

RESPONSE TO BEHAVIOR DESCRIPTION CODES

TYPE 1 RESPONSE – MINOR OFFENSES AT CLASSROOM LEVEL

1. Student tells his/her side of the story and the parent or guardian is notified by the teacher.
2. Teachers use alternative behavioral strategies to correct inappropriate behavior.
3. After repeated instances, student referred to counselor for individualized and/or small counseling.
4. Each step of the interventions must be initiated and all interventions and interactions documented in INOW.

Type 1 Behavior Descriptions

Code 100 | Tardy to Traditional School or Virtual Class

Arriving late to school, class sessions, or activity.

Code 101 | Noncompliance with a Reasonable Request

Not following the reasonable request of a teacher, administrator or staff member.

Code 102 | Agitating Other Students

Unwanted and/or unreciprocated picking on or bothering other students.

Code 103 | Profane or Indecent Language

Using profane or indecent language, such as cursing on school grounds, in a virtual learning environment, or at school-sponsored activities.

Code 104 | Cutting Class

Failing to attend a scheduled class or activity without authorization but remaining on campus.

Code 105 | Dress Code Violation

Wearing clothing that does not comply with the school's unified dress code.

Code 106 | Cheating

The act of gaining an unfair advantage on graded academic activities.

Code 107 | School Bus Disruption

Using profane or indecent language, harassment, bullying, and inappropriate touching.

TYPE 2 RESPONSE – ADMINISTRATIVE LEVEL REFERRAL (To be used only as a suggested guide)

1. Student tells his/her side of the story orally and in writing.
2. Administrator conferences with parents or guardians and determines if further consultation with school staff or teams is necessary.
3. Student referred to counselor for individualized and/or small group counseling.
4. Student **may be** referred to the Problem Solving Team, and if applicable other related services [i.e., nurse, 504, special education, community agency, etc.].
5. If necessary, in-school suspension (ISS) no more than 5 days.
6. **Fighting (1st Occurrence)**, if necessary, no more than 5 days of in-school suspension (ISS), or no more than 3 days out-of-school suspension (OSS); administrative authority is applicable in secondary schools.

Type 2 Behavior Descriptions

Code 200 | Repeated Violations of a Pattern of Type 1 Behaviors, with Evidence of Implemented In-Class/Virtual Interventions

A repeated pattern of Type 1 behaviors that continues after documentation of prior interventions.

Three or more incidents of a Type 1 behavior may constitute a pattern. The discipline referral must include documentation of interventions implemented.

Code 201 | Electronic Devices: Improper use of Cell Phone

Using personal technology (such as a cell phone), electronic devices or the Internet, except when used for educational purposes with the permission of the classroom teacher or school administrator, or in violation of school rules.

Code 202 | Disruption of the Learning Environment

Continuously and intentionally disrupting the learning environment to the extent the learning of other students or the normal functioning of the school is significantly impaired. The discipline referral must include evidence-demonstrating learning or the normal functioning of the traditional or virtual setting was significantly impaired.

Code 203 | Inappropriate touching

Minor contact of a sexual nature, such as touching over clothing.

Code 204 | Gambling

Betting on games or activities for money or things of value.

Code 205 | Drug Paraphernalia Possession Only

Possessing any material used to produce or consume illegal drugs. Drug paraphernalia includes, but is not limited to bongs, roach clips, miniature spoons and pipes used to consume illegal drugs.

Code 206 | Unauthorized Possession of Medication w/o Intent to Distribute

Possession of prescription or non-prescription medication that has not been registered in the school's office.

Code 207 | Cutting Class

Repeatedly failing to attend a scheduled class or activity without authorization.

Code 208 | Inappropriate Physical Contact with Other Students

Engaging in minor physical contact with another student such as pushing, bumping or horseplay.

Code 209 | Fighting (1st Occurrence)

Engaging in mutual exchange of punches with another student.

TYPE 3 RESPONSE – SUSPENSION OPTION (To be used only as a suggested guide.)

1. Student tells his/her side of the story orally and in writing.
2. Administrator conferences with parents or guardians and determines if further consultation with school staff or teams is necessary.
3. Students referred to the school counselor for individualized and/or small group counseling, and at the secondary level, referred to applicable services by behavioral interventionist.
4. Student referred to this response **may be** referred to the Problem Solving Team, and if applicable other related services [i.e., 504, special education, community agency, etc.].
5. If necessary, an administrator may give ISS up to 10 days, or 3 to 5 days out-of-school suspension (OSS), not to exceed a total of 5 days, or recommend placement at the alternative school not to exceed 45 days, or possible expulsion under behaviors types 4 and 5.

TYPE 3 BEHAVIOR DESCRIPTIONS

Code 300 | Repeated Violations of Type 2 Behaviors

A repeated pattern of Type 2 behaviors that continues after documentation of prior interventions. Three or more incidents of a Type 2 behavior may constitute a pattern. The discipline referral must include documentation of interventions implemented.

Code 314 | Possession of Other Weapons Possessing or Transmitting

A knife, switchblade, razor blade, box cutter, other similar instruments, or utilizing a razor blade ammunition, chain, nun-chucks, brass knuckles, Billy Club, an electric weapon or device, such as a Taser, capsicum (pepper spray) or any weapons similar to those listed above capable of causing serious bodily injury. Any weapons found on school grounds or at school functions will be confiscated and turned over to the appropriate authorities.

Code 315 | Trespassing on School Grounds

Entering or remaining on school property without authorization. Being present in restricted areas of the school without authorization.

Code 316 | Inappropriate Physical Contact with Others to Include Staff

Engaging in minor physical contact with staff such as intentional or reckless pushing or bumping or other incidents in which there is contact.

Code 317 | Gang Activity

Participating in the display of symbols or paraphernalia or the recruitment/initiation of a student into a gang (violent or disruptive group).

Code 318 | Possession of Incendiary Device (Lighter)

Possession of an incendiary device such as a lighter and other device that could be used to start a fire.

TYPE 4 RESPONSE – SUSPENSION OPTIONS- (To be used only as a suggested guide.)

1. Student tells his/her side of the story orally and in writing.
2. Administrator conferences with parents or guardians and determines if further consultation with school staff or teams is necessary.
3. Student referred to counselor for individualized and/or small counseling.
4. Student referred to this response **may be** referred to the Problem Solving Team, and if applicable other related services [i.e., 504, special education, community agency, etc.].
5. If necessary, an administrator may give up to 5 days out of school suspension (OSS), not to exceed a total of 10 days, or recommend placement at the alternative school not to exceed 45 days, or possible expulsion under behavior Types 4 and 5.

TYPE 4 BEHAVIOR DESCRIPTIONS**Code 400 | Repeated Violations of a Pattern of Type 3 Behaviors**

A repeated pattern of Type 3 behaviors that continues after documentation of prior interventions resulting in three (3) or more incidents of a Type 3 behavior constituting a pattern. The discipline referral must include documentation of teacher discipline log, prior attempts for parental intervention, and a multi-tiered intervention plan being implemented. Consideration will be given to the extent of the behaviors and whether the said behaviors pose a threat to the safety or security of the school when considering to recommend suspension from school.

Code 401 | Assault of Student

Intentionally, knowingly or recklessly committing an unprovoked physical attack on another student. Minor physical contact, such as pushing or shoving, does not constitute assault. Students may not receive the same disciplinary consequences for their involvement in an altercation if the school administrator determines they acted in self-defense to protect themselves from physical harm. A Type 5 Response may be used if the assault or the resulting injuries are severe. When a Type 5 Response is used, evidence documenting the incident's severity and any resulting injuries must be listed in the discipline referral.

Code 402: Under the Influence of Illegal Drugs

DISCIPLINARY CONSEQUENCES & PROCEDURES

Corporal Punishment

Corporal punishment is a consequence for student discipline. Parents have the authority to opt your child out of this consequence. Parents must submit the opt out/permission form and/or a written letter explicitly requesting that corporal punishment not be administered by school officials within the first five (5) days of the new school year. Prior to the administration of corporal punishment, the principal/designee will conduct an investigation into the incident determine if the consequence is warranted, the student will be informed of the reason for the punishment, and will be given an opportunity to explain his/her actions. Additionally, even with parental consent, the parent will be contacted prior to corporal punishment being administered.

When corporal punishment is used:

- It must be administered by the principal, assistant principal, or a designee in the principal's presence.
- It must be administered without anger or malice and shall not be administered in the visual presence of another student.
- A certified witness, preferable the same sex of the offender must be present during the administration of corporal punishment.
- The principal will prepare a written report to be kept on file.

Procedures for Student Fights

It is important that all of Selma City Schools are safe and conducive to learning daily. It is not permissible for school officials to tolerate fighting or other forms of assault to occur inside the confines of a school building, on school grounds, or at any school function. Fighting is a violation of the Alabama Code Title 13A. Criminal Code § 13A-11-7, which reflects disorderly conduct.

Fighting is an unacceptable behavior. A fight is defined as a physical altercation occurring between two or more students. The physical nature of a fight includes but is not limited to hitting, punching, poking, grabbing, pulling and pushing, and kicking. A group fight is defined as an altercation that may include more students against one or a few students or multiple individual fights. Any student who engages in such action as defined above will be disciplined according to the district's procedures and state law.

Steps for addressing fights:

- Student tells his/her side of the story and has an opportunity to write a statement.
- The principal/designee will collect evidence from both parties and any witnesses.
- The principal/designee will investigate the incident to gather evidence and determine if further consultation with school staff or teams is necessary.
- The principal/designee will conference with the parent or guardian of all involved parties.
- Based on the circumstances and evidence gathered regarding the infraction, the principal/designee will recommend a disciplinary action using the guidelines.
- Disciplinary action for fighting will progress as described below:

Students who engage in fights will be disciplined according to the levels of offenses. **The egregious manner of a first fight can result in a recommendation for alternative placement. The steps below are meant to serve as a guide. Principal's authority will be applicable as the exception to this procedure in agreement with a central office administrator**

- **First Offense:** Up to three (3) days out of school suspension or up to five (5) days in in-school suspension.
- **Second Offense:** Up to five (5) days of out-of-school suspension or up to ten (10) days assigned to in-school suspension.
- **Third Offense:** Up to ten (10) days of out-of-school suspension and possible placement in the Alternative Learning Center (ALC) for up to 45 days due to recurring applicable behaviors.

- Second Offense: Up to five (5) days of out-of-school suspension or up to ten (10) days assigned to in-school suspension.
- Third Offense: Up to ten (10) days of out-of-school suspension and possible placement in the Alternative Learning Center (ALC) for up to 45 days due to recurring applicable behaviors.

Group/Gang Fighting

First Offense: Up to five (5) days of suspension along with placement in the ALC for up to 45 days.

Second Offense: Up to 10 days for fights that are deemed as group-fighting, gang-related, and/or riotous along with placement in the ALC for up to 45 days.

~~Students will be able to complete all coursework.~~ School counselors **may** provide counseling along with wrap around services to help with anger management strategies. Students **may** be referred to the Problem Solving Team for additional support and monitoring. At the secondary level, a Success Plan **may** also be completed by the behavioral interventionist. Upon returning to school, students **may** be required to meet with the school principal/designee to revisit school-wide expectations for positive behavior and to sign a behavioral contract.

Principal's authority will be applicable as the exception to this procedure in agreement with a central office administrator.

Discipline for Special Education

If a student who receives special education services or a student who has an Individualized Education Program (IEP) violates school rules or district policies outlined in this handbook, he or she will be disciplined in accordance with district policy and state and federal laws that govern Special Education, such as the Individuals with Disabilities Education Act (IDEA).

Out of School Suspension (OOS)

Suspension from school includes instances in which a student is temporarily removed from his/her regular school for disciplinary purposes as a consequence to a behavior identified as either a Type 2, 3, 4, or 5 infraction. For students with disabilities, this includes both removals in which no IEP services are provided because the removal is ten days or less as well as removals in which the child continues to receive services according to his/her IEP while suspended.

Procedural Steps for Suspension

Because students are entitled to their fair due process when suspended, the principal/designee will:

1. Inform the student(s) about the infraction in which he/she is supposed to have committed and the basis for the decision.
2. Confer with the student(s) to discuss the infraction and to obtain verbal and written statements from all involved parties, including witnesses. This step is important because involved students will be given an opportunity to share the facts from their perspective.
3. Share the information gathered from the investigation from the perspective of all witnesses including any video surveillance.
4. Provide the length of the suspension and any further pending actions, including behavioral intervention as determined by the principal.
5. Upon suspension of any student, a parent or guardian will be notified in writing and via an attempted phone call.
6. If the suspension does not require further due process proceedings, a hearing will not be required.

7. May recommend the immediate removal of a suspended student to restore order, to further investigate the misconduct or to protect persons on the school grounds. If remaining on campus, suspended students will be placed in in-school suspension to avoid another disciplinary infraction. **In this case, suspended students can only be released in the care of a parent/guardian.**

Students **may** be referred to the Problem Solving Team if suspended from school three or more days for additional support and monitoring. The purpose of the referral is to improve the behavior.

A suspension from school is an excused absence and all missed assignments can be made up. Remove and Replace A suspension from school is an unexcused absence and all missed assignments will be assigned a grade of zero (0/F).

Suspended students are not allowed on any SCS school properties nor can participate in any school-sponsored activities/events [e.g. school dances, athletic sporting events, graduations, etc.]. If a student is suspended on an instructional day that is cancelled because of inclement weather, any scheduled suspension days must be made up on the days following the inclement weather days.

Suspension Appeal

A parent/guardian of the suspended student has the right to appeal the suspension within two days of the suspension by visiting the central office at 334-874-1600 to confer with a school support administrator or to arrange a conference.

DUE PROCESS HEARINGS AND PROCEDURES

Alternative School Placement

Placement in the alternative school as a punitive measure as a result of a behavior listed in Types 3, 4, or 5 requires a due process hearing. A student cannot be expelled or sent to the alternative school prior to receiving a due process hearing. A central office administrator will conduct the hearing and the other participants must include the student, a parent or guardian, the school principal or designee, and other members of the hearing panel. A principal/designee can recommend a student for a due process hearing and the student may be suspended pending the results of the hearing. Based on the recommendation, the superintendent or designee must approve a student's placement in the alternative school.

Overall, an alternative school is an educational setting (in-person or virtual) designed to accommodate educational, behavioral, and/or medical needs of students who cannot be adequately addressed in the traditional school environment.

Include

Expulsion

Expulsion is a measure of last resort. Prior to expulsion, all of the following factors must be considered: the seriousness of the act; the harm caused, including any injuries; the student's willingness to repair the harm; the extent of the actual disruption to the learning environment; whether the act was intentional; the student's age, health, disability, decision-making ability and the student's prior discipline history. Expulsion eradicates Selma City Schools Board of Education from its educational obligation to the student.

Procedural Steps for Due Process

1. The school principal determines the extent of an offense for which alternative placement or expulsion may be warranted based on the behavioral classification committed by the student and submits a completed due process referral with documentation. Immediately following an incident or violation, the principal is authorized to suspend the student for a period not to exceed ten (10) days pending an expulsion hearing.