HENRY COUNTY BOARD
OF EDUCATION

CODE OF LEARNER CONDUCT

2026-2027

LORI BEASLEY
SUPERINTENDENT

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June 8, 2026

Dear Parents:

The purpose of this letter is to inform you of the statutory requirements of Alabama Code 16-28-3 and the procedures to be followed.

Parental responsibilities are as follows:

- To enroll children between the ages of 6 and 17 in school (public school, private school, church school or to be instructed by a private tutor).
- To require any child enrolled to regularly attend school or to be regularly instructed by a tutor.
- To compel the child to properly conduct himself/herself as a learner.

Parents should be aware that:

- Inappropriate learner conduct or behavior may result in suspension from school. (The Learner Code of Conduct is attached and defines proper conduct.)
- Out-of-School suspensions/Alternative School placements shall be reported to the Superintendent of Education.
- Parents, guardians or other persons having control or custody of the learner are subject to prosecution for violation of this law.
- The Early Warning Truancy Prevention Program and the School Conduct Intervention Program shall be followed to implement this legislation (copies attached, please read).

In an effort to assure that parents are informed of their school related responsibilities, the State Board of Education has mandated that you receive notification which addresses civil liabilities and criminal penalties for violence or other misbehavior by learners on school property or against school employees. It's the Law! (copy attached) is provided to advise you of these school-related civil liabilities and criminal penalties.

Also, you will find attached information about the Protection of Pupil Rights Amendment, the No Child Left Behind Act of 2001, the Unsafe School Option Policy and the Family Educational Rights and Privacy Act of 1974. These are important rights of learners and parents. You are encouraged to read these documents carefully and retain them for future reference.

Although most learners are regular in attendance and conduct themselves properly, it is necessary to notify all parents of the requirements of this and related legislation and the procedures which will be followed in the event violations occur. You are encouraged to read the enclosed documents carefully. Sign the acknowledgment statement which documents the receipt of this information and return it to the school.

Sincerely,

Lori Beasley

Lori Beasley
Superintendent

ALABAMA'S UNSAFE SCHOOL CHOICE OPTION (USCO) POLICY

A persistently dangerous school (PDS) in the State of Alabama is one in which for three (3) consecutive school years the school has expelled one percent (1%) of the student population or five (5) students (whichever is greater) for violent criminal offenses committed on school property during school hours or committed at school-sponsored activities. For the purpose of this definition, a "violent criminal offense" shall mean homicide, robbery, assault, sexual battery (including rape), and use of a handgun, firearm component, explosive, knife and other unknown weapons as defined by the Student Incident Report (SIR).

A student who becomes a victim of a violent criminal offense committed on school property during school hours or at school sponsored activities shall be given an opportunity to transfer to a safe public school within the LEA. The LEA shall notify the student of the right to transfer with ten (10) calendar days. All LEA transfer procedures will be observed.

What local education agencies (LEAs) must do when one or more of its schools have been identified as persistently dangerous.

It shall be the policy of the Alabama State Department of Education (SDE) to notify the LEA annually when one or more of its schools have been identified as persistently dangerous. At a minimum, a LEA that has one or more schools identified as persistently dangerous must:

1. Notify the parents of each student attending the school within ten (10) working days that it has been identified as persistently dangerous and offer students the opportunity to transfer to a safe public school within the LEA if another school is available.

2. Complete the transfer for those students who opt to do so within 20 working days.

3. Develop a corrective action plan to be submitted to the SDE for approval within 20 working days of the LEA's receipt of status.

4. Implement the corrective action plan.

Once a school has been identified as persistently dangerous, it can return to safe status by:
(1) completing steps 1-4 above; and
(2) completing two consecutive years with less than one percent (1%) of the student population or five (5) students (whichever is greater) expelled for violent criminal offenses as defined in its policy.

PARENTAL NOTIFICATION

I. ATTENDANCE
EARLY WARNING TRUANCY PREVENTION PROGRAM

The following procedures shall be followed to address attendance:

THIRD TRUANCY

- The parent/guardian will receive a letter that explains next steps of truancy and a notification to turn in all excuses. Saturday School will be offered in grades 7-12 to make up unexcused absences.

FIFTH TRUANCY

- The parent/guardian shall participate in the Early Warning Court.

SIXTH TRUANCY

- The Mental Health Coordinator will contact parent/guardian to put a truancy plan in place.

EIGHTH TRUANCY

- **A warrant will be issued for the arrest of the parent/guardian with the Henry/Houston County District Attorney's Office.**

Truancy is defined as any unauthorized or unexcused absence. Parents may write ten notes to excuse their child. This means ten school days may be excused by parents.

*Absences will be excused for the following reasons:

1. Illness.
2. Death in the family.
3. Inclement weather which would be dangerous to the life and health of the students as determined by the principal and/or superintendent.
4. Legal quarantine.
5. Emergency conditions as determined by the principal and/or superintendent.
6. Only under extenuating circumstances, prior permission may be granted by the principal with the consent of the parent or legal guardian.

II. CONDUCT
SCHOOL CONDUCT INTERVENTION PROGRAM

The following procedures shall be followed for out-of-school suspension/Alternative School placement.

FIRST SUSPENSION/ALTERNATIVE SCHOOL PLACEMENT

- The parent/guardian shall be notified in writing of the suspension/Alternative School placement.

- The superintendent of education shall be notified of the suspension/Alternative School placement.

SECOND SUSPENSION/ALTERNATIVE SCHOOL PLACEMENT

- The parent/guardian shall be notified in writing of the suspension/Alternative School placement.

- The parent/guardian shall attend a school conference.

- The superintendent of education shall be notified of the suspension/Alternative School placement.

- The Henry County Mental Health Coordinator will be notified.

THIRD SUSPENSION/ALTERNATIVE SCHOOL PLACEMENT

- The parent/guardian shall be notified in writing of the suspension/Alternative School placement.
- The child and the parent/guardian shall attend the School Conduct Intervention Program provided by the juvenile court. This program is designed to assist parents by informing them of the provisions of the law and identify resources.
- The superintendent of education shall be notified of the suspension/Alternative School placement.
- The Henry County Mental Health Coordinator will contact the Juvenile Probation Officer.

FOURTH SUSPENSON/ALTERNATIVE SCHOOL PLACEMENT

- The parent/guardian shall be notified in writing of the suspension/Alternative School placement.

- The superintendent of education shall be notified of the suspension/Alternative School placement.

- If warranted, charges will be filed. Generally, the fourth suspension/Alternative School placement shall result in charges being brought against the parent/guardian. Special situations may result in legal proceedings being instituted prior to the fourth suspension/Alternative School placement.

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:
(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

The PPRA affords parents and learners who are 18 or emancipated minors certain rights regarding the conduct of surveys, collection and use of information for marketing purposes and certain physical exams. *

Learner RECORDS

* All information regarding learners and their families shall be collected, maintained, and disseminated under such safeguards of privacy as is necessary to comply with the Family Educational Rights and Privacy Act of 1974 (Sec. 438, P.L. 9a - 247 , Title IV, as amended by Sec. 513, P.L. 93-380 and Sec. 513, P.L. 93-368) and the implementing regulation (45 CFR 99).

* Parents wishing more information on these rights should contact the local school and ask to see the full policy in the Henry County Board of Education Policy Handbook.

IT'S THE LAW!

PARENTAL NOTIFICATION OF CIVIL LIABILITIES AND CRIMINAL LIABILITIES
The following laws relate to civil liabilities and criminal liabilities for violence or other misbehavior by students on school property or against school employees.

Attendance and Conduct (Act 94-782)
Each parent/guardian or other person having control or custody of a child required to attend school who fails to require the child to enroll, to regularly attend school, or to compel the child to property conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor (may be fined up to $100 and may be sentenced to hard labor for up to 90 days).

Teacher Assault (Act 94-794)
A person commits the crime of assault in the second degree (Class C felony) if the person assaults with intent to cause serious physical injury to a teacher or to any employee of a public educational institution during or as a result of the performance of his or her duty.

Drug Dealing (Act 94-783)
A person who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage or both suffered by a third person caused by or resulting from the use of the controlled substance by the minor if the sale, furnishing or giving of the controlled substance is the proximate cause of the injury or damage.

Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (Act 94-784)
The school principal shall notify appropriate law enforcement officials when a person violates local board of education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If any criminal charge is warranted, the principal is authorized to sign the appropriate warrant. If that person is a student, the local school system shall immediately suspend that person from attending regular classes and schedule a hearing within 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 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 remediation.

Weapons in Schools (Act 94-817)
No person shall knowingly with intent to do bodily harm carry or possess a deadly weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony. (Note: The term "deadly weapon" means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury, and such term includes, but is not limited to, a bazooka, hand grenade, missile or explosive or incendiary device; a pistol, a rifle, or shotgun; or a switch-blade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, blackjack, bludgeon, or metal knuckles).

Vandalism (Act 94-819)
The parents, guardian, or other person having control of any minor under the age of 18 with whom the minor is living and who have custody of the minor shall be liable for the actual damages sustained to school property, plus the court costs, caused by the intentional, willful or malicious acts of the minor.

Pistol Possession/Driver's License (act 94-820)
Any person over the age of 14 who is convicted of the crime of possession of a pistol on the premises of a public school, or a public school bus, shall be denied issuance of a driver's permit or license to operate a motor vehicle for 180 days from the date the person is eligible and applies for a permit or license. If a person over age 14 possesses a driver's license on the date of conviction the driver's license will be suspended for 180 days.

Drop-out/Driver's License (Act 94-820 which amended Act 93-368 as codified in 16-28-40, Alabama Code, 1975)
The Department of Public Safety shall deny a driver's license or learner's permit to any person under 19 who is not enrolled or has not received a diploma or certificate of graduation. Exceptions are students who: are enrolled in a GED program, are enrolled in a secondary school, are participating in an approved job training program, are gainfully employed, are a parent of a minor or unborn child, or are the sole source of transportation for the parent.

Jamari Terrell Williams Act (2018-472)
Defines bullying as a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in the policy.

CODE OF LEARNER CONDUCT

INTRODUCTION

The Henry County Board of Education recognizes the constitutional rights of learners enrolled in its schools. The Board also recognizes its obligation to establish policy related to learners' behavior and discipline which assures that a proper atmosphere for learning will be maintained within every school under its jurisdiction.

All learners of the Henry County School System are charged with the responsibility to conduct themselves in a manner appropriate to good citizenship. Learner conduct shall be founded on the basic concept of respect and consideration for the rights of others. The Board believes that the kind of discipline preferable in a democratic society is that typified by self-discipline. It considers self-discipline as a learning process whereby the individual progressively learns to develop habits of self-control and recognizes his own responsibilities to society.

Effective instruction requires good order and discipline which may be described as the absence of distractions or disturbances which may interfere with the effective functioning of the learner, class and school.

This Code is in published form in order to bring about a uniformity of understanding of the practice and procedures used by the Henry County Board of Education. *The Board authorizes principals working with teachers and other professional personnel to make supplemental rules in order to give further guidance and rule definition as deemed necessary provided such rules and regulations do not conflict with Board policy.*

Act 93-672 passed during the 1993 legislative session and effective immediately states that parents who fail to require their children to attend school regularly or who fail to require that their children properly conduct themselves as learners shall be guilty of a misdemeanor.

Suspected violations shall be reported to the district attorney within ten days. Violations include unexcused absences exceeding 10 days per year and any misbehavior or repetition of misbehavior which results in suspension from school or referral to the Alternative School. School officials who intentionally fail to report suspected violations to the district attorney shall be guilty of a Class C misdemeanor.

Each parent is asked to review the rules and regulations outlined in this Code and to inform their child as to its meaning. Teachers and administrators will also review this code with learners.

JURISDICTION OF THE BOARD OF EDUCATION

Learners enrolled in the Henry County School System are subject to the policies of the Henry County Board of Education and to the rules and regulations of the school. This authority applies to all school sponsored activities, including but not necessarily limited to the following:

-Transportation on school bus
-Field trips
-Athletic functions
-Club or organization meetings
-School sponsored social events
-Graduation/Baccalaureate Exercises
-School groups representing the school system in educational events
-Activities where appropriate school personnel have jurisdiction over learners

Additionally, jurisdictional control over the learner may be extended to the immediate vicinity of the school (or school bus) when the conduct of the learner is deemed to have a detrimental effect on school property or on the health, safety and welfare of school personnel and learners.

GENERAL INFORMATION

The Henry County Board of Education's Code of Learner Conduct is based on the following responsibilities, rights, violations and sanctions.

I. ATTENDANCE

Learner Responsibilities are:
To abide by laws and local board of education and individual school rules and policies regarding attendance. To be punctual and regular in attendance. To promptly request and complete makeup assignments for excused absences or tardies.

Learner Rights are:
To be informed of local board of education and individual school rules and policies regarding school attendance, including policies and rules regarding absences, tardies and related programs, checkouts, make-up work, and school sponsored activities. To be provided with make-up assignments for excused absences or tardies.

II. RESPECT FOR PERSON, PRIVACY, AND PROPERTY

Learner Responsibilities are:
To abide by laws and local Board of Education 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.

Learner Rights are:
To be informed of laws and local Board of Education and individual school rules and policies regarding respect for person, privacy and property. To retain privacy of personal possessions on his/her person, in lockers or in vehicles unless school personnel have reasonable suspicion to believe the learner possesses any item which is prohibited by law or local Board of Education policy.

III. KNOWLEDGE AND OBSERVATION OF RULES OF CONDUCT

Learner Responsibilities are:
To abide by laws and local Board of Education and individual school rules and policies regarding rules of conduct. To document receipt of the Code of Learner Conduct with his or her signature.

Learner Rights are:
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 violations of the local Board of Education's Code of Learner Conduct.

IV. THE RIGHT TO LEARN

Learner 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, learner publications, assembly, privacy, and participation in school programs and activities.

Learner 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, instruction, 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.

V. FREE SPEECH

Learner 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.

Learner Rights are:
To be informed of laws and local Board of Education and individual school rules and policies regarding free speech. To express disagreement in a constructive manner taking into account the rights of others, consistent with the established education process.

VI. LEARNER PUBLICATIONS

Learner Responsibilities are:
To abide by laws and local Board of Education and individual school rules and policies regarding learner publications. To communicate in a respectful 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.

Learner Rights are:
To be informed of local Board of Education and individual school rules and policies regarding learner Publications. To participate, as part of the educational process, in the development and/or distribution of learner or school publications consistent with that educational process.

VII. ASSEMBLY

Learner Responsibilities are:
To abide by laws and local Board of Education and individual school rules and policies in regards to assembly. To seek approval, plan, and conduct meetings consistent with local board of education rules.

Learner 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 a lawful purpose with prior approval by local school officials.

VIII. PARTICIPATION IN SCHOOL PROGRAMS AND ACTIVITIES

Learner Responsibilities are:
To abide by laws and local Board of Education and individual school rules and policies regarding school programs and activities. To be courteous and responsible at all school programs and activities. To complete assignments related to his/her participation in school programs and activities.

Learner Rights are:
To be informed of laws and local Board of Education and individual school rules and policies regarding school programs and activities. To develop or participate in learner programs and activities consistent with local Board of Education and individual school policies. To seek office in any learner organization.

DISCIPLINARY ACTION

I. PROCEDURES FOR DISCIPLINARY ACTION

In dealing with pupils, teachers are expected to exercise toward them the courtesies which pupils are required to show teachers. Any teacher, by virtue of his official position, has the right and authority under Alabama State Law to correct, reprimand, report, or penalize any learner at any time for violations of any rule or regulation contained in this code.
Teachers are expected to handle their own discipline in their classroom as much as possible. Each teacher shall have a management plan approved by the principal detailing the methods which he or she will utilize to help teach the learner self-discipline. If the teacher's methods fail, or the rules violation is such that it requires greater attention, then the following guidelines will be in effect.

II. BEFORE SCHOOL/AFTER SCHOOL/SATURDAY DETENTION

The principal or his/her designee has the authority to assign learners to a designated area before school, at the end of the regular school day, or on Saturday for a reasonable and specified period of time. A parent or guardian is responsible for providing transportation in these cases. If the parent is notified on the day of the misbehavior, the learner will be assigned on that day; if not, the learner will be assigned the following day.

III. SCHOOL DISCIPLINARY PROBATION

Disciplinary probation is a period of time specified by the principal during which a learner must correct his/her behavior while abiding by all other school regulations. Learners who are assigned to Alternative School (or Out of School Suspension) during the school year will automatically be put on school probation. This probation shall eliminate the learners' ability to attend or participate in any extracurricular activity for a minimum of the duration of the Alternative School assignment/suspension. This probationary period shall be for the duration of the Alternative School Assignment. Principals may also place students on School Disciplinary Probation whenever the principal deems it reasonable in order to maintain order on the school campus or at school functions.

IV. SUPERINTENDENT PROBATION

Superintendent probation is required when a learner is assigned to Alternative School more than 3 times during the school year. Upon completion of long term Alternative School assignment (greater than 25 days), a disciplinary meeting with the parent and principal will be required before the learner is allowed to return to school. Further serious misbehavior after being placed on Superintendent Probation could result in further long term alternative school assignments and/or referral to the Board of Education for determination of the learner's future in this school system. *Learners who are placed on superintendent probation are not allowed to attend or participate in any extracurricular activities for 45 school days.*

V. TARDIES/EARLY CHECK-OUTS

A learner is considered tardy when he/she is not in his/her desk when the tardy bell completes ringing. Unexcused tardies/early check-outs result in the loss of perfect attendance. Board policy also states that five (5) unexcused absences to class per semester will result in a learner failing the course due to lack of attendance. Learners who accumulate 5 unexcused absences (as a combination of tardies and absences will also fail the course due to lack of attendance. Each learner should be aware that they will fail due to lack of attendance if the tardies continue.

VI. ALTERNATIVE SCHOOL

The Alternative School is a structured disciplinary facility where a Learner is isolated and spends his/her entire time (except for a 20-minute lunch break) working on academic subjects. The Principal/Superintendent/Board of Education (or their designee) may assign learners to the Alternative School. Parents may choose Alternative School in lieu of suspension unless the Principal/designee believes this placement would not be in the best interest of the learner/school. Learners who are placed in the Alternative School will maintain their perfect attendance and all academic assignments (daily work, tests and/or graded assignments) will be completed at the Alternative School. This work will be graded and the learner given credit. Parents will be required to secure transportation of their child to the Alternative School and to attend an orientation session with their child the first day of the student assignment. Learners with drivers' licenses will be permitted to drive to Alternative School with written permission from the parent after the first day. Students assigned to Alternative School will not be able to participate in or attend extracurricular activities from the date of the infraction until the return to the classroom (if violated at least 5 extra days of alternative school will be assigned).

VII. PHYSICAL RESTRAINT

Any employee of the Board of Education (including bus drivers) has the authority to use reasonable physical force to restrain a learner from abusing or attempting to abuse himself, other learners, teachers, administrators, parents or other staff members. This action may be taken when it is necessary to maintain discipline or to enforce school rules and must be done in a reasonable fashion to protect all parties involved. Law officials may be called to assist in the enforcement of this action.

VIII. CORPORAL PUNISHMENT

Before corporal punishment is administered as a disciplinary method, the learner will be given the reason for the punishment and an opportunity to explain his/her actions. While corporal punishment should be used as a last resort, it is permissible under the following conditions:

1. It must be administered by a principal or persons designated by the principal.

2. It must be witnessed by another school board employee.
3. It shall not be administered in the presence of other learners.
4. It must not be severe enough to cause bodily injury.

Parents who do not wish for their child to be subject to corporal punishment must provide a written request to the school for the learner not to be paddled.

IX. SUSPENSION

Suspension is defined as the temporary removal of a learner from a school for violation of school rules and regulations. *The superintendent has the authority to suspend a learner from school.* Suspended learners will receive a grade of zero for all tests/graded assignments missed.

X. LONG TERM ALTERNATIVE SCHOOL/ SUSPENSION/DISCIPLINARY REVIEW

In the event a principal and/or superintendent believes a learner's conduct is such that an Alternative School assignment of **more than TEN days** is appropriate, the following procedures must be complied with, prior to such suspension or long term Alternative School Assignment:

1. A written statement of the charges against the learner, i.e., the disciplinary referral form, must be given him/her.

2. The principal must give written notice of the charges against the learner (copy of disciplinary referral) to the parent and a copy to the Superintendent. The principal shall schedule a hearing within 10 school days before a local disciplinary review committee. This committee shall be comprised of: a school administrator, counselor, two regular education teachers, and a special education teacher.

3. The principal may suspend/assign the learner TOR/Alternative School as set forth above for a period of time not to exceed ten school days; however, if a review cannot be scheduled before the end of ten school days, the learner must be allowed to re-enter school unless the Principal and the Superintendent feel that the learner's presence constitutes a threat to a safe school environment. Reasonable efforts will be made to allow the learner to maintain his/her school work.

4. The learner will be given notice of the date, time and place of the review.

5. The review will be conducted before the Disciplinary Review Committee. Any member of the Committee who was involved in the incidents resulting in the charges must excuse himself from the review. After reviewing all the evidence, the committee will deliberate in closed session.

6. The Committee may find in favor of the learner, or may assign the learner to **no less than 10 days and no more than 45 days of Alternative School**.

7. The decision made by the Disciplinary Review Committee will be presented at the conclusion of the deliberation and a formal letter will be sent to the parents within five school days of the hearing. Parents who wish to appeal the Committee's decision must submit a request in writing to the Superintendent to appeal the Committee's decision. The Superintendent or designee will review and investigate. A decision will be made within ten school days. The student will be placed in Alternative pending the investigation. Parent's may appeal in writing to the Board if they do not agree with the Superintendent's findings. A hearing will be scheduled within ten school days before the Board.

Parents should be aware that this procedure only involves any long term Alternative School assignment. Should parents wish to appeal the principal's decision on disciplinary assignments of less than 10 days, they should follow the grievance procedure as outlined by the Henry County Board of Education Policy Manual.

XI. EXPULSION

Expulsion is defined as the removal of a learner from a school for violation of school rules or regulations for a period of time prescribed by Board policy. In the even a principal and/or superintendent believes a learner's conduct is such that expulsion is appropriate, the following procedures must be complied with, prior to such suspension or expulsion:

1. A written statement of the charges against the learner, i.e., the disciplinary referral form, must be given him/her.

2. The principal must give written notice of the charges against the learner (copy of disciplinary referral) to the Superintendent and request a hearing.

3. The Superintendent must schedule a hearing date before the Board of Education. The principal may suspend the learner as set forth above for a period of time not to exceed ten days; however, if a hearing cannot be scheduled before the end of ten days, the learner must be allowed to re-enter school unless the Principal and the Superintendent feel that the learner's presence constitutes a threat to a safe school environment. Reasonable efforts will be made to allow the learner to maintain his/her school work.

4. The learner will be given notice of the date, time and place of the Board hearing, and in said notice the learner must be informed that at the hearing he will be given an opportunity to face his accusers and ask them questions; an opportunity to be represented by an attorney or community advocate; and he will receive a written decision based only on the evidence presented at the hearing.

5. The hearing will be conducted before the School Board; any member of the Board who was involved in the incidents resulting in the charges must excuse himself from the hearing. After hearing all the evidence, the school board will deliberate in closed session.

6. At the hearing the learner and his representative must be given an opportunity to face his accusers and ask them questions. He shall be given the opportunity to bring his own witnesses before the board to testify. These witnesses will be subject to cross-examination by the school board and its attorney.

PROCEDURES FOR DISCIPLINARY ACTION FOR UNACCEPTABLE BEHAVIOR

While this code of conduct applies to grades Pre-K-12; it is understood that elementary principals will exercise common sense discretion in handling disciplinary problems with younger learners. Learners are to be supervised at all times. The initial misconduct of a learner should be dealt with by the teacher in whose charge the learner is assigned and in whose presence the offense was committed. (Each teacher is required to have a learner management plan approved by the principal at the beginning of the school year.) The teacher may use isolation, reprimands, removal of privileges and corporal punishment in dealing with learner misconduct. The teacher should have discipline strategies previously used documented when referring learners to the office (except for Level II or III offenses).

DISCIPLINARY REFERRAL STAGES:

1st – 4th DISCIPLINARY REFERRAL TO OFFICE - Appropriate discipline may include: counseling, probation, detention (may be before or after school), work assignments, corporal punishment, TOR placement up to 10 days, suspension from school bus. If no action is taken, an official warning will be sent to the parent indicating the action to be taken if another offense is committed. If action taken, notice sent to parents. On 4th referral to office – required Behavioral Intervention Plan development and notice sent to parents that the next offense will result in referral to Juvenile Probation Officer.

5th DISCIPLINARY REFERRAL TO OFFICE - Appropriate discipline may include Alternative School Placement up to 9 days or a review by a Local School Disciplinary Committee who may assign no less than 10 days or no more than 45 days Alternative School Placement. Referral will be made to Juvenile Probation Officer.

6th DISCIPLINARY REFERRAL TO OFFICE – Hearing before a Local School Disciplinary Committee which may assign no less than 10 days or

no more than 45 days Alternative School Placement. Review of Behavioral Intervention Plan. Referral will be made to Juvenile Probation Officer. Notice will be sent to parents warning that the next offense will be referred to the Board of Education.

7th DISCIPLINARY REFERRAL TO OFFICE – Immediate suspension pending a hearing before the Superintendent and the Board of Education. At this hearing, the Superintendent and the Board of Education will determine the future status of the learner in this school system. Notification of juvenile court authorities.

SCHOOL BUS DISCIPLINE

It is suggested that the following be utilized for Bus Disciplinary action unless the behavior is Level II: (Bus referrals will be counted separate from regular school referrals.)

1st –3rd Referral - Appropriate discipline may include those strategies listed under "1st Referral".
4th Referral - Minimum of 3 day suspension from riding the bus.
5th Referral - Minimum of 5 day suspension from riding the bus.
6th Referral - Minimum of 10 day suspension from riding the bus.
7th Referral - Immediate suspension and hearing with Transportation Supervisor, possible referral to the Board for a hearing.

SCHOOL BUS SUSPENSION

The principal has the authority to deny a learner the privilege of riding a school bus. This suspension will be for a reasonable and specified period of time. A parent will be notified prior to suspension from the bus.

SPECIAL NOTICES:

NOTICE #1: The learner will not be allowed to attend or participate in any extracurricular activity for the duration of the suspension/Alternative School placement.

NOTICE #2: Any learner charged with violating a local, state, and/or federal law on or off school property/school buses, which constitutes a Class A misdemeanor involving drugs, violence, any type of weapon, physical harm to a person or threatened physical harm to a person, or any class of felony, or a delinquent act which would have been a Class A misdemeanor involving drugs, violence, any type of weapon, physical harm to a person or threatened physical harm to a person or any felony if committed by an adult, regardless of whether adjudication is

withheld, shall not be allowed to return to a regular classroom setting until all legal proceedings are exhausted. Upon completion of legal proceedings which render a verdict of "not guilty", or its counterpart for a juvenile delinquent act, the charged student shall be allowed to re-enter the regular classroom setting.

NOTICE #3: At any level of referral, the Superintendent may deem it appropriate to bring the learner before the Board of Education.

NOTICE # 4: Learners with disabilities, as defined by the Individuals with Disabilities Education Act, shall be subject to all rules and regulations of the Alabama Administrative Code, Chapter 290-080-090.

DISCIPLINE LEVEL OFFENSES:

LEVEL I OFFENSES

This level offense will enter the disciplinary process at the 1st Disciplinary Referral stage.

1. Distraction of other learners/disturbing class - any behavior that alters or interferes with the classroom or educational activity.
2. Non-conformity to school dress code, i.e., any apparel that is disruptive to the educational activity, or which is hazardous to health, or which is uncommonly distasteful/inappropriate in an educational setting.
3. Minor contact: pushing/shoving of an unfriendly and uninvited nature, but does not cause harm and stops upon intervention.
4. Unexcused tardiness.
5. Failure to abide by school rules as defined by school handbook or administrator.
6. Use of obscene gestures toward another person.
7. Defacing property under $25.00.
8. Profanity/use of vulgarities.
9. Leaving assigned classroom or area.
10. Use of playing cards or other like material without permission of administration or staff.
11. Any violation of the Internet Acceptable Use Policy.
12. Cheating/Academic Fraud (student will receive a zero on work attempted).
13. Any violation which the principal may reasonably classify as a Level I offense.

LEVEL II OFFENSES

This level offense will enter the disciplinary process at the 5th Disciplinary Referral Stage. (Unless otherwise noted)

1. Trespassing - Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; or having been authorized, licensed, or invited, is warned by an authorized person to depart and refuses to do so.
2. Defiance of learner towards authority (teacher or administrator). The disregard of direct instructions given by authorized school personnel, i.e., administrators, teachers, bus drivers, or persons responsible for supervision.
3. Leaving campus without permission.
4. Writing/carrying/conveying messages which incite a disturbance or fight.
5. Possession of a toy weapon or any replica of a weapon.
6. Possession/use of vapor, ecig, tobacco products, etc - learners will not be allowed to use any vapor, ecig, tobacco products, etc while under school jurisdiction. First offense will result in five days Alternative School and a referral for substance abuse counseling. A second offense will result in nine days Alternative School. A third offense will result in a local school

hearing. The fourth offense will result in a Board Hearing.

7. Stealing, larceny, petty theft - the intentional, unlawful taking and/or carrying away of public, real or personal property.
8. Fighting - any physical conflict between two or more individuals that may cause bodily harm and/or does not stop upon intervention.
9. Directing obscene or profane language to a Board employee or visitor.
10. Defacing school property in excess of $25.00.
11. Vandalism - intentional and deliberate action resulting in injury or damages of less than $200 to public property or the real or personal property of another.
12. Possession of stolen property.
13. Written, verbal, or illustrative propositions to promote sexual acts.
14. The use of cell phones to record, photograph and/or post is prohibited outside approved education purposes.
15. Gambling
16. Quarreling, harassing, intimidating other learners - the intentionally aggressive action of interfering with another's liberty rights or privacy.
17. Forgery/deliberately giving false information.
18. Over the counter medication.
19. Any violation which the principal may reasonably classify as a Level II offense.

LEVEL III OFFENSES

This level offense will enter the disciplinary process at the 6th Disciplinary Referral Stage unless otherwise noted.

1. Battery upon a school board employee. (Learners guilty of this offense shall enter the disciplinary process at the 7th **Disciplinary Referral Stage).**
2. Drugs and alcohol – unauthorized possession, transfer, use or sale of drugs, drug paraphernalia or alcoholic beverages. (Learners guilty of this offense shall enter the disciplinary process at the 7th **Disciplinary Referral Stage).**
3. Possession and/or use of knife/weapon/sharp object that can pierce the skin – grades 1-12.
   Guns/firearms carry criminal penalty – referral made to police authorities. A learner who is determined to have brought a firearm (as defined in Section 921 of Title 18 of the United States Code) to school will be expelled from school for a period of not less than one year and immediately referred to the Criminal Justice or Juvenile Delinquency System. This is the minimum punishment for such offense.
   Modification of the aforementioned disciplinary action will be allowed on by the Board of Education on a case by case basis.
4. Arson - the willful and malicious burning of any part of a building or its contents. (*Learners guilty of this offense shall enter the disciplinary process at the 7th **Disciplinary Referral Stage)***
5. Gangs/ groups/ clubs which initiate, advocate or promote activities which threaten the safety or well-being of persons or property or which disrupt the school

environment and are deemed harmful to the educational process;

a. The presence of any apparel jewelry, accessory or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute which indicates or implies membership or affiliation with such a group presenting a clear and present danger.
b. Any learner displaying dress, behavior, gestures, remarks symbols or trademarks which indicate or imply membership in a gang, group or club and presenting a clear and present danger.
c. Incidents involving initiations, hazing, intimidations and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm or personal degradation or disgrace resulting in physical/ mental harm to learners.
d. Wearing, carrying or displaying paraphernalia or exhibiting behavior or gestures symbolizing gang/group/club membership or causing or participating in activities which intimidate or affect other learners.

6. Hostile defiance of direct supervision/instructions by supervisory personnel.
7. Burglary of school property - breaking, entering or remaining in a structure or conveyance with the intent to commit an offense therein during the hours the premises are closed to the public.
8. Stealing, larceny, grand theft - the intentional, unlawful taking and/or carrying away of public, real or personal property valued at $100 or more belonging to or in the lawful possession or custody of another.
9. Criminal mischief - willful and malicious injury or damages at or in excess of $200 to public property, or real property belonging to another.
10. Bomb threats - any such communication(s) directed to a School Board employee, city, county, or emergency agency which has the effect of interrupting the educational environment. (*Learners guilty of this offense shall enter the disciplinary process at the 7th **Disciplinary Referral Stage**. Offenders should also be aware that this must be treated as a terrorist act which is now considered a Federal Class C Felony offense.*)
11. Explosives - preparing, possessing, igniting on School Board property explosives likely to cause serious bodily injury or property damage. (*Learners guilty of this offense shall enter the disciplinary process at the 7th **Disciplinary Referral Stage)***
12. Sexual Acts - acts of sexual nature including, but not limited to, sexual harassment, battery, intercourse, attempted rape, or rape. (*Learners guilty of this offense shall enter the disciplinary process at the 7th **Disciplinary Referral Stage)***
13. Aggravated battery - intentionally causing great bodily harm, disability, or permanent disfigurement, or use of a deadly weapon. (*Learners guilty of this offense shall enter the disciplinary process at the 7th **Disciplinary Referral Stage)***
14. Inciting or participating in a major learner disorder - leading encouraging, or assisting in major disruptions which result in destruction or damage of private or public property; personal injury to participants or others.
15. Unjustified activation of a fire alarm system.

16 Possession and/or igniting fireworks or firecrackers.
17. Reckless endangerment of self or others with a vehicle.
18. Possession of pornography.
19. Any person who by any means threatens bodily harm to others and/or who falsely reports such threats; also any person who uses phone calls, notes, letters, electronic equipment and all other communication devices to falsely report threats of any kind toward a school, its learners, faculty and staff or any other public or private entity. (In addition to the appropriate Code of Conduct punishment, the principal will file legal charges and seek prosecution to the fullest extent of the law.)
20. Assault provoked or unprovoked.
21. Indecent exposure or causing indecent exposure.
22. Any other offense which the principal may reasonably classify as a Level III offense.

LEARNER DRESS CODE

The policy of the Henry County Board of Education is that good grooming and personal appearance are essential elements in the teaching and learning process. Therefore, it is expected that learners dress in such a manner that will ensure health and safety and not detract from the learning environment. Furthermore, dress and personal appearance are not to be disruptive or interfere with the educational interest and welfare of the learners or the purpose of public school education. Based on past years, learners have taken advantage of the dress code and created an unacceptable environment for learning. Learners should comply with the following guidelines. Elementary Administrators (K-5) will have discretion in appropriate attire for Elementary students.

Health and Safety

a. Shoes must be worn. Tennis shoes must be worn in Physical Education classes.
b. Shoelaces must be tied.
c. Jewelry (including piercings) that creates a hazardous condition (studded bracelets, necklaces, oversized earrings, etc.) should not be worn to school.
d. Learners can only have open containers in the lunchroom or break area unless directed by a physician.

Common Courtesy and Dress vs. Costume

a. No hats, caps, do rags, bandanas, stocking caps, ski mask, bonnets, or head wraps may be worn in the building for both males and females.
b. No halter-tops, tank tops, togas, hospital gowns, pajamas, or boxer shorts will be allowed to be worn as outer clothing.
c. No costumes allowed (exceptions may be made by local school principal for Homecoming Activities, etc., but specific decency guidelines should be established prior to making this exception).

Decency and Modesty

a) Shorts are allowed. Shorts must be worn at the waist and length must be finger-tip in

length when standing.

b) Skorts are allowed. Skorts must be worn at the waist and length must be finger-tip in length when standing.
c) No see-through clothing and holes must be at finger-tip in length. Sheer shirts must have solid shirts worn underneath. No decals, slogans, or sayings on clothes that contain references that are illegal/immoral or display references to sex, drugs, alcohol, or that may create student unrest.
d) No lewd or vulgar sayings on clothing will be allowed.
e) Dress/Skirts must be fingertip length.
f) Pants must be worn at the waist at all times, and must fit properly.
g) ABSOLUTELY NO SAGGING PANTS WILL BE TOLERATED!
g) Shirts should not show mid-rift.
h) Shirts and dresses may be three fingertips on the shoulder in width. No racerback shirts.
i) Tights, yoga pants leggings, and jeggings will not be allowed.

P.E. Clothes
Shorts must be at least dress code length (fingertip).

Disruptive Dress
Any appearance that the principal or his designee considers disruptive to the educational process, and results in a loss of educational time, is not allowed.
Any learner violating the dress code will be sent home to change clothes, or be sent to the Time Out Room for the duration of the day. Any time missed from school will be counted as an unexcused tardy. The principal and his designee have the authority to determine inappropriate dress. Repeat offenders are subject to further disciplinary action as deemed appropriate by the
principal/designee.

STUDENT CELL PHONE/ELECTRONIC DEVICE POLICY
In order to comply with the Focus Act, all electronic devices related to cell phones will not be permitted at school which includes but not limited to bluetooth items, earbuds, air pods, meta glasses, or smart watches. In grades Pre-K through fifth grade, a storage locker provided by the school will store all items related to cell phones. In grades sixth through twelfth, students must store such items in their locker or the device can be left in their car.

Student Consequences for violating the policy Grades Pre-K through fifith:

1st offense –1 day Before or After School Detention. Parent must pick up the device. Missed detention will result in one day TOR.
2nd offense –Mandatory Parent Meeting and 3 Days TOR. Parent must pick up the device.
3rd offense –5 Days TOR. Parent must pick up the device.
4rd offense – 3 Days HCVC assignment. Parent must pick up the device.
5th offense – Student will have a Student Disciplinary Hearing. Parent must pick up the

device

Student Consequences for violating the policy Grades sixth through twelfth:

1st offense- 3 Days TOR or corporal punishment. Parent must pick up the device.
2nd offense-Mandatory Parent Meeting and 5 Days TOR. Parent must pick up the device.
3rd offense- 5 Days HCVC assignment. Parent must pick up the device.
4th offense- Student will have a Student Disciplinary Hearing. Parent must pick up the device.
5th offense- Student will be referred for a Board Hearing. Parent must pick up the device.

ACKNOWLEDGMENT STATEMENT

Complete an acknowledgment statement for each child enrolled.
Detach, sign and return this page to your child's school within one week.
Keep the following for future reference:

(1) Parental Notification of the Family Educational and Privacy Act (FERPA); Notice for Directory Information;
(2) Parental Notification of the right to information concerning teacher qualifications (No Child Left Behind Act of 2001);
(3) Parental Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)
(4) Parental Notification of the Early Warning Truancy Prevention Program and the School Conduct Intervention Program,
(5) USCO Policy Plan
(6) It's the Law, and
(7) Code of Learner Conduct.

The undersigned hereby acknowledge by our signatures that we have read or had read to us the Henry County School System's discipline plan including the Code of Learner Conduct. We understand that these policies apply to all learners and parents in the public schools; to school campuses, school buses, or other school owned/operated vehicles; and to all school related activities and events.

(Signature) _____
Learner Date

(Signature) _____
Parent/Guardian Date

(Signature) _____
Parent/Guardian Date

****

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

**Henry County School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. If you have any inquires, please contact Dr. Dennis Brand, Title IX Coordinator, at dbrand@henrycountyboe.org.