

ORANGE BEACH CITY SCHOOLS CODE OF CONDUCT



Code of Conduct **Effective August 1, 2024**

Board Members

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Orange Beach City Schools' Code of Conduct

DISCLAIMER

This Orange Beach City Schools Student Code of Conduct is a stakeholder guide to the expectations of the school system. It is not intended to nor does it contain all rules, policies, procedures, and regulations. Efforts will be made to provide parents and students with complete and accurate information. The Orange Beach Board of Education (Board) reserves the right to change requirements, and to modify, amend, or revoke any rules, regulations, and schedules.

For students or parents having difficulty reading and understanding information in this document, consider one of the following options: Contact your student's school office for help or contact your school counselor and schedule an appointment time for guidance.

MISSION STATEMENT

The mission of Orange Beach City Schools is to provide a K-12 results based experience that focuses on the whole student, one that incorporates challenging academics and skills acquisition, strong character development and solid citizenship which will build our next generation.

VISION STATEMENT

Orange Beach City Schools vision is to pursue and expect excellence on behalf of every student in every school.

EQUAL EDUCATIONAL OPPORTUNITIES

It is Board Policy that no student shall be denied the benefit of any education program or educational activity on the basis of race, color, national origin, age, sex, disability, limited English proficiency, immigrant status, migrant status or homeless status. A free and appropriate education is available to all students with disabilities. It is the policy of the Board that barriers to enrolling and retaining students with limited English proficiency, homeless status, migrant status and immigrant status shall be removed, including but not limited to, the denial or delay of enrollment of such students due to lack of birth certificate, lack of school records or transcripts, lack of immunization or health records, lack of proof of residency, lack of transportation or guardianship or custody requirements. Notwithstanding the foregoing, the Board recognizes and confirms the importance and necessity of requiring certain enrollment related documentation. In the event students are enrolled without all required documentation, the Superintendent shall develop and implement administrative procedures to ensure and facilitate the supplemental provision of such documentation. All programs offered by schools within the school district are open to all students in compliance with statutory and judicial requirements.

TITLE IX

The Board does not discriminate on the basis of sex in the admission to or employment in its education programs or activities it operates. In accordance with Board Policy, all complaints regarding sexual harassment should be filed and reviewed under the Board's student sexual harassment policy and procedures. All other complaints under Title IX will be filed and reviewed according to the Board's general complaint and grievance policy and procedures.

TITLE VII

The Board does not discriminate on the basis of race, color, disability, creed, religion, sex, age, or national origin in its education programs or activities it operates. All inquiries, questions, comments, concerns, or complaints regarding non-discrimination policies and noncompliance with Title VII of the Civil Rights Act of 1964 should be registered in accordance with the Board's general complaint and grievance policy and procedures.

All inquiries, questions, or comments regarding Title IX or Title VII should be sent to:

Orange Beach City Schools
Attention Title IX /Title VII Coordinator
P.O. Box 2799
Orange Beach, AL 36561

DUE PROCESS

Due process will include the appropriate hearings and reviews, and, in all cases, the rights of individuals will be ensured and protected. Due process involves proper notice and fair hearing giving students the opportunity to provide their side of an allegation.

EXPECTATIONS/RESPONSIBILITIES OF PARENTS, STUDENTS, SCHOOLS, AND SCHOOL PERSONNEL

For schools to provide the most effective educational program, parents, students and school personnel must develop a cooperative relationship. This will require:

Parents/Guardians who:

- promote the development of cooperative, courteous attitudes in their children;
- communicate with the school concerning all phases of their children's progress;
- see that children are regular in attendance and that any absence or tardiness is promptly explained;
- provide materials and resources needed to complete class work;
- help their children to be healthy, clean and neat;
- talk with school officials about special conditions that affect their children or other children in the school;
- discuss progress reports, report cards and work assignments with their children;
- are responsible for providing current, correct addresses, phone numbers, email addresses and emergency contacts to the school office;
- attend scheduled parent-teacher conferences;
- see that students who do not ride the bus arrive at school at the appropriate time and leave immediately when dismissed;
- read and review the Orange Beach City Schools' Code of Conduct and appropriate school handbook with their child;
- follow rules and regulations of the school and the Orange Beach Board of Education;
- work with school personnel to achieve appropriate behavior for their children.

Students who:

- are present and punctual to all classes daily;
- come to class with appropriate supplies;
- respect the person and property of others;
- are clean, neat and appropriately dressed;
- conduct themselves in a safe, responsible and courteous manner;
- refrain from the use of profanity and inflammatory remarks;
- are responsible for their own work;
- show a positive, cooperative attitude toward the school and school personnel;
- are familiar with the local school handbook and follow its rules;
- follow rules and regulations of the school and the Orange Beach Board of Education.

Schools that:

- are safe, clean, neat, and comfortable;
- show respect for all students;
- provide courses of study which meet the educational needs of students;
- use effective discipline techniques based upon fair and impartial treatment;

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- cooperate with community agencies;
- make parents feel welcome, needed and appreciated;
- promote a spirit of warmth and cooperation among staff and with students;
- provide steps in grievance procedures;
- are sensitive to the special needs of students.

School personnel who:

- are punctual and regular in attendance to school and assignments;
- come prepared to perform their duties with appropriate materials;
- plan appropriate, effective and interactive lessons;
- respect the person and property of others;
- are clean, neat and appropriately dressed;
- conduct themselves in a safe, responsible and courteous manner;
- follow rules and regulations of the school and the Orange Beach Board of Education;
- are approachable and available to students and parents;
- show a positive, cooperative attitude toward students, parents and the school;
- seek changes through proper channels;
- continually update professional knowledge and skills.

JURISDICTION

Students shall be under the jurisdiction of the school (In loco parentis) from the time they arrive at school each day until they leave the school campus in the afternoon. In cases where students ride a school owned bus, they shall be under the jurisdiction of the school from the time they board the bus until the students exit the bus in the afternoon.

Students shall be under the jurisdiction of the school while attending any school sponsored activity either at school or away from school. This shall apply to all students including athletic teams, pep clubs, bands and other student organizations. Jurisdictional control over students may be extended to the immediate vicinity of the school and the bus stop if the conduct of the student(s) appears to have a harmful effect on the health, safety or welfare of others.

FREE SPEECH

Student responsibilities are:

- To abide by laws and local board of education and individual school rules and policies regarding free speech;
- To be courteous of the views of others;
- To respect the opinions of others to disagree in a manner that does not interrupt the educational process;
- To act in a way that upholds the dignity of all people.

Student rights are:

- To be informed of laws and local board of education and individual school rules and policies regarding free speech;

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- To express disagreement in a constructive manner taking into account the rights of others, consistent with the established education process.

STUDENT PUBLICATIONS

Student publications are subject to and will be expected to meet standards associated with responsible journalism. The principal and student publication sponsor are responsible for the content of such publications.

Student responsibilities are:

- To abide by laws and local board of education and individual school rules and policies regarding student publications;
- To communicate in a respectable manner consistent with good education practices;
- To seek accurate and complete information on the topics approved for publication;
- To observe the accepted rules for responsible journalism under the guidance of faculty members.

Student rights are:

- To be informed of laws and local board of education and individual school rules and policies regarding student publications;
- To participate, as part of the educational process, in the development and/or distribution of student or school publications consistent with the educational process.

ASSEMBLY

Student responsibilities are:

- To abide by laws and local board of education and individual school rules and policies in regard to assembly;
- To seek approval, plan, and conduct meetings consistent with local board of education and school rules.

Student rights are:

- To be informed of laws and local board of education and individual school rules and policies regarding assembly;
- To assemble in a lawful manner for lawful purpose with prior approval by local school officials and/or the school administration.

RESPECT FOR PERSON, PRIVACY, AND PROPERTY

Student responsibilities include, but are not limited to the following:

- To abide by laws and local board of education and individual school rules and policies regarding respect for person, privacy, and property;
- To respect the recognized privacy rights of others;
- To attend school and related activities without bringing items prohibited by law or local board of education policy or which detract from the educational process;
- To respect the property rights of those at school and the general public.

Student rights are:

- To be informed of local board of education and individual school rules and policies regarding respect of person, privacy and property;

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- To retain privacy of personal possession on his/her person, in lockers, or vehicles, unless school personnel have reasonable suspicion to believe the student possesses an item which is prohibited by law or local board of education policy.

LEARNING

Student responsibilities are:

- To abide by laws and local board of education and individual school rules and policies regarding the right to learn;
- To take advantage of appropriate opportunities provided for learning;
- To avoid hindering the teaching process;
- To seek assistance, if needed, to aid learning;
- To obey rules regarding attendance, conduct, free speech, student publications, assembly, privacy, and participation in school programs and activities;
- To pay any costs associated with damage of devices including replacement costs.

Student rights are:

- To be informed of laws and local board of education and individual school rules and policies regarding the right to learn;
- To be provided a safe school environment free of illegal drugs, alcohol, or weapons;
- To be provided appropriate instructors, instructions, materials, and equipment to take advantage of the opportunity to learn;
- To be provided with the opportunity to express concerns regarding the operation of the school.

SEARCH AND SEIZURE

Desks, lockers and other equipment belonging to the school district, while assigned to students for their use, may be entered and searched whenever school officials have reasonable suspicion* that some contraband material may be inside. If such items are found, the items may be impounded by school officials.

When possible, students will be contacted before a search is made and the desk or locker will be opened in their presence. If the student cannot be contacted, a witness from the professional staff shall be present during the inspection.

The preceding search and seizure statements shall also apply to automobiles and/or any other vehicle on school property.

*Reasonable suspicion is based on information from such sources as faculty members, support personnel, reliable students, law enforcement officers, visual evidence or any reasonable factors.

OUT-OF-SCHOOL CRIMINAL CONDUCT

It is the intent and duty of the Orange Beach Board of Education to provide students, teachers, staff, and administrators with a safe, orderly, and conducive to learning educational setting. Therefore, if a student is charged with a violent crime in the community, a crime involving deadly weapons, a felony, or a crime that is serious in nature, the school principal shall immediately notify the Superintendent or designee and apprise them of the charges. A hearing will be held to consider the nature and seriousness of the charges, affording the student and the parents proper due process. One of the following recommendations may be made as a result of the hearing.

- The student may be suspended and not be readmitted to school until appropriate authorities have disposed of criminal charges.
- The student may be placed in an alternative or virtual program until appropriate authorities have disposed of criminal charges.
- The student may be placed in a homebound setting or neutral site until appropriate authorities have disposed of criminal charges.

During this period, the student will not be allowed to enter any Orange Beach City School property or attend any extra-curricular activity or event involving Orange Beach City Schools.

STUDENT TRANSFER FROM ALTERNATIVE PROGRAMS

Any student transferring to Orange Beach City Schools must be in good disciplinary standing from his/her previous school(s) with no outstanding suspension, alternative placements, or expulsion offenses pending. The Orange Beach Board of Education honors suspensions, alternative placements, and expulsions from other official Boards of Education. Students transferring in from a youth detention facility or any other alternative setting must schedule a meeting with the hearing officer of Orange Beach City Schools. If the hearing officer deems it appropriate, the student may receive services in an alternative setting, which may include but is not limited to, virtual instruction.

PARTICIPATION IN GRADUATION CEREMONY

Participation in graduation and other ceremonies is a privilege, not a right. This privilege is earned by completing all graduation requirements set forth by the Alabama State Board of Education and the Orange Beach Board of Education. This privilege may be revoked based on serious misconduct, on or away from the school campus, especially if the event occurs at or near the time of graduation. This determination will be made by the principal, Superintendent, or his/her designee.

DRESS CODE POLICY

All students are expected to be clean, neat, and appropriately dressed for school. Dress and appearance must not present health or safety problems or cause disruption and should encourage a serious approach to school. The Orange Beach Board of Education prohibits

any clothing or grooming that, in the principal's judgment, may reasonably be expected to cause a substantial disruption of, or interference with, normal school operations. The local school principal will be the final authority for determining appropriate dress within the framework of the policies below. Consult the school handbook for specific dress codes and compliance guidelines.

ATTENDANCE (Board Policy 5.4)

All students should attend school regularly and be on time for all classes in order to receive the greatest benefit from the instructional program and to develop habits of punctuality, self-discipline, and individual responsibility.

Alabama State law requires every child between the ages of six (6) and seventeen (17) years be in attendance at school. It shall be the policy of the Orange Beach City Schools to enforce this law (Policy 5.41 Compulsory School Attendance Age). Student attendance will be monitored on a daily basis and parents contacted as required by law. Student attendance for driver's license purposes shall be processed as prescribed by law (Policy 5.42 Revocation of Driver's License/Permit). Each Orange Beach school and the Orange Beach School System shall take appropriate action, including court referrals, as required by Alabama statutes when a student has excessive absences or is truant.

Regular attendance is the actual attendance of a pupil during the school day as defined by law and regulations of the State Board of Education. A student who is absent or tardy without the principal's/designee's approval shall have his/her parent(s)/legal guardian provide written reasons for such absences or tardies to the school in the manner prescribed by the Orange Beach School System attendance policies and procedures as described in the Student Code of Conduct.

EARLY WARNING TRUANCY PREVENTION

The Early Warning Program is a school/community-based program to assist public school personnel, parents, and law enforcement personnel in providing for early intervention for children and youth who are truant or in danger of becoming truant. A child is truant if no explanation is provided for absences or the child is absent for reasons other than those recognized as excusable. Orange Beach City Schools, in partnership with the Baldwin County Juvenile Court System, will participate in the Early Warning Truancy Prevention Program.

Orange Beach City Schools will use the following procedures for addressing truanancies:

- A. Once a child accumulates two (2) unexcused days of school, students and parents shall be cautioned about truancy and subsequent action that the school and courts may take.
- B. Once a child accumulates five (5) unexcused days of school, parents/guardians shall be notified, and a conference will be held with the school attendance clerk, counselor or administrator regarding truancy.

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- C. Once a child accumulates seven (7) unexcused days of school, parents/guardians shall participate in the Early Warning Truancy Prevention Program provided by the juvenile court. Attendance at this meeting shall be mandatory except where prior arrangements have been made, or an emergency exists. Also, failure to appear at the Early Warning Truancy Prevention Program meeting may result in the filing of a complaint or petition for truancy against the child and/or parents/guardians.
- D. Once a child accrues another unexcused day of school after attending an Early Warning Truancy Prevention Program, a complaint/petition against the child or parent/guardian may be filed with juvenile court.

GENERAL GRIEVANCE PROCEDURES (Board Policy 5.33.1)

Whenever an Orange Beach School System student believes he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, students can resort to the more formal procedures as provided herein.

Definitions

- **Complaint** shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. Complaint shall not apply to any matter in which the method of review is prescribed by law. Complaints are objections to a specific act or condition.
- **Complainant** shall mean any student or group of students, directly affected by the alleged misinterpretation or violation, filing a complaint.
- **Faculty/Staff and Administration** shall mean the employees of the Orange Beach Board of Education or representatives under the direct supervision of an employee of the school Board.
- **Day** shall mean a school/academic day.
- **Time Limits:** The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
- **Released Time:** The complaint procedure will normally be carried out during non-instructional time. If, however, the Board elects to carry out provisions during instructional time, the complainant shall not lose academic credit.

Complaint Procedure

- **Informal Discussion:** If a student believes there is a basis for complaint, he/she shall discuss the complaint with his/her principal or the designee of the principal, except in cases of discrimination or harassment involving the principal or the designee, in which case the complainant shall report to the Superintendent designee (Title IX Equity Coordinator or 504 Coordinator) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- **Level One:** If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her principal or

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designee. The principal or designee shall communicate his/her answer in writing to the complainant within ten (10) days of receiving the written complaint. Class complaints involving more than one (1) principal or designee and complaints involving an administrator above the building level may be filed by the complainant at level two.

- **Level Two:** If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.
- **Board Appeal:** If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the Orange Beach Board of Education, provided a request for placement on the Board agenda is filed within ten (10) days.

Confidentiality will be provided to the extent possible to any student or affected party who alleges discrimination or harassment.

TERRORISTIC THREATS

School safety is paramount to the Orange Beach Board of Education. Terroristic threats of any kind in Orange Beach City Schools will be taken seriously and dealt with in a swift, severe, and consistent manner. Making terroristic threats may be considered a Class III offense and punished accordingly as described in the Student Code of Conduct.

CLASSIFICATION OF VIOLATIONS AND SANCTIONS

It is fundamental that an orderly school have clearly defined rules for behavior to which students must conform. Nonconformity to the rules is a violation of the Student Code of Conduct. Conduct violations are grouped into three classes: Class I, Class II, and Class III, ranging from the least to the most serious. Appropriate school personnel shall investigate, verify, and take the necessary actions to resolve student misconduct. After determining a violation and the classification of the violation, the principal or designee should implement the appropriate sanction. Violations apply to student conduct on a school campus, at school related events, while being transported to or from school or school related events, or off-campus misconduct that has a direct effect on good order and general welfare of the school. Below is a listing of examples of each class of violation and possible sanctions. As the violations increase in seriousness, the severity of the possible sanctions increase. The Superintendent is further authorized to supplement the list of violations and sanctions in the Student Code of Conduct that is presented for adoption to the Board.

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Class I Violations

- 1.01 Distraction of other students;
- 1.02 Intimidation, harassment of student, minor and isolated incident;
- 1.03 Tardiness;
- 1.04 Non direct use of profane language or obscene gesture (See also 2.10);
- 1.05 Nonconformity to dress code;
- 1.06 Disruption on a school bus, minor incident;
- 1.07 Inappropriate public display of affection, minor incident;
- 1.08 Refusal to complete class assignments;
- 1.09 Failure to follow directives from a school system staff member, minor;
- 1.10 Unauthorized use of school or personal property;
- 1.11 Littering on school property;
- 1.12 Horseplay;
- 1.13 Violation of the Technology Acceptable Use, minor incident, first incident;
- 1.14 Complicity (aiding, abetting or encouraging others) to a Class I Infraction; and/or
- 1.15 Any further violations which may be outlined in the Board of Education Student Code of Conduct or which the principal may be reasonable to fall within this category after investigation and consideration of extenuating circumstances.

Class I Sanctions

1. Conference with the student;
2. Conference with the parent;
3. Verbal warning, reprimand and or demerits;
4. Loss of privileges;
5. Work Assignment;
6. Bus suspension;
7. Removal from class;
8. Temporary or permanent detention before school, after school, or Saturday school;
9. In-School Intervention Program (ISIP);
10. Referred to counselor;
11. Referred to peer mediation;
12. Restitution;
13. Student contract; and/or
14. Other sanctions as approved by the Board of Education and further outlined in the Student Code of Conduct.

Class II Violations

- 2.01 Failures to follow directives from a school system staff member, moderate or serious or repeated incidents;
- 2.02 Disruption on the school bus, moderate or second incident;
- 2.03 Vandalism/property damage;
- 2.04 Theft of property (less than \$100 value);
- 2.05 Gambling;
- 2.06 Possession of stolen property with the knowledge that is stolen;
- 2.07 Sexual harassment;
- 2.08 Threats (verbal, written, or gesture)/extortion;
- 2.09 Trespassing;
- 2.10 Direct use of profane language or obscene manifestation (verbal, written, or gesture) directed toward another person;
- 2.11 Repeated direct or non-direct use of profane language or obscene gestures;
- 2.12 Unauthorized absence from class or school ("skipping");
- 2.13 Leaving campus without authorization (Class II 1st offense / subsequent offenses may be categorized as Class III);
- 2.14 Inappropriate public display of affection, repeated or significant;
- 2.15 Inappropriate touching of another person;
- 2.16 Possession of and/or use of matches or lighters;
- 2.17 Possession, sale, and/or use of tobacco products or paraphernalia on school property or any school-sponsored activity;
- 2.18 Possession, sale, and/or use of electronic smoking devices or paraphernalia - Having or using e-cigarettes, e-cigs, electronic nicotine delivery systems, vaporizer cigarettes, vape pens, etc, on the school property or any school-sponsored activity. (Class II 1st offense / subsequent offenses may be categorized as Class III);
- 2.19 Dishonesty and cheating;
- 2.20 Providing false information to a local Board of Education employee (lying, forgery, etc.);
- 2.21 Bullying, intimidation, harassment of a student, moderate or second incident;
- 2.22 Fighting;
- 2.23 Complicity (aiding, abetting or encouraging others) to a Class II Infraction;
- 2.24 Inappropriate use of school or personal electronic devices to include the unauthorized taking of photographs, films, and/or video recordings;
- 2.25 Repeated violations of Class I offense;
- 2.26 Violation of the Technology Acceptable Use, moderate or second incident;
- 2.27 Possession of an object that is potentially dangerous (i.e. taser, pepper spray, pocket knife, etc.); and/or
- 2.28 Any other offense or violations as further outlined in the Student Code of Conduct or in which the principal may be reasonable to fall within this category after investigation in consideration of extenuating circumstances.

Class II Sanctions

1. In-School Intervention Program (ISIP);
2. Out of school suspension;
3. Assignment to the alternative program;
4. Referral to an outside agency;
5. Expulsion; and/or
6. Any sanctions included in Class I and other sanctions as approved by the Board of Education and further outlined in the Student Code of Conduct.

Class III Violations

- 3.01 Arson;
- 3.02 Robbery;
- 3.03 Theft of property (more than \$100 value);
- 3.04 Burglary of school property;
- 3.05 Criminal mischief;
- 3.06 Bomb threat;
- 3.07 Sexual offense;
- 3.08 Fighting;
- 3.09 Inciting or participating in major student disorder (Disorderly Conduct);
- 3.10 Unjustified activation of fire alarm system or fire extinguisher;
- 3.11 Assault on a person student, teacher, staff member, visitor, etc;
- 3.12 Possession of a weapon or object with intent to be armed or do bodily harm (firearm, taser, pepper spray, knife, etc.);
- 3.13 Preparing, possessing, and organizing explosive device (see glossary);
- 3.14 Unlawful sale, purchase, furnishing, giving, or possession of illegal drugs or drug paraphernalia or alcoholic beverage;
- 3.15 Accessing or changing information in school computers without authorization or for an inappropriate purpose (see glossary Computer Tampering/Hacking);
- 3.16 Crimes as defined on the laws of the city, state of Alabama, or United States;
- 3.17 Bullying, intimidation, harassment a student, severe or repeated;
- 3.18 Repeated failure to follow directives from a school system staff member, severe (Defiance of Authority);
- 3.19 Repeated violations of Class I and/or II Offenses after directives and sanctions from school system staff;
- 3.20 Violation of the Technology Acceptable Use, major/severe or repeated violations;
- 3.21 Direct use of profane language or obscene manifestation (verbal, written or gesture) directed toward a school board employee or adult;
- 3.22 Complicity (aiding, abetting or encouraging others) to a Class III Infraction;
- 3.23 Inappropriate use of school or personal electronic devices to include the unauthorized taking and/or distribution of photographs, films, and/or video recordings;
- 3.24 Terroristic Threats (see glossary); and/or
- 3.25 Any other offense or violation as further outlined in the Student Code of Conduct or in

which the principal made reasonable to fall within this category after investigation in consideration of extenuating circumstances.

Class III Sanctions

Class III violations may result in suspension, alternative placement, or expulsion. However, discipline may include any sanctions(s) included in Classes I and II and other sanctions as approved by the Board of Education and as further outlined in the Student Code of Conduct.

SANCTION NOTES

Corporal Punishment

Corporal punishment (spanking) should not be administered by school personnel.

In-School Intervention Program (ISIP)

The Orange Beach Board of Education shall maintain an in-school intervention program as necessary to provide a structured discipline atmosphere in which a student is isolated or removed from regular classroom activities but is not dismissed from the school setting.

Suspension

In order to maintain order, minimize the risk of potential personal injury, property damage or disruption, or to permit an orderly investigation and evaluation of a suspected violation of school or school system rules, standards, or policies, principals may temporarily suspend a student pending a conference with the parent or guardian of the student and a final disciplinary decision. Students may be suspended from school for offenses serious enough to warrant such action as provided in the Student Code of Conduct or the following outlined violations. At a minimum, the following circumstances represent when and how a student may be suspended. The Superintendent is further authorized to develop and outline any additional procedures regarding suspensions in the Student Code of Conduct.

It is the policy of the Orange Beach Board of Education that a student may be suspended from school under the following circumstances:

- After committing Class I offense as identified further below;
- After committing a Class II offense as identified below; and
- After committing any serious offense or exhibiting any serious misconduct.

All suspensions should be for a specified number of days not to exceed 9 school days. Any deviation of said pattern shall require authorization from the Superintendent.

In the event that a student's misbehavior is severe enough to warrant suspension, the procedures shall be as follows:

- The student shall be informed orally or in writing, by the principal or designee, of the charges against him or her. In the event the student denies the charges, the student will be provided an opportunity to present his or her side of the story. Under all circumstances, students will be provided an opportunity to state matters and

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mitigation of the charges.

- If in the opinion of the principal or his or her designee, the student committed the offense in question, the student shall be suspended from school.
- The principal should immediately notify the student's parent or legal guardian of the action taken, the reason or bases for the action, and what further action will be taken, if any.

Expulsion

Students may be expelled from school for offenses serious enough to warrant such action as provided in the Student Code of Conduct or the following outlined violations. At a minimum, the following circumstances represent when and how a student may be expelled. The Superintendent is further authorized to develop and outline any additional procedures regarding expulsions in the Student Code of Conduct.

It is the policy of the Orange Beach Board of Education that a student may be expelled from school under the following circumstances:

- After committing Class II offense;
- After committing a Class III offense; and/or
- After committing any serious offense or exhibiting any serious misconduct.

Expulsions might be for any given period of time or permanently.

In the event that a student's misbehavior, severe enough to warrant expulsion, the procedure shall be as follows:

- The student should be clearly informed by the principal, or by his or her designee, of the offense with which he or she is being charged. The student will be given an adequate opportunity to state his or her position regarding the alleged offense and provide any matters in mitigation. Provided however, in the event that the principal determines that the student poses an immediate threat to persons or property, or threatens immediately to disrupt the educational process, the student may be suspended immediately. In such cases, notice of misconduct with which the student is charged should be given as soon as practical, and no later than three (3) days following suspension. Under such circumstances, a time should be scheduled as soon as practical and not later than five (5) days after suspension to provide the student adequate opportunity to state his or her position regarding the alleged offense and provide any matters in mitigation.
- If, in the judgment of the principal, or his or her designee, the student committed the offense or offenses in question, the student shall be immediately suspended from school pending a determination by the principal as to whether expulsion is necessary.
- In the event the principal determines that the totality of the circumstances require expulsion, the principal must refer the matter to the school system's hearing officer. The principal will notify the student's parents or legal guardian of his or her recommendation for expulsion and of the misconduct with which the student is charged. The notice must further notify the parent or legal guardian that they have

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the right to request a hearing at which time they shall have the right to ask questions of the principal and of any witnesses, and to present witnesses. Except as otherwise agreed upon by the hearing officer, the request for hearing must be submitted to the hearing officer in writing within three (3) days of the date of the notification of the intent to expel. Notice of the results of the hearing should be given in writing to the student's parent or guardian within three (3) days after the hearing.

- The student's parent or guardian shall thereafter have the right to appeal from the results of said hearing to the local Superintendent provided notice of intent to appeal is given within five (5) days of receipt of the notice of the results of the hearing. The appeal shall be heard by the Superintendent or an expulsion review committee as designated by the Superintendent. The appeal hearings will be held within five (5) days of the receipt of the notice of appeal except as otherwise agreed upon by the local Superintendent and the parent or guardian of the student. The student shall have the right to ask questions of the hearing officer, principal, and any witnesses, and to present witnesses during the appeal hearing. The student and his parent or guardian shall be notified in writing of the results of the appeal within five (5) days following hearing.

When a student is placed in an alternative setting by another school district, Orange Beach City Schools will honor the placement, and the student will complete the time assigned to alternative school via Orange Beach City School's alternative school. When a student is suspended or expelled, the student is denied any admission to Orange Beach City Schools until the student has cleared their record with the school originating this suspension or expulsion. The Board may impose such reasonable limitations on the student's right to re-enroll in the school system following expiration of expulsion as may be permitted by law. A student who withdraws from school prior to the Board's consideration of a proposed expulsion may not re-enroll in the school system until the Board holds a hearing or other appropriate proceedings regarding the recommended expulsion.

Suspension and Expulsion of Students With Disabilities

Suspension and/or expulsion of students with disabilities will be subject to applicable requirements imposed by the IDEA, Section 504, and any applicable implementing regulations thereunder.

GUN-FREE SCHOOLS

The Gun-Free Schools Act of 1994 requires the expulsion (i.e. the removal from the regular school program) of any student who brings a firearm to school for a period of at least one year. In addition, the student will be referred to the juvenile court system.

PROHIBITION OF TOBACCO, ALCOHOL, DRUGS AND ELECTRONIC SMOKING DEVICES

Students shall not use, possess, distribute, and/or sell drugs, electronic smoking devices, or alcohol in a school building, on school grounds, on Board property, on school buses, or at a school-sponsored function. Drugs shall include those listed in the State and/or Federal

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Controlled Substances Laws, prescription drugs (except in accordance with Board policies and procedures on prescription medications), and drug or alcohol paraphernalia.

Self-administration of medications by students shall be permitted for chronic conditions subject to compliance with the State Department of Education and Alabama Board of Nursing Medication Curriculum. Upon obtaining permission to self-administer approved medications in accordance with the preceding sentence, a student shall be permitted to possess and self-administer approved medications, according to the orders of the prescriber, at any time while on school property or while attending a school-sponsored event. With regard to all other uses of prescription and/or over-the-counter medication by students, parents/guardians shall be required: (1) to personally deliver the medication to the school office; and (2) to complete all necessary forms for the dispensing of medication during the school day. Violations of Board policy and/or procedures concerning over-the-counter medication are excluded from the list of mandatory consequences set forth below. Notwithstanding the foregoing, students shall be subject to discipline, as deemed appropriate by the school principal, in the event they fail to comply with Board policy and procedures concerning over-the-counter medication.

Alcohol, drugs, and alcohol/drug paraphernalia, or other related substances or items confiscated shall be released to appropriate law enforcement officials. A student with a disability who violates this policy shall have the policy applied within the guidelines defined for the discipline of students with disabilities in compliance with applicable laws.

SEXUAL HARASSMENT (Board Policy 3.43)

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.

Definition – 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:

- 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;
- 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;
- 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.

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

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

ANTI-BULLYING AND ANTI-HARASSMENT POLICY (Board Policy 3.46)

Orange Beach City Schools is committed to providing a safe and supportive learning environment in which all members of the school community are treated with respect. Bullying, violence, and threats of violence, and intimidation are prohibited and constitute unacceptable behavior that will not be tolerated.

No student shall engage in nor should any be subjected to bullying, violence, threats of violence, or intimidation by any other student that is based on any of the specific characteristics set forth in this policy. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the Student Code of Conduct, subject to the investigating school administrator's authority and decision and in accordance with applicable Federal and State law.

A series of graduated consequences for any violation of this policy will be exercised. 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 Student Code of 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 Student Code of Conduct.

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 guardian of the report.

Link to [complaint form](#).

ELECTRONIC COMMUNICATION DEVICES

The Orange Beach Board of Education may permit any student to carry a cellular telephone or other electronic communication device while on school property and may permit any student to use a cellular telephone or other electronic communication device, when such use is expressly and specifically permitted by the school administrator, teacher, or employee who is acting in a supervisory capacity at the time of the use.

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The possession of an electronic communication device is strictly prohibited during the administration of a secure test. A student in possession of an electronic communication device during testing shall be subject to applicable disciplinary consequences. The prohibited device shall be confiscated and may be subject to search. The student's test shall be invalidated if test security procedures are violated. (See also Policy 4.61 Test Security)

Any student found in violation of this policy may be subject to suspension or other disciplinary action by the school administration and/or the Orange Beach Board of Education.

The Board assumes no responsibility for theft, loss, or damage to any personal/wireless communication device. The principal or his designee may approve the use of such devices during medical emergencies, natural disasters, after regular school hours, at events or under circumstances in which the use of the devices serves safety and convenience without disrupting academic or school operations. Principals or their designees will also have the authority to further restrict or deny the use of personal/wireless communication devices by any student to prevent the misuse, abuse, or violation of school rules regarding the use of such devices. School officials may read, examine, or inspect the contents of any such device upon reasonable suspicion that the device contains evidence of an actual violation of the law, of Board policy, the Student Code of Conduct, or other school rules, provided that the nature and extent of such examination shall be reasonably related and limited to the suspected violation.

This policy shall apply to handheld electronic devices with communication and storage capabilities and shall include, without limitation, cellular telephones, MP3 and similar music players, tape recorders and players, scanners, portable digital assistants, wireless email devices and cameras. The scope of this policy does not include electronic devices approved for use by the building principal or required by a student's Individualized Education Program.

In the event students are suspended or expelled for violating the Electronic Communication Device Policy, due process shall be provided in accordance with Board Policy.

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. Local education agency (LEA) personnel will make all students, parents, and/or guardians aware of this prohibition through inclusion of this policy in the Student Code of Conduct

Handbook and other regularly used modes of communication.

TECHNOLOGY ACCEPTABLE USAGE POLICY (Board Policy 5.90)

PURPOSE: The purpose of the Orange Beach Board of Education (OBBOE) is to provide an effective, challenging, and engaging education for every one of our students. The intended use of technology is to a) enhance the educational experience of students by direct interaction with technology, and to b) indirectly enhance the educational experience of students by allowing faculty and staff to access and process important information in a timely and efficient fashion.

POLICY STATEMENT: An acceptable use policy (AUP) is a policy that outlines, in writing, how Orange Beach Board of Education expects its community members to behave with technology. Similar to a Terms of Service document, an AUP should define publicly what is deemed acceptable behavior from users of hardware and information systems such as the Internet, computers, laptops, tablets and any applicable networks. The primary goal of the technology environment is to support the educational and instructional endeavors of students and employees of Orange Beach City Schools. Use of any and all technology resources is a privilege and not a right.

Any questions about this policy, its interpretation, or specific circumstances shall be directed to the Technology Department before proceeding. Violations of this policy will be handled in a manner consistent with comparable situations requiring disciplinary and/or legal action.

NOTIFICATION OF LEGAL LIABILITIES

The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property, school sponsored activities and/or against school employees.

Police Department Involvement

It is the policy of the Orange Beach Board of Education to have the respective Police Department contacted to investigate every incident involving illegal or prohibited drug possession, consumption, sale, or distribution. All students involved in any such conduct may be subject to arrest, transportation to the Police Station, and in the normal course of investigation, interviews by the Police Department.

Attendance And Conduct (Act 94-782), (Act 99-705) (Code Of Ala. § 16-28-12)

Each parent/legal guardian or other person having control or custody of a student required to attend school who fails to require the student to enroll, to regularly attend school, or to compel the student 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 and may be fined up to \$100 and may be sentenced to hard labor for up to (90) days. Amendment to Act 94-782 (effective July 1, 2000).

Act 99-705 amends the attendance requirement to read “Each student who is enrolled in a public school shall be subject to the attendance and truancy provisions of the article except that any parent/guardian who voluntarily enrolls their student in public school, who feels that it is in the best interest of that student, shall have the right to withdraw the student at any time prior to the current compulsory attendance age.”

ACT 95-314 states that if the school administrator is unable to verify the enrollment status* of a student, the student shall automatically be removed from membership when he/she has accumulated ten (10) consecutive unexcused absences. This does not remove the responsibilities for investigating nonattendance, non-enrollment, and other requirements as specified by legislative or State Board of Education mandates relative to school attendance.
*After extensive documented research

Drop-Out/Driver's License (Act 94-820 Which Amended Act 93-368 As Codified In Code Of Ala. § 16-28-40) The Department of Public Safety shall deny a driver's license or learner's permit to any person under nineteen (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.

Driver's License/ Pistol Possession (Act 94-820) (Code Of Ala. § 16-28-40)

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

Section 1:

- No person shall shoot or discharge a firearm into an occupied or unoccupied school bus or school building.
- A person who shoots or discharges a firearm into an occupied school bus or school building shall be guilty of a Class B felony.
- A person who shoots or discharges a firearm into an unoccupied school bus or school building shall be guilty of a Class C felony.

Drug Dealing (Act 94-783) (Code Of Ala. § 6-5-72)

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) (Code of

Ala. § 16- 1-24.1)

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

If a person is found to have violated a local board of education policy concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person, the person may not be admitted as a transfer student or 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.

Act 94-784 - Establishment Of School Discipline Plans Including: Drugs/Alcohol/Weapons And Assault

Provides for automatic suspension of students violating drug, alcohol, weapons, and assault policies - students will be readmitted based on local board approval. Principals are required to notify appropriate law enforcement officials when any person violates local board of education policies concerning drugs, alcohol, weapons or assaults.

Mandatory Reporting Of Child Abuse (Code Of Ala. § 26-14-3(F))

According to Alabama laws, all nurses, school teachers and officials, peace officers, law enforcement officials, social workers, day care workers or employees, mental health professionals, as defined in Rule 505 of the Alabama Rules of Evidence, or any other person called upon to render aid or medical assistance to any child shall report or cause to report incidents where a child below the age of eighteen (18) is known or suspected to be a victim of child abuse or neglect.

Obstructing Governmental Operations (§code Of Ala.13a-10-2)

A person commits the crime of obstructing governmental operations if, by means of intimidation, physical force, interference, or by any other independently unlawful act, he:

1. Intentionally obstructs, impairs, or hinders the administration of law or other governmental function; or
2. Intentionally prevents a public servant from performing a governmental function. This section does not apply to the obstruction, impairment, or hindrance of the making of an arrest.
3. Obstructing governmental operations is a Class A misdemeanor.

Teacher Assault (Act 94-794) (Code Of Ala. § 13a-6-21)

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/her duty.

Theft Of Lost Property (Code Of Ala. §13a-8-6)

Definition: A person commits the crime of theft of lost property if he actively obtains or exerts control over the property of another which he knows to have been lost or mislaid, or to have been delivered under a mistake as to the identity of the recipient or as to the nature of the amount of the property, and with intent to deprive the owner permanently of it, he fails to take reasonable measures to discover and notify the owner.

Criminal Trespass By Motor Vehicle (-Code Of Ala. § 13a-7-4.1)

A person commits the offense of criminal trespass by motor vehicle when the person does so after having been requested not to do so by a uniformed law enforcement officer or by a properly identified owner or an authorized agent of the owner. A person who commits the offense of criminal trespass by motor vehicle shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine:

1. Not to exceed \$50.00 for the first such offense;
2. Not to exceed \$100.00 for the second such offense; and
3. Not to exceed \$150.00 for the third or subsequent such offense.

Vandalism (Act 94-819) (Code Of Ala. § 16-5-380)

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

Weapons In Schools (Act 94-817) (Code Of Ala. § 13a-11-72)

No person shall knowingly with intent to do bodily harm, carry, or possess a deadly weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony.

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

Firearms In Schools (Acts 1995, No 95-756, 1768 §1-4) (Code Of Ala. §16-1-24.3)

Students, who are determined to have brought to school or have in their possession a firearm in a school building, on school grounds, on school buses, or at other school-sponsored functions shall receive a required expulsion for a period of one year. The local Board and Superintendent may modify the expulsion requirement for a student on a

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case-by-case basis. Students who are expelled for violation of this section shall not be allowed to attend regular school classes in any public school in the state during the expulsion period. Students who are expelled from school for firearm possession may be permitted to attend alternative schools designed to provide education services. Discipline of students with disabilities who violate the firearm possession policies of city boards of education shall be determined on a case-by-case basis in accordance with the requirements of the *IDEA* and Section 504 *Rehabilitation Act*. For the purposes of this section, the term "firearm" has the same meaning as defined in *Title 18 §921 U.S.C.* When there are violations of the prohibition on firearms being brought to school by students, the school principal shall notify the appropriate law enforcement officials. Law enforcement authorities shall refer the violators to the appropriate authority in the judicial system when the action is feasible. The school principal shall notify the parents of students who violate the firearm-free school environment.

KNOWLEDGE AND OBSERVATION OF RULES OF CONDUCT

Student and parent/guardian responsibilities include, but are not limited to the following:

- To abide by laws and local board of education and individual school rules and policies regarding rules of conduct:
 - Equal Educational Opportunities
 - Title IX Prohibition of Discrimination on basis of sex or gender
 - Prohibition of Sexual Harassment
 - Pupil Conduct
 - Prohibition of Bullying, Harassment, Violence, and Threats of Violence
 - Prohibition of Firearms, Weapons and Illegal Drugs and Alcohol
 - Drug/Alcohol Free School Policy
 - Tobacco and Electronic Smoking Devices Policy
 - Search of Property and Individual
 - Access and Acceptable Use of Technology
 - Inspection of School Property
 - School Attendance
- To document receipt of the code of conduct with his/her signature.
- To abide by the dress code
- To be informed of laws and local board of education and individual school rules and policies regarding rules of conduct.
- To be informed as to the specific grounds of the violation(s) of the local board of education's code of student conduct.

GLOSSARY

Alcohol: (possession, use or sale): The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or under the influence of intoxicating alcoholic beverages. This would include being under the influence at school, school-sponsored events and any student transportation provided by the local board of education.

Arson: (setting a fire on/in school property): A person commits the crime of arson if he/she intentionally damages a building or structure or puts a building or structure at risk of damage by starting or maintaining a fire or causing an explosion.

Examples: Firecrackers, fireworks and trash can fires would be included in this category if they are contributing factors to a damaging fire. This category does not include a simple act of lighting a match.

Assault: A physical attack on someone usually involving violence, bodily harm, and possibly a weapon, all with the intention of causing harm.

Bombs: An explosive weapon detonated by impact, proximity to an object, a timing mechanism, or other predetermined means. This includes any of various weapons detonated to release destructive material such as smoke or gas. If the offense involves the actual placement of a bomb or one sent through the mail, regardless of whether the bomb explodes or not, the offense is coded under weapons (for additional information see Weapons).

Bomb Threat: To unlawfully place any person in fear of bodily harm by threat of explosives by any means of communication regardless as to whether or not a bomb actually exists.

Burglary: The unlawful entry into a building or other structure with the intent to commit a crime. This applies to school buildings or activities related to a school function. A person commits burglary if he/she knowingly enters or remains unlawfully in a building with intent to commit theft or a felony therein and, if in effecting entry or while in the building or immediate flight there from, he/she or another participant in the crime:

1. Is armed with explosives or a deadly weapon; or
2. Causes physical injury to any person who is not a participant in the crime; or
3. Uses or threatens the immediate use of a dangerous instrument; or
4. Knowingly enters or remains unlawfully in a building with intent to commit a crime therein.

Complicity: A person is complicit when assisting, aiding, abetting or encouraging others to commit a Code of Conduct violation.

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Computer Tampering/Hacking – Tampering with computers or hacking into school/system networks to change student or employee records, change grades, delete files, compromise passwords, etc.

Contraband: (School defined): In general, any property which is unlawful or in violation of school board policy to produce or possess.

Criminal Mischief: A person commits the crime of criminal mischief if, with intent to damage property, and having no right to do so or any reasonable ground to believe that he/she has such a right, he/she inflicts damages to property.

Defiance of Authority: Willful disobedience of a direct order of instruction from a school board employee. A contemptuous opposition or disregard of an order of instruction from a school board employee or others having legal authority (such as police or firemen) openly expressed in words or actions.

Disorderly Conduct: (serious class or campus disruption, etc.): Any act which substantially disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment or poses a threat to the health, safety and/or welfare of students, staff or others. If the action results in a more serious incident, report the more serious incident. Alabama law states that a person commits the crime of disorderly conduct, if with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he/she:

1. Engaged in fighting or in violent tumultuous or threatening behavior; or
2. Makes unreasonable noise; or
3. In a public place uses abusive or obscene language or makes an obscene gesture; or
4. Without lawful authority, disturbs any lawful assembly or meeting of persons; or
5. Obstructs vehicular or pedestrian traffic, or a transportation facility; or
6. Congregates with other persons in a public place and refuses to comply with a lawful order.

Drugs: (illegal drug possession, sale or use/under the influence): The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance, or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence or possessing drugs at school, at school sponsored events or on school sponsored transportation or substances represented as drugs. Use should be reported only if students are caught in possessing, transferring, or in the act of using, are tested and use found by an officer during/after arrest or are discovered to have used during the course of the investigation. This does not mean that schools will test for this nor be asked to perform searches beyond those already authorized for school personnel. Category includes over-the-counter medications, counterfeit drugs, and any other substance if abused by the student. This category does not include tobacco.

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Electronic Device: The inappropriate and/or unauthorized use of any electronic device (cell phone, computer, etc.)

Explosives: See Bombs and Weapons

Expulsion: An action, authorized by the local board, whereby the student is usually removed from school for an extended period of time. In order to return to school, the student must initiate and follow the board specified procedures.

Extortion: A person commits the crime of extortion if he/she knowingly obtains by threat control over the property of another, with intent to deprive him of his property. An example of extortion would be when one student threatens another student and demands lunch money.

Fighting: Any significant physical conflict, biting or other contact, exchange of blows between two or more individuals, or physical conflict in which injury occurs or fighting continues.

Fire alarm: A person commits a crime of rendering a false alarm if he/she knowingly causes a false alarm or fire or other emergency involving danger to person or property to be transmitted to or within an official or volunteer fire department or any other governmental agency or to be transmitted to any building housing handicapped or immobile people.

Firearms: See Weapon

Forgery: A person commits forgery if, with purpose to defraud or injure anyone, or with knowledge that he is facilitating a fraud or injury to be perpetrated by anyone, the person:

1. Alters any writing of another without authority; or
2. Makes, completes, executes, authenticates, issues or transfers any writing so that it purports to be the act of another who did not authorize that act.

Gambling: To bet on the outcome of a game, contest, or other event, play a game of chance for stakes, or take a risk in the hopes of gaining an advantage. A person commits the crime of gambling if he/she knowingly advances or profits from unlawful gambling activities as a player.

Graffiti: The damaging of school property by crude writing or drawing (see vandalism).

Guns: See Weapons

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Harassment/Bullying of Students: A person commits the crime of harassment if, with intent to harass, annoy or alarm another person, he/she:

1. Strikes, shoves, kicks, or otherwise touches a person or subjects him to physical contact;
2. Directs abusive or obscene language or makes an obscene gesture towards another person.
3. Communicates with a person, anonymously or otherwise, via any written or electronic communication, in a manner likely to harass or cause alarm.

Inciting Student Disorder: Leading, encouraging or assisting in major disturbances which result in destruction/damage to property and/or injury to others or disrupts the normal routine operations of the school.

Knife: This category includes possession of a knife, using a knife, or intention to use to inflict harm on another person, or to intimidate any person.

Possession: To have as property; own; to exert influence or control over. For example: Items found in student lockers, automobiles, clothing are considered to be in the possession of the student.

Robbery: (using force): The taking or attempting to take anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. Examples include: extortion of lunch money.

Sexual Offense: (lewd behavior, indecent exposure): This includes sexual intercourse, sexual contact or other unlawful behavior or conduct intended to result in sexual gratification without force or threat of force and where the victim is capable of giving consent. Includes indecent exposure (exposure of private body parts to the sight of another person in a lewd or indecent manner in a public place); and the obscenity (conduct which by community standards is deemed to corrupt public morals by its indecency and/or lewdness; such as phone calls or other communication, unlawful manufacture, publishing, selling, buying or possessing materials, such as literature or photographs.

Sexual Harassment: To discriminate against a student in any course or program of study to any educational institution, in the evaluation of academic achievement or in providing benefits, privileges and placement services on the basis of that student's submission to or rejection of sexual advances or requests for sexual favors by administrators, staff, teachers, students or other school board employees; and

To create or allow to exist an atmosphere of sexual harassment, defined as deliberate, repeated and unsolicited physical actions, gestures or verbal or written comments of a sexual nature, when such conduct has the purpose or effect of interfering with a student's academic performance or creating an intimidate, hostile or offensive learning environment.

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Keys to Definition: Unwanted, repeated verbal or physical sexual behavior which is offensive and objectionable to the recipient, causes discomfort or humiliation and interferes with school performance.

Examples include: behaviors such as leering, pinching, grabbing, suggestive comments or jokes, pressure to engage in sexual activity and the following:

Using the computer to leave sexual messages or playing sex computer games; Rating an individual; for example, on a scale from 1 to 10; "Wedgies" - pulling underwear up at the waist so it goes between the buttocks; Making kissing sounds or smacking sounds; licking the lips suggestively; "Spiking" - pulling down someone's pants; Howling, catcalls, whistles; Touching (breasts, buttocks, etc.); Verbal comments (about parts of the body, clothing, etc.); Spreading sexual rumors; Sexual or dirty jokes; Massaging the neck and shoulders; and Touching oneself sexually in front of others

Examples include: entering or downloading pornographic content (words or pictures) onto computers.

Tasers/Stun Guns: See Weapons

Suspension, Out of School: Temporary removal of a student from a school and the school program. It does not include suspension for less than one complete day or reassignment to another education program or class where the student will receive instruction under the supervision of a board employee.

Terroristic Threats: any communication or actions regarding students or school staff which 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 other serious public inconvenience.

Theft of Property: A person commits the crime of theft of property if he/she:

1. Knowingly obtains or exerts unauthorized control over the property of another, with intent to deprive the owner of his property; or
2. Knowingly obtains by deception control over the property of another, with intent to deprive the owner of his property.

Threat/Intimidation: (physical or verbal threat or intimidation): To unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to actual physical attack.

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Tobacco: The possession, use, distribution or sale of tobacco products or paraphernalia (lighters, matches, etc.) to include but not limited to cigarettes, electronic cigarettes (vape pens), snuff, on school grounds, school sponsored events and on transportation to and from school or other school sponsored transportation.

Trespassing: (school property or school function): To enter or remain on a public school campus, function, or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion, and unauthorized persons who enter or remain on campus or school board facility after being directed to leave by chief administrator or designee of the facility, campus or function. A person commits the crime of criminal trespass if he/she knowingly enters or remains unlawfully in a building or upon real property which is fenced or enclosed in a manner designed to exclude intruders.

Truancy/Unauthorized Absence: Any unexcused absence as determined by the local school administrator. Included in this category is skipping and/or cutting class. Excessive tardiness is considered a type of truancy and will be treated as such.

Vandalism: The willful and/or malicious destruction, damage or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it. This category includes graffiti.

Weapons Possession: Includes firearms and other weapons

Firearms (defined in Section 921 of Title 18 of the United States Code) include:

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 of any weapon described above.
3. Any firearm muffler or firearm silencer.
4. Any destructive device, which includes:
 - a. Explosive, incendiary or poison gas - An explosive is any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame or shock, including but not limited to dynamite, nitroglycerin, trinitrotoluene or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps and detonators. This category does not include Class C common fireworks. It does include the following: a bomb, grenade, and/or a rocket having a propellant charge, missile having an explosive or incendiary charge, mine, or similar device.
 - b. Any weapon that will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore or more than one-half inch in diameter.
 - c. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding

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examples, and from which a destructive device may be readily assembled. This does not include antique firearms nor Class C common fireworks.

- d. Other weapons: Possession, use or intention of use of any instrument or object to inflict harm on another person, or to intimidate any person. Included in this category are all types of knives, chains (any not being used for the purpose of which it was normally intended and capable of harming an individual), pipe (any length of metal not being used for the purpose it was normally intended), razor blades or similar instruments with sharp cutting edges, ice picks, dirks, other pointed instruments (including pencils or pens), nunchucks, brass knuckles, Chinese stars, billy clubs, tear gas gun, electrical weapons or device (taser), BB or pellet gun, explosives or propellants. Possession of any type of knife (including a pocket or pen knife) is included here.

Examples include: any type of firearms, toy guns if they are authentic replicas or are used in a threatening manner, firecrackers, fireworks, M80's, and mace pepper gas.