

**Policy 6.15: Student Conduct**

**Status:** ADOPTED

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**6.15 Student Conduct-Code of Student Conduct**

The Superintendent will prepare and present to the Board for adoption and periodic revision a Code of Student Conduct ("CSC"), with input from teachers, school personnel, students, parents and guardians, and other members of the education community and, as appropriate, the community at large. The CSC will comprehensively describe the rules and standards of conduct and discipline that will be maintained and enforced within Guntersville City Schools. The CSC will set forth the specific grounds for disciplinary action, the penalties, sanctions, or consequences that may be imposed for a violation of the CSC, the methods and procedures by which violations of the CSC will be determined, and any appeal or review procedures that are available to students. The CSC will incorporate applicable statutory and regulatory requirements, and the hearing and appeal procedures specified in the CSC will conform to applicable statutory and constitutional standards and requirements. The CSC may be incorporated in a student handbook and will be made available to all teachers, school personnel, students, parents, and guardians at the beginning of each school year. The CSC will be deemed an extension of Board policy and will have the force and effect thereof.

[Reference: Ala. Code §§16-28-12, 16-28A-1 to 3 (1975); Ala. Admin. Code 290-3-1-.02, 290-8-9-.09]

**Code of Student Conduct**

**STUDENT DISCIPLINE**

The Guntersville City Board of Education requires that all students enrolled in the city schools conduct themselves in a manner that facilitates the educational process. To ensure that the educational process in the schools is not disrupted because of misbehavior on the part of enrolled students, the Board of Education has established specific classifications of misbehaviors and the appropriate disciplinary actions to deal with these violations of student conduct.

Violations are grouped into three classes – Minor, Intermediate, and Major. This code of conduct prescribes that certain disciplinary actions may be taken in response to student behavior. The following descriptions provide general explanations of how discipline may be applied. However, the following is not exhaustive, and will not limit the discretion of administrators regarding offenses and the results in discipline.

**NO STUDENT SHALL BE PUNISHED FOR ANY SUSPECTED VIOLATION WITHOUT BEING GIVEN AN OPPORTUNITY TO ADMIT OR DENY THE CHARGE(S).**

**CLASS I – MINOR OFFENSES**

- 1.1 Excessive distraction of other students – Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or any similar grouping for instruction.
- 1.2 Participation in non-school approved organizations – Any on-campus activities of secret societies or non-affiliated school clubs or organizations.
- 1.3 Minor intimidation of another student – The intentional, unlawful threat by word or act to do violence to another student, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in the person that such violence is imminent.
- 1.4 Gambling – Any participation in games of chance for money and/or other things of value.
- 1.5 Tardiness – Reporting late to school or class.
- 1.6 Non-directed use of profane or obscene language (verbal, written, or any gesture).
- 1.7 Dress Code Violation
- 1.8 Minor disruption on a school bus.
- 1.9 Inappropriate display of affection, including, but not limited to, embracing and kissing.
- 1.10 Unauthorized absence from class (skipping class).

- 1.11 Failure to properly display current student permit decal on vehicle.
- 1.12 Continued refusal to complete class assignments.
- 1.13 Failure to follow instructions – examples: failure to carry correspondence home; failure to obey directions in hallways, assemblies, etc.
- 1.14 Unauthorized use of school or personal property.
- 1.15 Littering of school property.
- 1.16 Any other minor violation that the principal reasonably determines to fall in this category.

#### **DISCIPLINARY ACTIONS FOR CLASS I VIOLATIONS:**

##### **Grades K-12:**

##### **First Offense of any Class I Violation:**

- Student conference
- Parental contact
- In-school suspension
- Detention-(Before School, after school, lunch)
- Any other appropriate disciplinary action defined by the school principal
- Severity of offense under Class I violations may warrant disciplinary action as outlined under subsequent offenses.

##### **Subsequent Offenses of Class I Violations:**

- Parental contact and in-school disciplinary actions or suspension not to exceed 3 school days.
- Repeated offenses on more than two occasions may result in disciplinary action as specified under Subsequent Offenses of Class II Violations.

#### **CLASS II – INTERMEDIATE OFFENSES**

- 2.1 Intentionally providing false information to an employee of Guntersville City Board of Education including, but not limited to, giving false student information data, forgery of school notes, grades, signatures (teachers' or parents') and concealment of information directly relating to school business.
- 2.2 Defiance directed toward an employee of the Guntersville City Board of Education or person(s) acting in an official capacity – Any verbal or non-verbal refusal to comply with a reasonable direction or order of a Guntersville City Board of Education employee or person(s) acting in an official capacity.
- 2.3 Fighting – Any physical confrontation between two or more individuals in which physical contact is made with harmful intent.
- 2.4 Inciting or participating in student disorder.
- 2.5 Vandalism – Intentional and deliberate action resulting in damages to public, real, or personal property of another.
- 2.6 Stealing - Theft – The intentional, unlawful taking and/or carrying away of public, real, or personal property having a value in the judgment of the principal of less than \$100 belonging to or in the lawful possession or custody of another.
- 2.7 Possession of stolen property.
- 2.8. Trespassing – Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; OR is warned by an authorized person to depart and refuses to do so (Unauthorized presence – Entering or remaining on public school property or attending any school related activity while under suspension.)

- 2.9 Possessing and/or igniting fireworks or firecrackers.
- 2.10 Inadvertent possession of a simple pocket knife, mace, or pepper mace that is not used in a threatening manner, nor with a suggestion of threat, and is not openly displayed and with no intent to be armed and with no participation in violence while in possession.
- 2.11 No student may have any instrument which gives the appearance of a gun or knife.
- 2.12 Written or verbal propositions to engage in sexual acts.
- 2.13. Use of profane or obscene manifestations (verbal, written, gesture) toward another person.
- 2.14. Unauthorized absence from school (skipping, truancy).
- 2.15. Leaving school grounds or assigned location without permission.
- 2.16. Disruption of the educational process caused by the wearing of obscene, secret society, or fraternity/sorority (non-affiliated school clubs) apparel.
- 2.17. Possession of paraphernalia or equipment commonly used to consume a controlled substance.
- 2.18. Visible possession of electronic devices during the school day, electronic devices are permitted only in classrooms with teacher approval. Students may only have one electronic device registered on the GCBOE network.
- 2.19. Unjustified activation of fire alarm or fire extinguishers.
- 2.20. Unsafe/unlicensed driving on school property or other violations of the school parking and driving rules.
- 2.21. Intentional, unlawful participation in gambling activities.
- 2.22. Possession or use of a laser pointer.
- 2.23. An intentional verbal attack upon any individual which does not result in bodily harm.
- 2.24. Sexual harassment – Unwelcome touching, or other unwelcome sexual advances or propositions, requests for sexual favors or sexually degrading words toward a person, graphic comments or materials about a person's body, or other unwelcome oral, written, or physical conduct of a sexual nature when made by a student directed to another student or staff member constitutes sexual harassment.
- 2.25 Possession of tobacco and vaping products – Any and all tobacco related products possessed by a student on school premises or during any school-sponsored activity or trip. Possession of matches or lighters.
- 2.26 Use of tobacco and vaping products at/in all campus facilities.
- 2.27. Improper display or discussion of private body parts, bodily functions or sexual acts not related to a Class III offense.
- 2.28. Cheating – The use or attempted use of any deceptive or dishonest method of improving a grade or altering a record.
- 2.29. Failure to comply with the Medication Policy and Procedure.
- 2.30. Harassment – A continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school sponsored event whether written, electronic, verbal, or physical acts that are perceived as motivated by race, sex, religion, national origin or disability.
- 2.31. Any other intermediate violation that the principal reasonably determines to fall in this category

**DISCIPLINARY ACTIONS FOR CLASS II VIOLATIONS:**

## **Grades K-5:**

### **First Offense of any Class II Violation:**

- Parental contact and in-school disciplinary actions.
- Out of school suspension not to exceed 3 days
- Severity of offense may warrant disciplinary action as outlined under subsequent offenses.

### **Subsequent Offenses of Class II Violations:**

- In-school disciplinary actions or out-of-school suspension not to exceed (5) school days.
- Repeated offenses on more than two occasions may result in disciplinary actions as specified under Subsequent Offenses of Class III Violations.
- Saturday School (Grade 5 only with required parent attendance).

## **Grades 6-12:**

### **First Offense of any Class II Violation**

- In-school suspension
- Out of school suspension not to exceed 5 school days. Severity of offense may warrant disciplinary actions as outlined under Subsequent Offenses.
- Saturday School (Grades 6-8 includes required parent attendance).
- Detention-(Before school, after school, lunch)

### **Subsequent Offenses of Class II Violations:**

- In school suspension
- Placement in Guntersville Student Support Center (GSSC).
- Out-of-School Suspension not to exceed (7) school days.
- Repeated offenses on more than two occasions may result in disciplinary actions as specified under Subsequent Offenses of Class III Violations.
- In addition, the school system may require restitution of property and damages where appropriate.

**CLASS III – MAJOR OFFENSES:** (NOTE: The violation of a Class III offense may result in expulsion from the school system. The commission of the following offenses may constitute violation of criminal laws established by the State of Alabama.)

### **3.1 Drugs/Alcohol**

- Possession, transfer, use, under the influence of ,or sale of drugs/alcohol or of any substance purported to be a controlled substance on Board property or while attending any Board sponsored or sanctioned event, program, activity or function before, during, or after school hours. This includes drug paraphernalia that would be considered a criminal offense according to Alabama state law and “fake drugs” that are bought, sold, used, or otherwise in the possession of students with the clear pretense of being an illegal drug.
- Repeat offenders for possession, transfer, use, or sale of drugs.
- Refusal to provide a sample for drug testing for a random screening or reasonable suspicion is considered to be a positive result.

**3.2 Arson –** The willful and malicious burning of any real/personal property.

**3.3 Threats or Attempted Extortion –** Verbally or by written or printed communication, maliciously threatening an injury to the person, property, or reputation of another or with intent to extort money, property or any pecuniary advantage whatsoever, or with intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against the individual’s will. Which may include an intentional, unlawful threat by word or act to do violence to an individual, coupled with an apparent ability to do so, and committing an act which creates a well-formed fear in the individual that violence is imminent.

**3.4 Assault –** Actually and intentionally pushing or striking another individual (student or adult) against the will of the other, causing physical injury.

**3.5 Stealing – Theft – Counterfeiting –** The intentional, unlawful taking and/or carrying away of public, real, or personal property having a value of \$100 or more. Possession or transfer of counterfeit money regardless of denomination of bill.

3.6 Burglary of school property – Breaking and entering into a structure or conveyance without justification or excuse during the hours the premises are closed to the public.

3.7 Criminal mischief – Willful and malicious injury or damages in excess of \$100 to public, real, or personal property belonging to another.

3.8 Possession, Discharge and/or Use of Firearms – Any firearm 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 any such weapon; any firearm muffler or firearm silencer; any similar destructive device.

3.9 Possession of weapon(s) – Knowingly in possession of a weapon or anything designed, made or adapted or used for the purpose of inflicting death or serious physical injury. Such weapons include, but are not limited to, BB gun, pellet gun, air rifle, starter gun; switchblade knife, box cutter, sword, or dagger; any club, baton, blackjack, chains, or metal knuckles.

3.10 Bomb threat – Any such communication(s) concerning school board property which has the effect of interrupting the educational environment.

3.11 Explosives – Preparing, possessing or igniting on Guntersville City Board of Education property explosives likely to cause serious bodily injury or property damage.

3.12 Sexual acts – Acts of sexual nature including, but not limited to, battery, intercourse, oral sex, attempted rape, rape, or other indecent acts.

3.13 Robbery – The taking of money or other property from the person or custody of another by force, violence, assault, or instilling fear.

3.14 Profane or Obscene Manifestations- Continued use, after warning, of profane or obscene manifestations (verbal, written, gesture) to any employee of Guntersville Board of Education or person (s) on official business.

3.15 Inciting or participating in student disorder – Leading, encouraging or assisting in disruptions which result in destruction or damage of private or public property or personal injury to participants or others.

3.16 Unjustified activation of a fire alarm system or fire extinguishers which results in injury to participants/others or disruption of school activities.

3.17 Extortion – Completion of a threat, either by the victim complying with the demands or the carrying out of the threat against the victim.

3.18 Threats to School Personnel – The intentional threat by word or act, whether communicated in person, writing, by telephone, electronic device, or any other means to do violence to teachers or other school personnel or their personal property.

3.19 Discharge or use of mace or pepper spray.

3.20 Touching another person in a sexual manner.

3.21 Possession of pornographic material.

3.22 UNAUTHORIZED USE OF A COMPUTER OR COMPUTER SYSTEM WHICH RESULTS 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 or administrative process. Students must also pay restitution for the cost of repairs.
- c. Distribution of restricted computer passwords.
- d. Introduction of unauthorized software into computer systems which causes or has potential to cause harm to the systems electronic network or equipment.
- e. Violation of the Internet Usage Agreement found in the adopted student handbook.

3.23 Harassment – Repeated offenses of harassment – A continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school sponsored event whether written, electronic, verbal, or physical acts that are perceived as motivated by race, sex, religion, national origin, or disability.

3.24 Any other major violation that the principal reasonably determines to fall into this category.

3.25 Possession and /or distribution of pornographic material.

#### **DISCIPLINARY ACTIONS FOR CLASS III VIOLATIONS:**

##### **Grades K-5:**

- Out of school suspension up to 10 school days
- Recommendation to the disciplinary committee
- Virtual learning placement by the Disciplinary Review Committee
- Saturday School (Grade 5 only with required parent attendance)
- Students who are "non-resident" are subject to immediate removal from the district to the school district in which they reside.
- Grade 5 only; Placement at the Guntersville Student Support Center (GSSC) by the Disciplinary Review Committee.
- Expulsion hearing before the board of education

##### **Grades 6-12:**

- Out of school suspension up to 10 school days
- Recommendation to the disciplinary committee
- Virtual learning placement
- Placement at the Guntersville Student Support Center (GSSC) by Disciplinary Review Committee
- Recommendation to the disciplinary committee
- Saturday School (Grades 6-8 includes required parent attendance)
- Students who are "non-resident" are subject to immediate removal from the district to the district in which they reside.
- Expulsion hearing before the board of education

**In addition, the Guntersville City Schools Board of Education may require restitution of property and damages where appropriate.**

#### **Code of Student Conduct**

#### **GUNTERSVILLE CITY BOARD OF EDUCATION**

#### **STUDENT DISCIPLINARY CONSEQUENCES/PROCEDURES**

##### **Suspension of Students with Disabilities**

A student with disabilities may not be suspended out of school for more than ten (10) days or otherwise be subject to a change of placement without a Manifestation Determination Hearing. Any more time in suspension would result in a change in placement, which requires IEP Committee action. Only an IEP Committee may change a student with disabilities placement. A student with disabilities who is suspended will be permitted to complete work or tests missed during the suspension.

##### Due Process

Each student will be afforded due process when the procedures outlined in the Student Code of Conduct are implemented. Principals of each school site will familiarize school personnel with the procedures and provide each faculty member with a copy of this policy. This Code of Conduct has been published with the following concepts in mind:

- Each school will create a positive school climate which incorporates positive behavioral interventions and supports.
- School rules should be clearly stated and related to the school's educational purposes.
- School rules should be fair and specific enough for students to understand what they can and cannot do.
- School rules will be consistently implemented.
- Students, parents and guardians should be informed of the rules affecting behavior and discipline.

- When disciplinary actions are involved, school personnel and students should comply with the required procedures.
  - Any student who has been identified as being eligible for the Individuals with Disabilities Education Act; Americans with Disabilities Act; and/or Section 504 of the 1973 Vocational Rehabilitation Act is subject to the provisions of the code of conduct and may be suspended or expelled. However, all procedural safeguards identified within specific laws will be followed as required.
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