrative hearing.

DRUG AND ALCOHOL CONSEQUENCES

- **FIRST OFFENSE:** For the first offense, the principal and hearing officer will follow the administrative options listed above.
- **SECOND OFFENSE:** For the second and third offenses, the student will be referred to the Midfield Board of Education for an administrative hearing.
- **FOURTH OFFENSE:** The student will face automatic expulsion from the Midfield City School System.

If serious bodily injury, property damage, drugs and or firearms are involved, or in other cases deemed sufficiently serious, **contact the Midfield Police Department (923-7575) for assistance.** *All drugs and or firearms found or confiscated on school premises must be immediately turned over to police officers.* Other unauthorized objects found in the possession of students may be returned to the parent upon a written request to the principal from the parent(s).

Note: In an emergency or if immediate police assistance is needed, dial 911 before following normal notification procedures.

If the hearing officer decides, based on the facts developed at the hearing, that the student committed a Class III Offense, the student shall be subject to the administrative options listed above. If, however, there are mitigating or extenuating circumstances, the Hearing Officer shall

separately state those circumstances and may consider them in deciding appropriate disciplinary action. Mitigating or extenuating circumstances include but are not limited to the absence of severe personal injury, the absence of extensive property damage, identified disabilities, including lack of English proficiency, which may require the need to provide English as a Second Language services, interventions at the local school level, and no prior record of a Class III Offense.

** Class III Violations may warrant police contact.*

STUDENTS WITH DISABILITIES (GRADES 4-12): For students with disabilities, the due process hearing called for in this Code of Conduct and traditionally conducted by the hearing officer for Class III offenses will be conducted by the student's IEP team in conjunction with the hearing officer. The IEP team will conduct a manifestation determination regarding the conduct in question and will determine the disciplinary consequences, if any, for the offense in accordance with federal and state law prior to the due process hearing.

When the principal has determined that a child has committed a Class III offense, he/she should contact the special education coordinator immediately so that the manifestation determination meeting can be held.

SEARCH AND SEIZURE

In *New Jersey v. T.L.O.* (1985), the U.S. Supreme Court held that public school students do have a privacy right; however, the standard for an administrative search is “What is reasonable.” By this standard, students’ purses, lockers, and cars can be searched if the administrator has reason to think that a school rule or law is being violated.

Sequential steps are as follows:

1. Distribute the local board of education policy on student search and seizure through student and teacher handbooks.
2. If a situation presents itself where suspicion of violation of rules of the school, rules of the board of education, or any violation of law, the administrators should not hesitate to lock down the school and conduct an appropriate search.
3. Document the reason for a search or seizure by completing the appropriate forms. Keep these forms on file at the school level and send them to the board of education for records of all searches.
4. Cooperate fully with police in any case where it is possible that “probable cause” exists.

SUMMARY

By following the due process in the above specific situations, a public school administrator should practice fairness by ensuring that both substantive and procedural due process, as well as equal protection, is followed when appropriate.

CONCLUSION

It is the finding of the Alabama Legislature that the people of Alabama have two basic expectations of their public schools: (1) that students are allowed to learn in a safe classroom setting where order and discipline are maintained; and (2) that students learn at the level of their capabilities and achieve accordingly. The Legislature finds further that every child in Alabama is entitled to have access to a program of instruction which gives him or her right to learn in a non-disruptive environment. No student has a right to be unruly in his or her classroom to the extent that such disruption denies fellow students of their right to learn. The teacher in each classroom is expected to maintain order and discipline. Teachers are hereby given the authority and responsibility to use appropriate means of discipline as may be prescribed by the local Board of Education. So long as teachers follow approved policy in the exercise of their responsibility to maintain discipline in their classroom, such teacher shall be immune from civil or criminal liability. (Title 16-28A (1), Code of Alabama, 1975)

DRESS CODE POLICY

Although a variety of opportunities are provided for students at school, it is primarily a place where they go about the very important business of learning. Many different elements are found in an effective school. One of these is that students show respect for themselves, other students and adults, and for the importance of a good education by dressing each day for success. This means that they do not wear clothing to school that distracts from the educational environment. The principal or his/her designated person(s) have the authority to determine inappropriate dress. Each Midfield City School enforces the guidelines provided here with regard to student dress. Every effort is made to implement and monitor these guidelines fairly. However, each student is

held personally responsible for abiding by this Dress Code. Those who choose not to cooperate in this matter may be removed from class until such time as other, more appropriate clothing can be provided. The student is responsible for all class work/assignments missed for this reason. Parents will be called to bring a change of clothing to school for the student. Nonconformity to the dress code is a Class I offense and subject to the disciplinary consequences outlined in Class I offenses.

The patience, cooperation and support of students, parents, and teachers in this matter are appreciated. Every effort is made to consistently and fairly enforce these guidelines!

DRESS CODE GUIDELINES

1. Hats, caps, headbands, sweat bands, bandanas, visors and sunglasses may not be worn inside of the school building. If worn to school, they must be removed and placed in the locker or designated area and remain in that area during the school day.
2. Develop and practice good grooming and personal hygiene habits. Hair must be kept clean and well-groomed at all times. Hair should also not impair vision or be disruptive to the learning environment.
3. Students are to wear clothing in a manner for which it is designed. No clothing shall be worn inside out; suspenders. Braces shall be fastened and belts buckled and visible around the waist. Pants must be worn at the waist- **no sagging or slacking will be tolerated.** Shirts and blouses must be buttoned and tucked in at the waist- this includes JERSEYS!
4. Sun dresses and backless dresses or tops will be worn with a jacket or appropriate covering. (Jacket or covering may not be sheer or mesh).
5. Cut off tops, tank tops, and mesh tops can be worn if a T-shirt with sleeves is worn underneath it or another shirt is worn over the top. (Cover shirt or undershirt may not be sheer or mesh).
6. Students must wear proper undergarments at all times.
7. Halter tops, tube tops, and midriff tops are not allowed. Midriffs and sides must be covered.
8. Bracelets, belts, and other clothing and accessories with spikes, studs, or chains are not allowed.
9. Insignias, buttons, and clothing which are suggestive of wine, beer, whiskey, tobacco, vulgarities and violence, are drug related or are demeaning to other persons may not be worn at school.
10. Jeans and other articles of clothing must be clean with no open holes above the knee. No shredded jeans will be allowed.
11. Articles of clothing must be appropriate for school wear. Skirts, dresses, and shorts must be knee length. Slits in skirts must be knee length. Clothing worn over leggings/ jeggings or tights must be of appropriate length (no shorter than knee length).
EXCEPTION: Students in grades K-3 may wear skirts, dresses, and shorts appropriate for school.

12. Clothing shall not be so tight or loose as to be overly revealing, a disruption to the school environment or a safety concern.
13. Shoes appropriate to the school setting, with student safety the primary concern, must be worn at all times.
14. Book bags/back packs and athletic bags must be placed in the locker or designated area and remain there during the school day. **ONLY CLEAR OR MESH BAGS MAY BE USED.** Back packs/ book bags may not have wheels unless written approval is given by a physician due to medical reasons.

ID BADGE POLICY

In order to identify students, staff, and employees and reduce the number of unauthorized persons entering schools and to help provide a safe environment, all students enrolled in Rutledge Middle School and Midfield High Schools, and staff members will be required to wear ID badges.

- Student identification badges must be worn while attending school and on school sponsored activities during school hours.
- Students will not be allowed in any classroom, lunchroom, library, or ride any school bus without his/her ID badge being displayed.
- ID badges must not be damaged, marked on, or changed in any manner.
- If this occurs, the ID badge must be replaced at the student's expense.
- ID badges shall be worn with the picture being visible.
- ID badges will be required to check out books and other materials from the library.
- ID badges will be required to attend any school sponsored fieldtrip.
- ID badges will be required to purchase any tickets for school-sanctioned activities and/or for any other purpose that the principal or his/her designee deem necessary.

PENALTY FOR NOT HAVING A BADGE

- 1st Offense: Student must report to the main office for a one-day ID pass.
- 2nd Offense: Student must report to the main office and pay \$1.00 for a one-day pass if this occurs two days in a semester.
- 3rd Offense: Student must report to the main office for a one-day pass to ISS for failure to have an ID badge for any combination of three days during a semester. In addition, the student's parent/guardian shall be notified of this violation.
- 4th or More Offense: Student must report to the main office for a **two-day pass to ISS** for failure to have an ID badge for any combination of four or more days during a semester. NOTE: The penalty may be greater at the principal's recommendation. In addition, a mandatory parent/guardian conference must occur before that student will be allowed back in his/her regular class. Any penalties that apply to students in ISS will be upheld.

DAMAGED OR LOST ID BADGES

Any ID badge that is lost, damaged, marked on, or defaced must be replaced.

REPLACEMENT COSTS FOR DAMAGED OR LOST ID BADGES

1 st Replacement:	\$5.00
2 nd Replacement:	\$7.50 & parent contact
3 rd or more Replacement:	\$10.00 & Detention, Saturday School or Out of School Suspension

SCHOOL BUS CODE OF CONDUCT

RESPONSIBILITIES OF TRANSPORTED STUDENTS

The Midfield City Board of Education recognizes the school bus as an extension of the classroom. Students are required to conduct themselves in a responsible manner on the bus going to and from school and on all field trips. When on the school bus, students are under the direct supervision of the driver and must follow his/her instructions. Failure to cooperate and follow the bus rules endangers the safety of everyone. Students who do not behave properly will be disciplined and will lose the privilege of riding the bus. This is also true for those who misbehave while waiting for the bus to arrive – either at school or at the bus stop.

Any misconduct that occurs will be reported to the principal or principal's designee at the school where the student is enrolled. The school administrator or designee will administer discipline in accordance with policies and procedures governing misconduct. Should the misconduct seriously endanger the safety of others, the driver is authorized to stop the bus and notify the board of education offices, school administrators, or law enforcement immediately. If the bus driver has to return to the school for any misconduct caused by the student or if the bus has to stop the bus due to misconduct, it will be the responsibility of the parent to pick up the child from the location (either school) and the child will be suspended from the bus indefinitely. During transportation of students on school buses or other modes of transportation (charter buses) used from time-to-time, video cameras may be used by school personnel for the purpose of supervision of students using said transportation. Pupils will be assigned certain seats by the driver or school administrator.

Students may not ride a bus other than the one that they are assigned. Students will provide written permission from a parent to the principal for approval when planning to exit the assigned bus at a stop other than their own. Parents are urged to send a notice in writing whenever a student who typically rides the bus home will use another means of transportation.

Parents or guardians of pupils are held responsible for their children's conduct on the school bus. They are requested to study, inquire and try to understand all policies, rules and regulations and to respect the driver and the rights of others. Following are the rules that students are expected to follow while being transported by the bus:

STUDENT TRANSPORTATION RULES

1. Students will maintain proper conduct at all times while riding the bus.
2. Students will not use profanity, offensive, or disrespectful language or gestures.
3. Students will remain seated and facing forward with feet on the floor and legs out of the aisle.
4. Students will keep all body parts inside the bus at all times, even when the bus is stopped.
5. Students will maintain a low level of conversation with person(s) in the same seat.
6. Students will not spit or throw anything in the bus or out of the windows.
7. Students will not push, shove, intimidate, harass, fight, or otherwise disturb others.
8. Students will be at the designated bus stop before the designated pick up time.
9. Students will present written permission from a parent to the principal/designee no later than 9:00 am each time the student is planning to exit the bus at another stop.
10. Students may not damage the school bus. Students found guilty of destroying or damaging school bus equipment may be placed on immediate suspension from the bus and will be charged for the cost of replacement and/or repairs. Restitution must be made before permission can be granted to resume riding the bus.
11. Students may not have any food, drink, candy, or gum on any Midfield bus at any time.
12. Students will respectfully follow the directions of the school bus driver at all times.
13. Students will load and exit in a proper and orderly manner.
14. Students will not carry items on the bus which are not allowed at school. This list includes but is not limited to matches, tobacco products, lighters, knives, guns, weapons, explosives, CD players, radios, tape recorders, cell phones, cameras, electronic devices, live animals, toys, glass containers, large bulky items, etc.
15. Guest riders are not allowed on the bus- only students and school personnel.

Parents, please note the following that unlawfully entering or interfering with a school bus in the state of Alabama is a Class-A misdemeanor punishable by up to one year in jail.

Under a new law, the crime of trespass in the first degree includes intentionally stopping, impeding, delaying or detaining any school bus from being operated for public school purposes “with the intent to commit a crime.” Perpetrators will also be prosecuted in the first degree if they are found guilty of:

- Entering a public school bus while the door is open to load or unload students without lawful purpose while at a railroad grade crossing or after being forbidden from doing so by the bus driver or other authorized school official;
- Refusing to depart the school bus after the bus driver in charge or other school official demands this of said occupant; or
- Intentionally destroying, defacing, burning or damaging any public school bus.

The school bus driver’s job is to ultimately protect students’ lives and safety. Student misconduct distracts the driver and endangers everyone on the bus. Failure of any student to follow the above rules and the rules/regulations of Midfield City Schools will lead to disciplinary actions.

If misconduct is serious enough to justify immediate action, the driver may refuse admittance to the bus. The principal will decide if and when the pupil will again be admitted.

SAFE AND DRUG FREE SCHOOLS

Midfield City Schools is committed to providing a learning environment free from alcohol, drugs, controlled substances and weapons. The Code of Conduct includes serious consequences for those who violate its provisions relating to drugs, alcohol, controlled substances and weapons. The possession, use, sale, attempted sale, attempted possession or any other involvement with tobacco, drugs, alcohol, controlled substances, or dangerous instruments/weapons will not be tolerated and will subject the violating individual to immediate disciplinary action up to and including expulsions for students. Such prohibition applies not only to firearms, guns, deadly weapons or dangerous instruments carried by a person, but extends also to said prohibited items in automobiles, personal items such as purses or backpacks, or otherwise in the actual possession of any person. Any violations regarding firearms will result in involvement by appropriate law enforcement authorities and may also result in expulsion from the school system.

School district facilities are not an appropriate place for weapons, dangerous objects and look-a-likes. Weapons and other dangerous objects and look-a-likes will be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district. For the purpose of this policy, certain definitions shall apply:

PROHIBITION ON THE POSSESSION OF FIREARMS: The possession of a firearm in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel and as provided by law. For purposes of this policy, the term “firearm” has the same definition as is found in 18 U.S.C §921.

- a. **Penalties for violations:** In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of firearms:
 1. **Students:** Students will be expelled for a period of one year. The expulsion requirement may be modified in writing by the Board upon recommendation of the Superintendent on a case-by-case basis. Students who are expelled for firearm possession may not attend regular school classes. Discipline of students with disabilities who violate the firearm possession policy will be determined on a case-by-case basis in accordance with federal and state law. Parents of students who violate this policy will also be notified by the principal of violations.
 2. **Employees:** Employees will be subject to adverse personnel action, which may include termination.
 3. **Other Persons:** Other persons may be denied re-entry to school property.
- b. **Notification of Law Enforcement:** The appropriate law enforcement authority, which may include the city police, county sheriff, and the local

district attorney, will be notified by the principal of violations of this policy.

PROHIBITION ON THE POSSESSION OF WEAPONS: The possession of a deadly weapon or dangerous instrument in a school building, on school grounds, on school property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel. For purposes of this policy, the terms “deadly weapon” and “dangerous instruments” include but are not limited to explosives, incendiary devices, projectiles, knives with a blade length of more than two (2) inches, archery equipment, devices designed to expel projectiles at a high rate of speed, any device so classified under state or federal law, and any device either used or intended to be used in such manner as to inflict bodily harm, provided that the terms “deadly weapon” and “dangerous instruments” will exclude, to the extent permitted by law, devices and equipment that are used for the purpose of and in connection with school or Board sanctioned educational, team, or competitive activities.

- a. **Penalties for Violations:** In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of deadly weapons or dangerous instruments:
 1. **Students:** Students will be disciplined in accordance with the Board’s Code of Student Conduct.
 2. **Employees:** Employees will be subject to adverse personnel action, which may include termination.
 3. **Other Persons:** Other persons may be denied re-entry to school property.
- b. **Notification of Law Enforcement:** The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

ILLEGAL DRUGS AND ALCOHOL: The use, possession, distribution, and sale of alcohol and the illegal use, possession, distribution, and sale of drugs in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited.

- a. **Penalties for Violations:** In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of illegal drugs or alcohol:
 1. **Students:** Students will be disciplined in accordance with the Board’s Code of Student Conduct.
 2. **Employees:** Employees will be subject to adverse personnel action, which may include termination.
 3. **Other Persons:** Other persons may be denied re-entry to school property.

- b. **Notification of Law Enforcement:** The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

TOBACCO: The use of tobacco products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited.

a. Penalties for Violations

- 1. Students: Students who violate the tobacco prohibition will be disciplined in accordance with the Board’s Code of Student Conduct.
 - 2. Employees: Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.
 - 3. Other Persons: Other persons who violate the tobacco prohibition may be denied re-entry to school property.
- b. Parental Notification: Parents and guardians may be notified of actual or suspected violations of the tobacco prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

SEXUAL HARASSMENT POLICY

SECTION I. 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.

SECTION 2. 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.

SECTION 3. STUDENT COMPLAINT RESOLUTION PROCEDURE REPORTING: Any student who believes that he or she has been or is being subjected to any form of sexual harassment or has knowledge of sexual harassment involving other students should promptly report the matter to a teacher, counselor, assistant principal or other school official, who, in turn should promptly apprise the Superintendent or the Director of Student Services of the reported incident. A student may choose to make his or her report of sexual harassment to a person of the same sex as the student. Complaints may be brought on a student's behalf by a parent, guardian, teacher, other school official, or third party. Under no circumstances shall a student be required to present the matter for investigation or resolution to the person who is alleged to have committed the harassment.

LOCAL INVESTIGATION AND RESOLUTION: Some cases are most appropriately resolved by investigation and disposition at the school site in accordance with applicable disciplinary guidelines. In such cases, the principal may attempt to investigate and attempt to resolve the matter without resorting to formal procedures. If the complaint is not resolved to the satisfaction of the student or other complaining party, the student or his /her representative should contact the Superintendent or the Director of Student Services immediately.

FORMAL COMPLAINT PROCEDURES

- a) PERSONS RESPONSIBLE FOR RECEIVING AND INVESTIGATING FORMAL COMPLAINTS: This Superintendent is responsible for receiving and investigating formal complaints of sexual harassment. The Director of Student Services is an additional official to which formal complaints can be reported. If the Superintendent is unavailable or is the subject of the complaint, the alternate should be contacted regarding the formal complaint.

1. The Superintendent may be reached at the following address:

Midfield Board of Education
417 Parkwood Street
Midfield, AL 35228
(205) 923-2262
dsanders@midfield.k12.al.us

2. The Director of Student Services may be reached at the following address:

Midfield Board of Education

417 Parkwood Street
Midfield, AL 35228
(205) 923-2262
jjenkins@midfield.k12.al.us

If complaint is reported by electronic mail, please call to confirm receipt.

- b) COMPLAINT FORM CONTENTS: Formal complaints should be made in writing, signed by the complainant, and describes the circumstances surrounding the alleged harassment. Harassment complaints that cannot be made in writing should be memorialized by the Superintendent or designated alternate official. If the incident involves a student who is the victim of a sexual crime, law enforcement and other authorities may be contacted prior to having the student complete a formal statement.
- c) INVESTIGATION: The Superintendent or designee will promptly, adequately, and impartially investigate the complaint. The complainant and subject of the complaint will be allowed to present the names of witnesses and other evidence. The witnesses identified will be interviewed and provided assurances regarding confidentiality and nonretaliation. The Superintendent may review the results of any investigation with legal counsel or other appropriate officials make any findings that are supported by the investigation, and recommend appropriate action based on these findings. The investigation should be initiated promptly and normally be completed within thirty (30) days. However, if either law enforcement or a child welfare agency is involved, the investigation may be stayed until the completion of their investigation and prosecution.
- d) NOTIFICATION: The complainant and subject of the complaint will receive written notification of the outcome of the investigation.
- e) ACTION: If there is a finding of sexual harassment, the Board will take remedial action as necessary to address and resolve any found incident of sexual harassment and take steps to prevent the recurrence of any discrimination.
- f) REVIEW BY SUPERINTENDENT AND BOARD: A complaining party who is not satisfied with the investigation or resolution of the complaint may request that the Superintendent take additional or different action or prevent the complaint to the Board for its review and action. In such case, the Board will render a final decision as soon as possible.

CONFIDENTIALITY: To the maximum extent possible, the Board will keep the complaint and investigation confidential. Complete confidentiality cannot be guaranteed.

RETALIATION PROHIBITED: Title IX prohibits retaliation against any individual who files a complaint or participates in a complaint investigation.

PROVIDING FALSE INFORMATION: Any student who falsely and in bad faith accuses another of sexual harassment or who otherwise knowingly provides false information regarding

sexual harassment shall be subject to appropriate disciplinary action in accordance with the Code of Conduct.

PENALTIES FOR VIOLATION: Any student who sexually harasses another student or person in violation of the Board’s sexual harassment policy, or who refuses to cooperate with the Board’s investigation into allegations of sexual harassment, will be subject to punishment in accordance with the Code of Student Conduct.

STUDENT ANTI-HARRASSMENT POLICY AND REPORTING FORM

Section 1. HARRASSMENT, VIOLENCE AND THREATS PROHIBITED

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

Section 2. DEFINITIONS

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

- e) The term “student” as used in this policy means a student who is enrolled in the *Midfield City School System*.

Section 3. DESCRIPTION OF BEHAVIOR EXPECTED OF STUDENTS

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

Section 4. CONSEQUENCES FOR VIOLATIONS

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

Section 5. REPORTING, INVESTIGATIONS, 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 guardian and delivered to the principal or the principal’s designee either by mail or personal delivery. At the request of the complaining student or the student’s parent or legal guardian, incidental or minor violations of the policy may be presented and resolved informally.
- b) Upon receipt of the complaint, the principal or the principal’s designee will, in their sole discretion, determine if the complaint alleges a serious violation of this policy. If the principal or the principal’s designee determines that the complaint alleges a serious violation, 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 a reasonably prompt time period taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). The principal or the school system may also impose other measures that are reasonably calculated to prevent a recurrence of the violation(s).
- c) Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a

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

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

MIDFIELD CITY SCHOOLS STUDENT HARASSMENT REERRAL FORM

GENERAL INFORMATION									
Last Name:			First:			Grade:		Time of Incident:	
Date of Incident:					Date of Referral:				
Reported by:			Title of Reporter:			Location of Infraction:			
HARASSMENT REFERRAL ACTION									
<input type="checkbox"/> Harassment: _____					<input type="checkbox"/> Other Infraction: (Explain) _____				
Description of Infraction:									
ACTION TAKEN BY TEACHER									
<i>** Note: Parent must be contacted in regard to this INCIDENT BEFORE referral will be processed.</i>									
<input type="checkbox"/> Parent Notification by phone: Date(s) _____					<input type="checkbox"/> Parent Notification by Letter: Date(s) _____				
<input type="checkbox"/> Previous Parental Notification(s) by Phone		Date/Time	Date/Time	Date/Time	<input type="checkbox"/> Parental Notification on this Incident		Date/Time	Phone #	Name of Parent Contacted
<input type="checkbox"/> Verbal Warning: Date(s) _____					<input type="checkbox"/> Conference with Student: Date(s): _____				
<input type="checkbox"/> Silent Lunch: Date(s) _____					<input type="checkbox"/> In-Class Displacement: Date(s): _____				
<input type="checkbox"/> Conference with Parents: Date(s) _____					<input type="checkbox"/> After-School Detention: Date(s): _____				
<input type="checkbox"/> Other Action(s):									
ADMINISTRATIVE ACTION									
<input type="checkbox"/> Consultation with Student in Office					Code of Conduct (C.O.C.) Information Given: <input type="checkbox"/> Yes <input type="checkbox"/> No				
<input type="checkbox"/> Warning Issued for Offense					Method: <input type="checkbox"/> Verbal <input type="checkbox"/> Written				
<input type="checkbox"/> Parent Notification Method		<input type="checkbox"/> Phone Phone #: _____ Date: _____ Time: _____ Contact: _____			<input type="checkbox"/> Copy of Referral		<input type="checkbox"/> Letter <input type="checkbox"/> Student Delivery <input type="checkbox"/> 1 st Class <input type="checkbox"/> Certified Mail		
<input type="checkbox"/> In-School Suspension (ISS)			No. of Days: _____			Inclusive Dates:			
<input type="checkbox"/> Out-of-School Suspension (OSS)			No. of Days: _____			Inclusive Dates:			
<input type="checkbox"/> After-School Detention (ASD)			No. of Days: _____			Inclusive Dates:			
<input type="checkbox"/> Saturday School (SS)			Date: _____			NOTE: CC: Referral to SS Coordinator			
<input type="checkbox"/> Guidance Counselor Referral (GCR)			Name of Counselor: _____			NOTE: CC: Referral to Counselor			
<input type="checkbox"/> Campus Police Referral			Officer #: _____			NOTE: See C.O.C. for Requirements			
<input type="checkbox"/> Other Action (Explain): _____									
<input type="checkbox"/> Harassment Consequences, reprisals, retaliation, or false accusations actions explained									
STUDENT SIGNATURE: _____					DATE: _____				
ADMINISTRATOR SIGNATURE: _____					DATE: _____				
PARENT SIGNATURE: _____					DATE: _____				

A COPY OF THIS FORM CAN BE OBTAINED FROM THE SCHOOL'S OFFICE

ATTENDANCE

Daily school attendance is vital. Students who miss school also miss out on important information and explanation and therefore may fall behind. Alabama law requires that once enrolled all children attend school until age seventeen. All students should attend school regularly and be punctual for all classes in order to receive the greatest benefit from the instructional program and develop habits of punctuality, self-discipline, and individual responsibility. There is a direct relationship between poor attendance and class failure. Students who have good attendance generally achieve higher grades and enjoy school more. Attendance at school shall be one of the factors considered in determining the promotion of a student from one grade to another. The court for their children's attendance will hold parents accountable.

Attendance/Truancy Definition (Alabama Administrative Code, §290-3-1-.02(7) (C)

A parent, guardian or other person having charge of any child officially enrolled in Alabama public schools (K-12) shall explain in writing the cause of any and every absence of the child no later than three (3) school days following return to school. A failure to furnish such explanation shall be evidence of the child being truant each day he/she is absent. The child shall also be deemed truant for any absence determined by the principal to be unexcused. Seven (7) unexcused absences within a school year will result in a student being considered truant for the purpose of filing a petition with the Court.

Permissible Absences

Parents may request permission from the principal to be absent prior to the date of the absence. Permissible absences include, but are not limited to:

1. Student illness;
2. Inclement weather which makes it dangerous to attend school;
3. Legal quarantine;
4. Death in the immediate family;
5. Emergency condition as determined by principal or superintendent; or
6. Absence to observe traditional religious holiday of local, national, or international origin when verified by the student's minister or religious leader.

Any other absence not falling into the categories listed above or otherwise excused by the principal or superintendent or his designee will be deemed unexcused. ***Students may use a parent/guardian note for a maximum of three school days per semester.***

Early Warning/Truancy Intervention Program

The Early Warning Program is a joint effort between the Midfield City Board of Education and the Family Court of Jefferson County. It is designed to improve school attendance, reduce instances of truancy and provide parents with information relative to the Compulsory School Attendance Law.

All students (K-12) are subject to the Early Warning Programs and the provisions of the Compulsory School Attendance Law. Regular attendance at school includes arriving at school on

time and remaining for the entire school day unless a permissible excuse is provided to school officials.

Makeup Work

A student shall have the opportunity to make up examinations or work, which occurred during an excused absence, or an absence approved by the Principal. Makeup work must be completed as soon as possible after the student returns to school but no later than three days after returning unless the teacher has made specific arrangements. When a student is out for an extended length of time, the student should collect, complete, and turn in work weekly unless the nature of the absence prevents the student from doing schoolwork during that time. It shall be the responsibility of the student or student's parent(s) or guardian(s) to arrange with each teacher to make up work. A teacher may require the student to make up work after school hours, in which case advance notice will be given to allow the student to arrange the necessary transportation.

RESPONSIBILITY OF PARENT FOR ATTENDANCE AND BEHAVIOR

Alabama Code Section 16-28-12: Person in loco parentis is responsible for child's school attendance and behavior; noncompliance; local boards to promulgate written behavior policy, contents, annual distribution, receipt to be documented; school officials required to report noncompliance; failure to report suspected violation; district attorneys vigorously to enforce provisions.

- a) Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, church school, denominational school, or parochial school, or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in any public school in accordance with the written policy on school behavior adopted by the local board of education pursuant to this section and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) and may also be sentenced to hard labor for the county for not more than 90 days. The absence of a child without the consent of the principal teacher of the public school he or she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.
- b) Each local public board of education shall adopt a written policy for its standards on school behavior. Each local public school superintendent shall provide at the commencement of each academic year a copy of the written policy on school behavior to each parent, guardian, or other person having care or control of a child who is enrolled. Included in the written policy shall be a copy of this section. The signature of the student and the parent, guardian, or other person having control or custody of the child shall document receipt of the policy.

- c) Any parent, guardian, or other person having control or custody of any child enrolled in public school who fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the superintendent of education of the school system in which the suspected violation occurred. The superintendent of education or his or her designee shall report suspected violations to the district attorney within ten (10) days. Any principal or superintendent of education or his or her designee intentionally failing to report a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in public school.

(School Code 1927, §305; Code 1940, T. 52, §302; Acts 1993, No. 93-672, p. 1213, §1; Acts 1994, 1st Ex. Sess., No. 94-782, p. 70, §1.)

COMPULSORY SCHOOL ATTENDANCE LAW

Title 16-28-3 of the Code of Alabama states that every child between the ages of seven and seventeen is required to attend a public school, private school, church school, or be instructed by a competent private tutor for the entire school year. In 1999, the Governor signed an amendment to that law stating that any child enrolled in a public school would be subject to these laws regardless of their age. Once enrolled for the school year, they and their parents are bound by this law and must attend regularly and be on time for classes. This applies to kindergarten/first grade student's ages 5 and 6 as well as those that are 17. Failure to comply with the compulsory school attendance laws or failure to report non-compliance is a Class C misdemeanor punishable by a fine and/or 90 days in jail.

The Midfield City School District has an Attendance Officer who investigates cases of non-enrollment, non-attendance, and excessive tardies. After investigation the Attendance Officer refers the cases to Family Court. Additional orders maybe filed against the student or parent when attendance issues continue, i.e. VACSAL, Ed Neglect.

PROGRAM FOR EARLY ATTENDANCE CHILDHOOD HELP (PEACH)

Children under Age 12

This program addresses the attendance problems of children under the age of 7 who are enrolled in school. Parents are invited to attend a program with the Midfield City Schools Attendance Officer and the Jefferson County Family Court staff. This program stresses prompt and regular school attendance. If attendance problems continue after this meeting, a formal referral is made to Family Court before a judge.

Parents of children under the age of 12 should realize that a warrant would be issued for their arrest if they are in violation of the compulsory school attendance laws. Parents may be sentenced to 90 days in jail and fined. Parents who are arrested in these cases are likely to have their children placed in the custody of the Department of Human Resources.

Certainly there are times when a child must be absent. Parents are encouraged to notify the school whenever a child will be absent from school. This not only allows teachers to begin planning make-up work, but also serves as a safety check for parents and school officials because it ensures that both parties know that the child is safely supervised. If a child must be absent for several days, teachers will provide a packet of schoolwork that can be completed at home. This will help the child stay current on what is happening in the classroom while he/she is absent.

As noted here, school officials must keep a close check on student absences. If a child is absent two or more days in a row, parents should expect a teacher, administrator, counselor, or the school nurse to call to check on the child.

CELL PHONES AND OTHER ELECTRONIC DEVICES

The Midfield City School Board permits students to bring cell phones to school. However cell phones brought to school **MUST** be stored appropriately, either in the student's locker, personal vehicle and/or a designated place assigned by the administrator. **Cell phone use is strictly prohibited during the school day (which is usually the time students arrive at school until dismissal) and anytime students are being transported on a school bus unless specific permission is given by a certificated school board employee.** Use of cell phones for educational purposes must be documented in a certificated employee's (teacher's) lesson plan. If cell phone use is not documented in the teacher's lesson plan, then it is prohibited from being used in the classroom.

Should a cell phone be either seen or heard, the phone will be taken from the student and placed in an appropriate location until a parent reclaims it. A parent may reclaim any cell phone taken during the hours specified by the administrator. The school system, which includes the school administrator, teacher or staff member, shall not assume responsibility for theft, loss or damage to any personal/wireless communication device even for cell phones that are taken. If the phone is suspected to contain illegal or inappropriate material, the administrator has the right to inspect the contents of the phone. Any illegal or inappropriate material found on the phone may lead to further disciplinary action.

Violation of the rules regarding cell phone possession will be considered a Class I infraction (possession during the school day), Class II infraction (use during the school day or on a school bus) or Class III infraction (where context or manner of the use falls properly in the Class III infraction category), depending on the nature of the rule violated.

USE OF DIGITAL DEVICE DURING THE ADMINISTRATION OF A SECURE TEST

The possession of a digital device (including but not limited to cell phones, MP3 players, cameras, or other telecommunication devices capable of capturing or relaying information) is strictly prohibited during the administration of a secure test. If a student is observed in possession of a digital device during the administration of a secure test, the device will be confiscated.

If a student is observed using a digital device during the administration of a secure test, testing for the student will cease, the device will be confiscated and is subject to search, the student will

be dismissed from testing, and the student's test will be invalidated. The LEA may take additional disciplinary action.

USE OF SCHOOL TECHNOLOGY

Midfield City Schools provides all district employees, students, and school board members with access to the Internet and electronic communications through a district network. This policy is designed to govern the use of and provide acceptable use guidelines for all Internet, electronic communications and digital media throughout the district. This policy is designed to be in cooperation with Midfield City Schools' board policies, student code of conduct and individual school handbooks with regard to student use of the Internet, electronic communications and the district network.

The use of the Internet, electronic communications and digital media is to further educational goals and objectives. The purpose of providing access to the district's network is to assist in preparing students for success in life and work in the 21st century. This is accomplished by providing access to a wide range of information and the ability to communicate with people from throughout the world.

Students may find ways to access other, less desirable or inappropriate material. However, the district believes the benefits to students from access to the Internet in the form of information resources and opportunities for collaboration exceed any disadvantages.

Network Access

Midfield City Schools provides access to the district network to:

- i. All Midfield City Schools' employees
- ii. All Midfield City Schools students, with parental control if the student is under the age of 18.
- iii. Midfield City Schools board members

Policy Guidelines

Limited Educational Purpose: Midfield City Schools' network has been established for a limited educational purpose. The term "educational purpose" includes use of the network for classroom activities, professional or career development activities and educational research. Users are expected to use Internet access through the district network to further their educational and personal goals consistent with the mission of Midfield City Schools, school policies and handbooks, and Midfield City Schools' board policies. Uses that might be acceptable on a user's private personal account on another system may not be acceptable on this limited purpose network.

Use of District Network is a Privilege

Access to and the use of the district network is a privilege and not a right. Access entails responsibility and is provided to students who agree to act in a considerate and responsible manner. Depending on the nature, degree, and frequency of the violation(s), unacceptable use of the network, Internet or electronic communications may result in suspending or revoking the

offender's network privileges. Additional disciplinary actions may be taken at the building or district level up to and including expulsion. If appropriate, law enforcement agencies may also be involved.

Student Responsibilities

- a) Students will accept responsibility for all material received and sent under his/her user account.
- b) Students will accept responsibility for all Internet use under his/her user account.
- c) Students will follow all acceptable use policy guidelines, Midfield City Schools' policies and administrative regulations, student code of conduct and any other pertinent policy or guideline concerning the use of the Internet and electronic communications.

Parent Responsibilities

- a) The district will notify parents about the district network and the policies governing its uses. Parents must sign an agreement to allow their student(s) to have an individual account. Parents may request alternative activities for their student(s) that do not require Internet access.
- b) Parents have the right to investigate the contents of their student(s)' email files at any time.
- c) The district will make available to parents policies and guidelines for student network, Internet and electronic communication use.
- d) Outside of the school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as TV, telephone, radio, movies, and other possible offensive media. Parents are responsible for monitoring their student's use of the district's network and of the Internet if the student is accessing the district's network from home or a remote location.

District Responsibilities

- a) The district will designate staff as necessary to ensure coordination and maintenance of the district's electronic communications system, which includes all district computers, e-mail and Internet access.
- b) The district will provide notification to all network users of the district policies relating to Internet and electronic communications.
- c) The district will provide proper training to authorized network users including, but not limited to, education about proper online behavior and how to interact with other individuals on the Internet.
- d) The district will use only properly licensed software, audio, or video media purchased by the district or approved for use by the district. The district will comply with the requirements of the law regarding the use, reproduction and distribution of copyrighted works and with applicable provisions of use of license agreements.
- e) The district will monitor the online activities of minors and employ technology protection measures during any use of computers and/or the district network in order to ensure the use is for educational purposes. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

- 1) Obscene

- 2) Child pornography
 - 3) Harmful to minors
- f) The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
- 1) Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion, or
 - 2) 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, actual or simulated normal or perverted sexual acts, or lewd exhibition of the genitals, and
 - 3) Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- g) An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

Unacceptable Uses

The following uses of the district network are considered unacceptable. Using the district’s network to access, review, upload, download, store, print, post, receive, transmit or distribute any of the following:

- A. Disrupting the Educational Process
 - 1) Materials that use language or images that are inappropriate in an educational setting or disruptive to the educational process.
 - 2) Information or materials that could cause damage or danger of disruption to the educational process.
- B. Inappropriate Material
 - 1) Pornographic, obscene, or sexually explicit materials or other visual depictions that is harmful to minors.
- C. Inappropriate Language
 - 1) Obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language.
 - 2) Materials that use language or images that advocate violence or discrimination toward other people, or that may constitute harassment, or discrimination.
- D. Illegal Activity
 - 1) Students will not use the district’s network to engage in any illegal act or violate any local, state, or federal statute or law.
 - 2) Students will not attempt to gain unauthorized access to the district’s network or to any other computer system through the district network, or go beyond there authorized access.
 - 3) Students will not attempt to log in another person’s account or access another

person's files. These actions are illegal, even if only for the purposes of "browsing."

- 4) Students will not make deliberate attempts to disrupt the district's network performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- 5) Students will not tamper with, modify, or change the district's systems (including software, hardware, wiring, etc.) or take any action to violate the district's security system.

E. Personal Safety

- 1) Students will not post personal contact information about themselves or other people. Personal contact information includes, but is not limited to names, addresses, phone numbers, school address, work address, identification numbers, account numbers, access codes or passwords, labeled photographs or other information that would make the individual's identity easily traceable.
- 2) Students will not repost a message that was sent to the user privately without permission of the person who sent the message.
- 3) Students will not agree to meet with someone they have met online without their parent's approval and participation.
- 4) Students will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.
- 5) Students should never share their individual account information and should take reasonable precautions to prevent others from being able to use their account. Students should only share passwords with district personnel and parents or guardians.

F. Respectful Digital Citizens

- 1) Students will not engage in personal attacks, including prejudicial or discriminatory attacks.
- 2) Students will not harass another person (as defined in the Student Code of Conduct).
- 3) Students will not knowingly or recklessly post false or defamatory information about a person or organization.
- 4) Students will not post information that, if acted upon, could cause damage or a danger of disruption.

G. Plagiarism and Copyright Infringement

- 1) Students will not plagiarize works they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.
- 2) Students will not use the district's network to violate copyright laws or usage agreements.
- 3) Students will not use another person's property without the person's prior approval or proper citation, including downloading or exchanging pirated software or copying software to or from any school computer.

Use of Personal Technology at School

- a) It is acceptable for students to use personal technology (laptops, iPods, iPads, cellular phone, etc.) only when approved by a certificated employee for educational purposes.
- b) All personal technology fall under the jurisdiction of this Acceptable Internet Use Policy while being used at school or during any school related function.
- c) Content that is not acceptable for school use may not be accessed while on school property or during any school related function.
- d) Disciplinary action will occur for any student accessing inappropriate content, using the district network for inappropriate use and/or accessing any other network using personal technology while at school or during any school related function.

Limitation on School District Liability

Use of Midfield City Schools network is at the user's own risk. The network is provided on an "as is, as available" basis. The District will not be responsible for any damage students may suffer, including, but not limited to, loss, damage, or unavailability of data stored on District diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The District is not responsible for the accuracy or quality of any advice or information obtained through or stored on the District's network. The District will not be responsible for financial obligations arising through unauthorized use of the District's network, the Internet or electronic communication.

RESTRAINT AND SECLUSION

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

Physical Restraint

This policy is not intended to prevent the use of physical restraint in limited circumstances where a student is in immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. Physical restraint is prohibited as a form of discipline or punishment.

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

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

- A. Positive Behavioral Interventions will be used to de-escalate, if possible, before initiating restraint.

- B. When a pattern of aggressive behavior is established, training in therapeutic restraint will be provided for staff involved with the student.
- C. When possible, a third party will assist by monitoring the safety of the student.
- D. Documentation of the use of physical restraint will be submitted to the building administrator and appropriate central office personnel and upon request, the Alabama Department of Education.
- E. If the behavior of a special education student indicates that mechanical restraint should be used, the IEP team will convene.
- F. A school nurse will see the student as soon as possible after the restraint on the day of the restraint.
- G. Staff will notify the parent on the day of the restraint and send home written notification of the restraint, within a timely manner, not to exceed 1 school day after the restraint.
- H. Staff will meet to debrief after the restraint. Debriefing will include assessing steps taken to de-escalate the behavior both before and during the restraint.

Seclusion

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

NOTIFICATION OF PARENT AND STUDENT RIGHTS FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA) PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

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

- The right to inspect and review the student’s educational records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- The right to request the amendment of the student’s education records that the parent or eligible student believes is inaccurate. Parents or eligible students may ask the school to amend a record they believe is inaccurate by notifying the school principal in writing. The request must clearly identify the part of the record to be amended and must specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Information regarding the hearing procedures will be provided to the parent or eligible student at the time of this notification.

- The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - State and local authorities, within a juvenile justice system, pursuant to specific State law;
 - To comply with a judicial order or lawfully issued subpoena; and
 - Appropriate officials in cases of health and safety emergencies.

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

School Districts, with certain exceptions, must obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, school districts may disclose appropriately designated “directory information” without written consent, unless you have advised the district to the contrary.

The primary purpose of directory information is to allow the school district to include this type of information from your child’s education records in certain school publications. Examples include:

- A playbill, showing your student’s role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets.

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

Additionally, parents have to right to inspect, upon request, any instrument used in the collection of information as described above. This inspection will be scheduled within 45 days of the day the school receives such a request in writing.

The Midfield City Board of Education has designated the following information as Directory Information:

- Student's or parent's name;
- Address;
- Telephone Listing;
- Participation in officially recognized activities and sports;
- Weight and height of members of athletic teams;
- Electronic mail address;
- Photograph;
- Diplomas, honors and awards received;
- Date and place of birth;
- Dates of attendance;
- Grade Level;
- Most recent educational agency or institution attended.

The use of directory information by Midfield City Schools is for educational purposes and for the benefit and enhancement of educational programs.

Parents and eligible students have the right to request that directory information not be disclosed by contacting the school principal in writing no later than fifteen (15) days of the beginning of the school year or within (15) days after enrollment in school, whichever is later.

Parents should know that schools may, upon request, provide military recruiters the same access to secondary school students as provided to postsecondary institutions or to prospective employers; and must provide student's names, addresses, and telephone listings to military recruiters, when requested, unless a parent has "opted" out of providing such information. Parents of Midfield City School students and eligible students wishing to "opt" out must notify the schools principal in writing no later than fifteen (15) days after receipt of this notice each school each year.

- Parents should know that schools and contractors must obtain prior written parental consent before minor students are required to participate in any ED funded survey, analysis, or evaluation that reveals information concerning;
- Political affiliations or beliefs of the student or the student's parent;
- Mental and psychological problems of the student or the student's family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;

- Legally, recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or student’s parent;
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program). Additionally, schools and contractors must make instructional materials available for inspection by parents if those materials will be used in connection with an ED-funded survey, analysis, or evaluation in which their children participate.
- Parents have the right to inspect upon request, a survey created by a third party (non-Department of Education funded), if the survey contains one or more of the eight items of information noted above, before the survey is administered or distributed by a school to students. This inspection will be scheduled within 45 days of the day the school receives such a request.
- Parents have the right to opt out of (deny permission for their child) activities involving the collection and disclosure of personal information from students for marketing purposes or for selling that information, or otherwise providing that information to others for that purpose. However, this right does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:
 - college or other postsecondary education recruitment or military recruitment;
 - book clubs, magazines, and programs providing access to low-cost literacy products;
 - curriculum and instructional materials used by elementary schools and secondary schools;
 - tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students;
 - the sale by students of products or services to raise funds for school-related or education-related activities; and
 - student recognition programs;
 - Parents have the right to opt out of (deny permission for their child) participation in the administration of any third party (non-Department of Education funded) survey containing one or more of the above described eight items of information. Parents wishing to opt out must notify the school administrator in writing within fifteen (15) days receipt of notice of survey(s) or by the designated due date.

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

- Parents have the right to inspect, upon written request to the school principal, any instructional material used as part of the educational curriculum for students. This inspection will be scheduled within 45 days of the day the school receives such a written request.
- Parents have the opportunity to “opt out” of the administration of physical examinations or screenings that are non-emergency or invasive and are 1) required as a condition of

attendance; 2) administered by the school and scheduled by the school in advance; AND 3) NOT necessary to protect the immediate health and safety of the student, or of other students. (Invasive physical examination is defined as any medical examination that involves the exposure of private body parts, or any act during such an examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.) Midfield City Schools do not conduct invasive physical examinations or screenings.

Vision, hearing and scoliosis screenings are scheduled throughout the school year in Midfield City Schools. Please contact your school regarding these screenings. Parents wishing to “opt out” of health screenings must notify the school principal in writing within fifteen (15) days of receipt of this notice or upon written notification of a scheduled screening. “Opt Out” forms are available at all schools and on the Midfield City Schools web site.

- Parents have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the Midfield City School District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is as follows:

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

IT’S THE LAW!

Parental Notification of Civil Liabilities and Criminal Penalties

The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees:

Attendance and Conduct (Act 94-782)

Each parent/guardian or other person having control or custody of a child required to attend school who fails to require the child to enroll, to regularly attend school, or to compel the child to properly conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor (may be fined up to \$100 and may be sentenced to hard labor for up to 90 days).

Teacher Assault (Act 94-794)

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

Drug Dealing (Act 94-783)

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

Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (Act 94-784)

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

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

Weapons in Schools (Act 94-817)

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

Firearms (16-1-24.3, Ala. Code, 1975) Local school boards are required to implement policies providing for the expulsion of students who possess firearms at school. (Note: “Firearm” has the same definition as in Section 921 of Title 18 of the United States Code and includes, but is not limited to, any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; a firearm muffler or silencer; other destructive device, including an explosive, bomb, grenade, missile, mine or similar device; or any combination of parts designed or intended for use in converting any device into a destructive device and from which such a destructive device may be readily assembled.) See 18 U.S.C. §921.

Vandalism (Act 94-819)

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

Pistol Possession/Driver’s License (Act 94-820)

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

Drop-Out/Driver’s License (Act 94-820 which amended Act 93-368 as codified in -16-28-40, Ala. Code, 1975)

The Department of Public Safety shall deny a driver’s license or learner’s permit to any person under 19 who is not enrolled or has not received a diploma or certificate of graduation.

Exceptions are students who: are enrolled in a GED program, are enrolled in a secondary school, are participating in an approved job training program, are gainfully employed, are a parent of a minor or unborn child, or are the sole source of transportation for the parent.

The expressed enumeration or reservation by the Midfield City Board of Education of specific rights and prerogatives in the Code of Student Conduct shall not foreclose or be deemed to restrict the authority of the Board to take such other lawful measures or actions as may deem necessary or appropriate to promote discipline and to preserve and protect public property and the health, welfare, and safety of students, employees, and members of the public or to accomplish the objectives of the Code of Student Conduct. The Code of Student Conduct is not intended to be a binding contract and no contracts or rights are created hereunder.

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NOTICE OF RECEIPT
Please Print

_____, a student enrolled in Name of Student

_____ School, Name of School

and parent/guardian(s), _____
Name of Parent/Guardian(s)

hereby acknowledge by our signatures that we have received and read, or had read to us, the local school’s handbook and the Midfield City District Code of Student Conduct, which contains a copy of “It’s the Law.” We understand that these policies apply to all students and parents in the public schools; to school campuses, the immediate vicinity of the school, school buses or other school-owned vehicles; and to school-related activities and events. We further acknowledge by our signature that we have read, or had read to us, the sections on Truancy and Attendance, the section on Internet Use, and the section on the Family Educational Rights and Privacy Act (pages 41-45) which allows schools to disclose directory information that is not considered harmful or invasive unless parents have advised the school that they do not want their student’s information disclosed without their prior consent.

My child may access the Internet while at school according to the rules outlined in the Midfield City Technology Acceptable Use Agreement for Students. ____ Yes ____ No

My child may have an online collaborative system account (email, documents, presentations, etc.) for educational purposes. ____ Yes ____ No

My child’s photo or video image can be published in school publications and media (such as yearbook, school and school support organization newsletters, athletic programs, school newspaper, or school or school system website). ____ Yes ____ No

My child’s photo or video image may be made available to newspapers, television and radio stations, and to other print or electronic media organizations and outlets in order to portray Midfield City programs, activities, and students in an appropriate and favorable light and for other uses as may be designed to promote public interest in and support of Midfield City Schools. ____ Yes ____ No

Please sign this page and have the student return it to the homeroom teacher. Keep the accompanying information for future reference.

(Signature) _____ **Student Date**

(Signature) _____ **Parent/Guardian Date**

(Signature) _____ **Parent/Guardian Date**

NOTE: The student is to sign the above statement. If the student lives with either parents or guardians, both are to sign the statement. If the student lives with only one parent or guardian, only one is to sign. A separate statement is to be signed for each student.

NOTES:

Midfield City Schools complies with non-discrimination regulations under Title VI and Title VII, Civil Rights Act of 1964, Title IX, Educational Amendments of 1972; and Section 504 Rehabilitation Act of 1973. It is the official policy of the Alabama State Department of Education, Midfield City Board of Education, Midfield High School, Rutledge Middle School, and Midfield Elementary School that no person in Alabama shall, on the grounds of race, color, handicap, sex, religion, creed or national origin, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program, activity or employment. Inquiries regarding compliance and complaint procedures can be directed to:

*Special Education Coordinator
Midfield City Schools
417 Parkwood Street
Midfield, AL 35228
(205) 923-2262*

