

APPENDIX

This section includes:

Page

• Policy 106-1	Student Discipline	1A
• Policy 106-1P	Student Discipline Procedure.....	9A
• Policy 107-3	Student Transfers.....	17A
• Policy 107-5	Enrollment of Students	19A
• Internet Procedures.....		21A
• Acknowledgement		24A

ELECTRONIC DEVICES/CELL PHONES

Allowing students to bring to school electronic devices including, but not limited to cell phones, pagers, or other audio/video devices, is a privilege afforded by Huntsville City Schools. Use or visible possession of any such device during school hours is strictly prohibited except by permission of the Principal for documented health or other extraordinary needs. In addition, the use of electronic devices may not disturb or impede extracurricular activities. Violation of this policy may result in electronic devices being confiscated by the Principal. Severity of offense may warrant loss of privilege.

POLICY NUMBER 105-22P

NORMAL PROGRESS

It is expected that high school students will attend school so that they may earn the minimum amount of required Carnegie Units necessary for graduation. Regular attendance is required. Accordingly, after a student who is 16 years of age or above, has 15 unexcused absences (and is failing course work), the principal, or designee, will give or send parents(s) a letter to the address of record of the student, addressed both to the student and student's parent(s) or legal custodian, explaining that the student has missed an excessive number of days of school and will be dismissed from school unless attendance is improved. If the student accumulates an additional 5 (total of 20) unexcused absences, the principal, or designee, will give or send a letter to the parent(s) and the student informing them that the student is in immediate danger of being dismissed from school. If the student accumulates an additional 10 (total of 30) unexcused absences, the principal, or designee, will give or send a letter to the parent(s) and the student informing them that the student is dismissed from school subject to the right of the student to demand a hearing with someone designated by the Superintendent. At such hearing, the student and/or the student's parent(s) will have the opportunity to explain the reasons for the absences and the reasons why the student should not be dismissed from school for the remainder of the semester. In the event the hearing officer sustains the action of the principal, the student will be dismissed from school for the remainder of the semester but may be allowed to re-enroll the following semester.

POLICY NUMBER 106-1
HUNTSVILLE CITY SCHOOLS

STUDENT DISCIPLINE

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

Violations are grouped into three classes – Minor, Intermediate, and Major. These are violations that occur on public school property, at school sponsored events, in vehicles parked on school property, or in school authorized vehicles. However, a bomb threat is not restricted to school property or event, nor is any violation so restricted, if the conduct demonstrates the existence of a threat to discipline and good order on school property or at school sponsored events.

The described disciplinary actions are the normally expected punishments. However, in an extreme case the administration is permitted to impose a more severe punishment as dictated by circumstances.

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

CLASS I – MINOR OFFENSES

- 1.01 Excessive distraction of other students – Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or any similar grouping for instruction.
- 1.02 Participation in non-school approved organizations – Any on-campus activities of fraternities, sororities, secret societies, non-affiliated school clubs, or gangs.
- 1.03 Minor intimidation of another student – The intentional, unlawful threat by word or act to do violence to another student, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in the person that such violence is imminent.
- 1.04 Gambling – Any participation in games of chance for money and/or other things of value.
- 1.05 Tardiness – Reporting late to school or class.
- 1.06 Non-directed use of profane or obscene language (verbal, written, or any gesture).
- 1.07 Non-conformity to Policy on Appearance and Dress. (*See Policy 106-3.*)

- 1.08 Minor disruption on a school bus.
- 1.09 Inappropriate display of affection, including, but not limited to, embracing and kissing.
- 1.10 Unauthorized absence from class (cutting class).
- 1.11 Intentionally providing false information to an employee of Huntsville City Schools including, but not limited to, giving false student information data, forgery of school notes, grades, signatures (teachers' or parents') and concealment of information directly relating to school business.
- 1.12 Failure to properly display current student permit sticker on vehicle.
- 1.13 Continued refusal to complete class assignments.
- 1.14 Failure to follow instructions – examples: failure to carry correspondence home; failure to obey directions in hallways, assemblies, etc.
- 1.15 Unauthorized use of school or personal property.
- 1.16 Littering of school property.
- 1.17 Possession of tobacco products – Having tobacco products at/in all campus facilities.
- 1.18 Possession of matches or lighters.

DISCIPLINARY ACTIONS FOR CLASS I VIOLATIONS:

Grades K-5:

First Offense of any Class I Violation:

Conference with student and reasonable effort to make parental contact. Severity of offense under Class I violations may warrant disciplinary action as outlined under subsequent offenses.

Subsequent Offenses of Class I Violations:

Parental contact and in-school disciplinary actions or suspension not to exceed 3 school days.

Repeated offenses on more than two occasions may result in disciplinary action as specified under Subsequent Offenses of Class II Violations.

Grades 6-12:

First Offense of any Class I Violation:

Conference with student and reasonable effort to make parental contact and/or in-school disciplinary action. Severity of offense under Class I violations may warrant disciplinary action as out-lined under subsequent offenses.

Subsequent Offenses of Class I Violations:

In-school disciplinary action or suspension not to exceed 5 school days. Repeated offenses or more than two occasions may result in disciplinary action as specified under Subsequent Offenses of Class II Violations.

Students With Disabilities Under Individuals With Disabilities Education Act:

Unless otherwise stated in the IEP, regular disciplinary procedures should be employed with disabled students who commit a Class I offense.

A student identified as disabled under the Individuals With Disabilities Education Act may not be suspended (out of school) for more than ten (10) school days in a school year.

CLASS II – INTERMEDIATE OFFENSES

- 2.01 Defiance of employee of Huntsville City Schools or person(s) acting in an official capacity – Any verbal or non-verbal refusal to comply with a reasonable direction or order of a Huntsville City Schools’ employee or person(s) acting in an official capacity.
- 2.02 Fighting – Any physical confrontation between two or more individuals in which physical contact is made with harmful intent.
- 2.03 Inciting or participating in student disorder.
- 2.04 Vandalism – Intentional and deliberate action resulting in injury or damages of less than \$200 to public, real, or personal property of another.
- 2.05 Stealing - Theft – The intentional, unlawful taking and/or carrying away of public, real, or personal property having a value in the judgment of the principal of less than \$100 belonging to or in the lawful possession or custody of another.
- 2.06 Possession of stolen property.
- 2.07 Threats or Attempted Extortion – Verbally or by a written or printed communication, maliciously threatening an injury to the person, property, or reputation of another or with intent to extort money, property or any pecuniary advantage whatsoever, or with intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against the individual’s will.

NOTE: Completion of the threat, either by the victim’s complying with the demands or the carrying out of the threat against the victim, constitutes a Class III Offense.

- 2.08 Trespassing – Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; OR is warned by an authorized person to depart and refuses to do so (Unauthorized presence – Entering or remaining on public school property or attending any school related activity while under suspension.)

- 2.09 Possessing and/or igniting fireworks or firecrackers.
- 2.10 Inadvertent possession of a simple pocket knife, mace, or pepper mace that is not used in a threatening manner, nor with a suggestion of threat, and is not openly displayed and with no intent to be armed and with no participation in violence while in possession.
- 2.11 No student may have any instrument, which gives the appearance of a gun or knife.
- 2.12 Touching of another person in a sexual manner.
- 2.13 Written or verbal propositions to engage in sexual acts.
- 2.14 Use of profane or obscene manifestations (verbal, written, gesture) toward another person.
- 2.15 Possession of pornographic material.
- 2.16 Unauthorized absence from school (skipping, truancy).
- 2.17 Leaving school grounds without permission.
- 2.18 Disruption of the educational process caused by the wearing of obscene, secret society, or fraternity/sorority (non-affiliated school clubs) apparel. (*See Policy 106-3, Appearance and Dress*)
- 2.19 Possession of paraphernalia or equipment commonly used to consume a controlled substance.
- 2.20 Use or visible possession of electronic devices including, but not limited to, cell phones, pagers, or other audio/video devices during school hours except by permission of the Principal for documented health or other extraordinary needs; disturbing or impeding extracurricular activities through the use of electronic devices.
- 2.21 Unjustified activation of fire alarm or fire extinguishers.
- 2.22 Unsafe/unlicensed driving on school property or other violations of the school parking and driving rules.
- 2.23 Violation of the conditions of school probation, Principal Level.
- 2.24 Intentional, unlawful participation in gambling activities.
- 2.25 Engaging in any act that is deemed unlawful to include possession or use of a laser.
- 2.26 Under the influence of drugs/alcohol or intoxicating inhalants but not to the extent of being intoxicated as defined under Class III-Major Offenses, 3.03.
- 2.27 Threats to School Personnel – The intentional threat by word or act, whether communicated in person, writing, or by telephone or electronic device, to do violence to teachers or other school personnel.
- 2.28 An intentional attack upon any individual which does not result in bodily harm.

- 2.29 Sexual harassment – Unwelcome touching, or other unwelcome sexual advances or propositions, requests for sexual favors or sexually degrading words toward a person, graphic comments or materials about a person’s body, or other unwelcome oral, written, or physical conduct of a sexual nature when made by a student directed to another student or staff member constitutes sexual harassment.
- 2.30 Use of tobacco products at/in all campus facilities.
- 2.31 Unauthorized computer hacking without damage to school property or unauthorized use of school computer without damage to school property, hardware, software, or records.
- 2.32 Improper display or discussion of private body parts, bodily functions or sexual acts not amounting to a Class III offense.
- 2.33 Cheating – The use or attempted use of any deceptive or dishonest method of improving a grade or altering a record.
- 2.34 Failure to comply with the Medication Policy and Procedure.
- 2.35 Harassment – A continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school sponsored event whether written, electronic, verbal, or physical acts that are perceived as motivated by race, sex, religion, national origin or disability.

DISCIPLINARY ACTIONS FOR CLASS II VIOLATIONS:

Grades K-5:

First Offense of any Class II Violation:

Parental contact and in-school disciplinary actions. Severity of offense may warrant disciplinary action as outlined under subsequent offenses.

Subsequent Offenses of Class II Violations:

In-school disciplinary actions or suspension not to exceed 5 school days. If disciplinary actions are not effective, the principal may recommend school probation, Superintendent Level.

Repeated offenses on more than two occasions may result in disciplinary actions as specified under Subsequent Offenses of Class III Violations.

Grades 6-12:

First Offense of any Class II Violation:

In-school disciplinary actions or suspension not to exceed 5 school days. Severity of offense may warrant disciplinary actions as outlined under Subsequent Offenses.

Subsequent Offenses of Class II Violations:

Suspension not to exceed 7 school days. If disciplinary actions are not effective, principal may recommend school probation, Superintendent Level.

Repeated offenses on more than two occasions may result in disciplinary actions as specified under Subsequent Offenses of Class III Violations.

In addition, the district may require restitution of property and damages where appropriate.

Students With Disabilities Under Individuals With Disabilities Education Act:

Unless otherwise stated in the IEP, regular disciplinary procedures should be employed with disabled students who commit a Class II offense.

A student identified as disabled under the Individuals With Disabilities Education Act may not be suspended (out of school) for more than ten (10) school days in a school year.

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

3.01 Drugs –

Possession, transfer, use, or sale of drugs or of any substance purported to be a controlled substance;

- Repeat offenders for possession, transfer, use, or sale of drugs.

3.02 Alcoholic beverages – Possession, transfer, use, or sale of alcoholic beverages.

3.03 Intoxication – Under the influence of drugs, alcohol or other inhalants to the extent that the individual’s ability to speak clearly, walk normally, follow directions or perform classroom and/or other school related duties is impaired, or to the extent that the individual engages in loud, disruptive or boisterous behavior, or to the extent that the individual is found to be intoxicated under Alabama Law.

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

3.05 Menacing – Threats – The intentional, unlawful threat by word or act to do violence to an individual, coupled with an apparent ability to do so, and the doing of some act which creates a well-formed fear in the individual that violence is imminent. (Must have all 3 components.)

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

3.07 Stealing – Theft – Counterfeiting – The intentional, unlawful taking and/or carrying away of public, real, or personal property having a value in the judgment of the principal of \$100 or more belonging to or in the lawful possession or custody of another. Possession or transfer of counterfeit money regardless of denomination of bill.

- 3.08 Burglary of school property – Breaking and entering into a structure or conveyance without justification or excuse during the hours the premises are closed to the public.
- 3.09 Criminal mischief – Willful and malicious injury or damages in excess of \$200 to public, real, or personal property belonging to another.
- 3.10 Possession, Discharge and/or Use of Firearms – Any firearm which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any similar destructive device.
- 3.11 Possession of weapon(s) –
 - Knowing possession of a weapon or anything designed, made or adapted or used for the purpose of inflicting death or serious physical injury. Such weapons include, but are not limited to, BB gun, pellet gun, air rifle, starter gun; switchblade knife, box cutter, sword, dagger, or stiletto; any club, baton, blackjack, or metal knuckles.
 - Possession of a weapon while suggesting or participating in violence whether or not there is intent to be armed.
- 3.12 Bomb threat – Any such communication(s) concerning school board property which has the effect of interrupting the educational environment. (*See Policy 106-2, Bomb Threats*)
- 3.13 Explosives – Preparing, possessing or igniting on Huntsville City Schools’ property explosives likely to cause serious bodily injury or property damage. Such explosives include but not limited to, dynamite, TNT, or other similar substances.
- 3.14 Sexual acts – Acts of sexual nature including, but not limited to, battery, intercourse, oral sex, attempted rape, rape, or other indecent acts.
- 3.15 Robbery – The taking of money or other property from the person or custody of another by force, violence, assault, or instilling fear in same.
- 3.16 Continued use, after warning, of profane or obscene manifestations (verbal, written, gesture) to any employee of Huntsville City Schools or person(s) on official business.
- 3.17 Inciting or participating in student disorder – Leading, encouraging or assisting in disruptions which result in destruction or damage of private or public property or personal injury to participants or others.
- 3.18 Unjustified activation of a fire alarm system or fire extinguishers which results in injury to participants/others or disruption of school activities.
- 3.19 Extortion – Completion of a threat, either by the victim’s complying with the demands or the carrying out of the threat against the victim.
- 3.20 Violation of the conditions of school probation, Superintendent Level.

- 3.21 Threats to School Personnel – The intentional threat by word or act, whether communicated in person, writing, or by telephone or electronic device to do violence to teachers or other school personnel, coupled with the apparent ability to do so, and the doing of some act which creates a well-formed fear in the individual that violence is imminent.
- 3.22 Discharge or use of mace or pepper mace.
- 3.23 Computer hacking with damage to school property or unauthorized use of school computer which damages school hardware, software, records, or programs.
- 3.24 Harassment – Repeated offenses of harassment – A continuous pattern of intentional behavior that take place on school property, on a school bus, or at a school sponsored event whether written, electronic, verbal, or physical acts that are perceived as motivated by race, sex, religion, national origin, or disability.
 - Indicates offenses for which expulsion will be for the remainder of the semester and for the following semester. In the case of a 3.11 offense, this expulsion rule applies only to the last sentence.

DISCIPLINARY ACTIONS FOR CLASS III VIOLATIONS:

Grades K-5:

Suspension up to 10 school days. In addition, principal must recommend school probation, Superintendent’s Level, unless the offense is in violation of policies that require initiation of expulsion procedures. Also, severity of offense may warrant recommendation of expulsion.

Grades 6-12:

The punishment for the commission of a Class III offense is **normally expulsion** with a suspension to the hearing panel unless otherwise authorized by the Superintendent.

In addition, the board may require restitution of property and damages where appropriate.

Students With Disabilities Under Individuals With Disabilities Education Act:

When a student who is disabled under the Individuals With Disabilities Education Act commits a Class III offense for which expulsion procedures can be initiated, an IEP Committee meeting must be held to determine the relationship of the disability to the incident and to determine if a change in placement is warranted. Students with disabilities under the Individuals with Disabilities Education Act are not expelled, but may be placed in alternative programs by the IEP Committee.

A student identified as disabled under the Individuals With Disabilities Education Act may not be suspended (out of school) for more than ten (10) school days in a school year.

PROCEDURE 106-1P
HUNTSVILLE CITY SCHOOLS

STUDENT DISCIPLINE

A. Suspension

NOTE: A disabled student may not be suspended out of school for more than ten (10) days in a school year. Any more time in suspension would result in a change in placement, which requires IEP Committee action. Only an IEP Committee may change a disabled student's placement. A disabled student who is suspended will be permitted to complete work or tests missed during the suspension.

1. In-School Suspension

- a. In-School Suspension is defined as placement in a program located in an isolated area of the school where a student is provided an opportunity to continue the educational process.
- b. A student may not be placed on In-School Suspension for more than five (5) school days at any one time and no more than twenty (20) school days in the aggregate during any one school year. Pay particular attention to note concerning disabled students.
- c. The principal will follow the Huntsville City Schools Policy #107-7 with reference to student records.
- d. Prior to In-School Suspension the principal/delegate will advise the student of the charge(s) and the student shall have the opportunity to tell what occurred.
- e. Prior to assigning a student to In-School Suspension, a reasonable effort will be made to notify the parent and to have a conference by phone or in person. If the parent cannot be reached, the student will be given a Notice of Suspension and a copy will be mailed to the parent.

2. Out-of-School Suspension

- a. Out-of-School Suspension is defined as the temporary withdrawal of the school attendance privilege for no more than ten (10) school days at any one time. See NOTE A. Suspension as to disabled students.
- b. A student may not be suspended from school more than twenty (20) school days in the aggregate during any one school year.
- c. The principal will follow the Huntsville City Schools Policy #107-7 with reference to student records.

- d. The principal/delegate will advise the student of the charge(s) and the student shall have the opportunity to tell what occurred.
 - e. Prior to suspending a student from school, a reasonable effort will be made to notify the parent, hold an informal conference, and release the student to same. If the parent cannot be reached prior to the end of the school day, the student will be given a Notice of Suspension (Form HCS330-01) stating the charge(s) in writing against the student and requesting a conference with the parent.
 - (1) One copy will be mailed to the parent.
 - (2) The administrator will continue to try to contact the parent.
 - (3) The student shall remain in school, unless under an emergency situation, until the end of the school day or until released to the parent or designee.
3. Suspension Notice Filing and Distribution – Original forwarded to the Office of Pupil Services (Superintendent’s Office), one copy to the student, one copy to the parent, one copy to be placed in the student’s cumulative record, and one copy to the principal. A copy should be given to Special Education student’s teacher of record. (Center for Technology and resident school must notify each other.)

B. School Probation

1. General
 - a. School probation is defined as the conditional school attendance of any student.
 - b. Levels of school probation include Principal and Superintendent.
 - c. During a specified period of time of probation, individual attention by a staff member shall be directed to assist the student in conforming to acceptable behavior standards.
 - d. If a suspected controlled substance is involved, the Security Supervisor, who serves as liaison between the school system and the Office of State Toxicologist, is to be notified. HPD is responsible for transporting the substance.
2. Principal’s Probation – When placing a student on school probation, Principal Level, which is not to exceed twelve (12) school weeks at any one time, the principal or delegate shall adhere to the following practices:
 - a. Advise the student of the charge(s) and give the student the opportunity to tell what occurred.
 - b. Make a reasonable effort to hold a conference to inform the parent of the offense, the school probation status, and the conditions.

- c. Document the probationary status with the time, date, cause(s), duration, and conditions. (Use Form HCS330-25.)
 - d. Distribute copies of the school probation form, forwarding the original to the Office of Pupil Services, one copy to the student, one copy to the parent, one copy to the principal, and one copy to be placed in the student's cumulative record.
3. Superintendent's Probation – When a student is recommended for school probation status, Superintendent Level, which is not to exceed eighteen (18) weeks at any one time, the Office of the Superintendent shall:
- a. Require the principal to:
 - (1) Notify the student orally and in writing of charge(s) and give the student the opportunity to tell what occurred. (If student is suspended, the charge(s) in writing will be on the suspension notice form.)
 - (2) Make a reasonable effort to hold an informal conference to inform the parent of the offense and the decision to recommend school probation, Superintendent Level, and to explain school probation.
 - (3) Write a letter to the Office of Pupil Services within three (3) school days after the date of the commission of the offense, recommending school probation, stating the charge(s) and the date(s) of any principal's conference(s).
 - (4) Insure that the student's cumulative record is in order; forward the letter as well as a copy of the current report card, a copy of attendance records, current demographic information, all necessary documentation of the charge(s) and a copy of the suspension notice.
 - b. Require the Office of Pupil Services to:
 - (1) Receive and date the letter and accompanying information from the principal or take action upon direct recommendation of the superintendent.
 - (2) Set the hearing date, time, and place and notify the student, the parent, and the principal. The hearing normally will be within ten (10) school days after the date of the commission of the offense.
 - (a) A Hearing Officer shall comply with the procedures as outlined under Expulsion.
 - (b) The parent may elect to accept school probation and to waive the hearing by executing a written waiver.
 - (3) Document the probationary status with the time, date, duration, and conditions. (Use Form HCS330-11.)

C. Expulsion

1. General

- a. Expulsion is defined as the withdrawal of the school attendance privilege for the remainder of any school semester or longer.
 - b. If a student is suspended pending an expulsion hearing, the principal/delegate will follow the suspension policy and procedure and on the suspension notice form will suspend to the hearing panel; exceptions being disabled students. See NOTE A. Suspension as to disabled students.
 - c. When an expulsion offense is committed, the principal immediately must notify the Security Supervisor and the Office of Pupil Services. If the student is a disabled student, the Special Education Department also must be notified.
 - d. If a suspected controlled substance is involved, HPD must be notified.
2. Superintendent-Initiated – The Superintendent, if the situation warrants, may recommend that a student be expelled without prior recommendation from the principal. In such cases, the Superintendent will follow the Principal-Initiated expulsion procedures.
3. Principal-Initiated – The principal/delegate, after reviewing the allegations and evidence against a student, advising the student of the charge(s), and allowing the student to tell what occurred, is responsible initially for determining that an expulsion offense has been committed. A reasonable effort will be made to notify the parent.
- a. The principal will notify the Office of Pupil Services by letter of the recommendation for expulsion within three (3) school days after the date of the commission of the offense.
 - b. At the same time, this letter must have attached the appropriate documentation which shall include all information available, including, but not limited to, the following:
 - (1) Copy of the completed Suspension Notice, stating the charges in writing.
 - (2) Specific description of the offense(s) committed, including date, time, and place and supporting facts.
 - (3) A written report giving the suspected student's version of what occurred.
 - (4) Names, addresses and telephone numbers of persons involved in the incident: suspects(s), victim(s), witness(es).
 - (5) Signed and dated statement(s) of persons referred to in (4), if possible. (Use Form HCS330-39.)

- (6) Xerox copy of any contraband.
 - (7) List of special program(s), if any, in which student is enrolled or being considered for enrollment.
 - (8) Verification of student's receipt of discipline policy, HCS Policy #106-1.
 - (9) Past disciplinary record of student involved.
 - (10) Academic record of student, including a copy of the current report card and a copy of the roll call card.
 - (11) Details of extenuating circumstances.
 - (12) Date(s) of principal's conference(s) and names of those present.
4. Procedures for Hearings – The hearing panel shall comply with the following procedures in conducting a hearing:
- a. The parent shall be given oral or written notice of the charge(s) against the student and the time, date, and place of the hearing at least 72 hours prior to a hearing. The hearing panel will normally conduct a hearing within fourteen (14) school days after the date of the commission of the offense.
 - b. The principal or other person assigned by the Office of Pupil Services shall present the case for expulsion of the student. Witnesses for the proponent of the expulsion will be notified to be present by the school or the Supervisor of Security.
 - c. At the hearing the hearing panel shall give the student an opportunity to admit or deny the charge(s).
 - d. If the student denies the charge(s) an explanation of the evidence will be provided and the student will be given an opportunity to tell what occurred.
 - e. The case may be presented by statements made by witness(es). The hearing panel may permit witness(es) by the proponent of the expulsion and/or permit the student to present adult witnesses, but the hearing panel is not required to call or permit any accusers or witnesses to be present and the decision to do so shall rest in the discretion of the hearing panel.
 - f. Ordinarily no attorney will be present in an advisory capacity for the expulsion hearing. If the student's parent chooses to have an attorney present, the principal/delegate also may have an attorney present in an advisory capacity. The student's parent must give the hearing panel notice, 24 hours prior to the hearing, of the decision to have an attorney. Failure to do so may result in the hearing panel's denying the participation of the attorney in the hearing.

- g. After following the above procedures, the hearing panel, on the basis of all facts presented, shall determine whether the student did or did not commit an offense, what offense, if any was committed and whether the recommendation of the principal to expel is accepted or overruled. The hearing panel shall prepare a written decision, which shall include the charges against the student; the time, date, and location of the hearing; a summary of the evidence presented at the hearing; the conclusions drawn from the evidence; and the disposition of the student. If extenuating or mitigating circumstances exist, the hearing panel shall document these circumstances.
 - h. In the event that a disabled student is alleged to have committed an offense expellable under Policy 106-1, Section 3, the hearing panel determines the guilt or innocence only. The decision regarding an appropriate placement is determined by the IEP Committee.
 - i. The following persons shall be notified of the hearing decision:
 - (1) The student's parent (by certified and regular mail).
 - (2) The Office of Pupil Services.
 - (3) The Principal.
 - (4) The Department of Special Education (for disabled students).
 - (5) The Superintendent.
 - (6) The Assistant Superintendent Student Support Services.
 - (7) The Security Supervisor.
 - j. A recording shall be made of the hearing and shall be kept for no less than six (6) months from the date of the hearing.
 - k. The written record of the hearing shall be kept for two (2) years.
5. Appeal of Hearing Decision For Expulsion – If the student's parent is dissatisfied with the decision of the hearing panel in cases in which the hearing panel upholds the recommendation for expulsion, the parent may file an appeal. The appeal procedures are as follows:
- a. Superintendent Level
 - (1) The student's parent must file a written request for an appeal.
 - (2) The written request for an appeal must be addressed to and mailed or given to the Superintendent.
 - (3) The written request for an appeal must be postmarked or hand delivered on a date no more than seven (7) calendar days after the postmarked date or date of hand delivery of the written notification of the hearing decision. If the written request for an appeal is not made on time, the hearing decision will be final.

- (4) The Superintendent, upon receipt of a timely filed written request for an appeal, will request the documented evidence of the case including the findings, the conclusions, the disposition, and the tape recording.
 - (5) The Superintendent or designee shall review the case on the basis of the record. No new evidence shall be admissible.
 - (6) Within seven (7) working days after receipt of the appeal, the Superintendent will make a written decision to adopt, modify, or disapprove all or any part of the hearing panel's findings, conclusions, and disposition.
 - (7) A copy of the Superintendent's decision shall be sent to the persons:
 - (a) The student's parent (by certified and regular mail).
 - (b) The Office of Pupil Services.
 - (c) The Principal.
 - (d) The Department of Special Education (for disabled student).
 - (e) The Assistant Superintendent Student Support Services.
 - (f) The Security Supervisor.
- b. Board Level – If after the hearing before the hearing panel and an appeal to the Superintendent the parent is dissatisfied with the recommendation for expulsion, the parent may file an appeal to the Board of Education.
- (1) The student's parent must file a written request for an appeal.
 - (2) The written request for an appeal must be addressed to and mailed or given to the Board of Education, with a copy to the Superintendent.
 - (3) The written request for an appeal must be postmarked or hand delivered on a date no more than seven (7) calendar days after the postmarked date or date of hand delivery of the written notification of the superintendent's decision. If the written request for an appeal is not made on time, the Superintendent's decision will be final.
 - (4) The Board, upon receipt of a timely filed written request for an appeal, shall set a hearing date.
 - (5) The Board shall render a decision based upon the evidence presented.
 - (6) The following persons shall be notified of the decision of the Board:
 - (a) The student's parent (by certified and regular mail).
 - (b) The Office of Pupil Services.
 - (c) The Principal.
 - (d) The Superintendent.
 - (e) The Assistant Superintendent of Student Support Services.
 - (f) The Security Supervisor.
 - (g) The Department of Special Education (for disabled students).

6. Procedure for Students with Alternative Placement -

In the event a student allowed alternative placement in lieu of expulsion is charged with commission of a Class II or Class III offense, the following procedures apply:

- (a) The student's parent or legal guardian will immediately be notified of the charge(s) against the student within two (2) school days.
- (b) A hearing officer designated by the Office of Pupil Services will hear the charges against the student within two (2) school days.
- (c) The principal or other person assigned by the Office of Pupil Services shall present the case for expulsion of the student.
- (d) The hearing officer shall give the student an opportunity to admit or deny the charge(s). If the student denies the charge(s), an explanation of the evidence will be provided, and the student will be given an opportunity to tell what occurred.
- (e) The case may be presented by statements made by witness(s). The hearing officer may permit witness(s) by the proponent of the expulsion and/or permit the student to present witness(s), but the hearing officer is not required to call or permit any accusers or witnesses to be present, and the decision to do so shall rest in the discretion of the hearing officer.
- (f) Ordinarily no attorney will be present in an advisory capacity for the expulsion hearing. If the student's parent or guardian chooses to have an attorney present, the principal/designee also may have an attorney present in an advisory capacity. The student's parent must give the hearing office notice, 24 hours prior to hearing, of the decision to have an attorney. Failure to do so may result in the hearing officer's denying the participation of the attorney in the hearing.
- (g) The hearing officer will determine whether the student is guilty of the offense(s) charged. A finding of guilty will result in the student being expelled.
- (h) The decision of the hearing officer is final. No appeal is permitted.

STUDENT TRANSFERS

The Board of Education assumes primary responsibility for developing and implementing a system of student transfers. The following definitions and conditions will apply in the context of this policy and only applications for the following reasons will be accepted provided space is available at the requested school.

- A. Majority to Minority – The school district shall permit a student attending a school in which the student’s race is in the majority to choose to attend another school where the student’s race is in the minority.
- B. Percentage – To enhance desegregation, the school district may permit a Black student to transfer to another school provided that the percentage of Black students is greater at the school to which the student is assigned than it is at the school to which the student seeks to transfer. Also, the school district may permit any other student to transfer to another school provided that the percentage of Black students is less at the school to which the student is assigned than it is at the school to which the student seeks to transfer. The transferee must provide transportation. All applications under this provision must be submitted prior to July 1st of each new school year. Applications will be accepted at any time for new students to the Huntsville School System who did not reside in Huntsville prior to July 1st.
- C. Senior Privilege – Graduating seniors residing within the city limits may apply to attend the high school where they completed the eleventh grade without regard to zone restrictions. No students outside Huntsville City limits will be accepted on senior privilege.
- D. Dependents of School Personnel – Employees of the Huntsville City Schools may apply for their children to attend the school cluster in which the parent is employed when the child is a dependent of the employee. All applications must be submitted prior to the beginning of a new school year unless the employee is hired at a later date.
- E. Medical – Only in exceptional circumstances will a request for transfer due to medical reasons be granted. Such request, which must include a physician’s or clinical psychologist’s substantiating statement, will be reviewed for action by the delegated Assistant Superintendent. In the event the transfer request is denied, an appeal may be made to the Superintendent. If the Superintendent deems necessary, the attendance of the student’s physician or clinical psychologist will be requested. The decision of the Superintendent will be final.
- F. Sibling of Special Education Students – Brothers and/or sisters of special education students may be permitted to attend the school which is the assignment of the special education student.

- G. Building/Moving – Requests for transfer because of moving to a new zone will be considered provided the request is submitted prior to the beginning of the semester and substantiated by copies of sales contract, lease agreement, or other such valid document. Failure to reside in the requested zone by date agreed will result in the student's being subject to reassignment to the school serving the residence of the parent. Applications will be accepted during the semester from new residents of Huntsville whose children have not enrolled in Huntsville City Schools.
- H. Duration – Students transferring to a school as provided in A. through G. above will be assigned to a requested school unless the residence of the parent or guardian changes to another zone. Additionally, students will be allowed to remain within that school cluster (Elementary, Middle, and High Schools) for the duration of their school career provided a cluster form is placed on file with Pupil Services when the original transfer is granted. Only in exceptional circumstances as determined by the Superintendent or Delegate Assistant Superintendent will consideration be given for the student to transfer to a different school during the school year if a transfer has already been given for or within that year.
- I. Accessibility – When necessary to provide a handicapped student accessibility to a program, the Superintendent may assign the student to an accessible school outside the student's attendance zone.

POLICY NUMBER 107-5
HUNTSVILLE CITY SCHOOLS

ENROLLMENT OF STUDENTS

Enrollment in the Huntsville City Schools shall be in accordance with the following requirements:

- A. Kindergarten Enrollment – Beginning with the 1990-91 school year, pupils entering kindergarten must be five years old on or before September 1 of the year entering. Proof of age is required. Parents are required to bring the student’s official verification of date of birth (certified birth certificate, verification document from Health Department, or passport for children born outside the U.S.A.) and Certificate of Immunization when registering the student.

Beginning with the 1990-91 school year, pupils who are five years of age after September 1 and prior to January 1 and who move to Huntsville during the school year may be accepted in kindergarten provided they are properly certified as having been enrolled in a public kindergarten in the state from which they came; such pupils, however, will not automatically be accepted in the kindergarten program. Final placement will be made on the basis of test scores, performance, and/or demonstrated ability.

- B. First Grade Enrollment – Beginning with the 1990-91 school year, pupils entering the first grade must be six years old on or before September 1 of the year entering. Proof of age is required. Parents are required to bring the student’s official verification of date of birth (certified birth certificate, verification document from Health Department, or passport for children born outside the U.S.A.) and Certificate of Immunization when registering the student.

Beginning with the 1990-91 school year, pupils who are six years old after September 1 and who have successfully completed public kindergarten in another state and who have been certified to attend first grade in that state may be accepted in first grade; such pupils, however, will not automatically be accepted in first grade. Final grade placement will be made on the basis of test scores, performance, and/or demonstrated ability.

Beginning with the 1990-91 school year, pupils who are six years old after September 1 and prior to January 1 and who attended a private school for the first grade may be accepted in the second grade provided the student has successfully completed first grade; such pupils, however, will not automatically be accepted in the second grade. Final grade placement will be made on the basis of test scores, performance, and/or demonstrated ability.

- C. Students Transferring from Another School or School System – Students transferring from school systems outside the Huntsville City School System or from private or parochial schools shall not be eligible for enrollment if they are under suspension or expulsion. Upon the clearance of the suspension or expulsion and eligibility for readmission to their former school, the student shall be eligible to enroll in the Huntsville City School System if other requirements of this policy are met.
- D. Students Transferring from Another State – Students who move to Huntsville after having attended public schools in another state may be admitted to the grade certified by the school from which they are moving. (Huntsville City Schools respects the state laws of the 50 states in regard to the certified grade level of students entering Huntsville City Schools from out-of-state schools.)
- E. Students Residing Outside the City Limits – Students who live outside of the city limits may attend the Huntsville City Schools provided a transfer is approved in the same school cluster their parents are employed. Tuition is set for these students by the Board of Education. The enrollment will be based on space availability. (*See Appendix 107-5*).
- F. Immunizations – Immunizations are required for all students entering the Huntsville City Schools. (See Policy 106-14)
- G. Social Security Number and Card – Beginning with the 1989-90 school year, each child enrolling in the first grade shall have a social security number and a valid social security card. Beginning with the 1990-91 school year, all students K-12 should have a valid social security number and card. A copy of the social security card will be made and the original card will be returned to the presenter at the time of registration.
- H. Immigrant, English as a Second Language (ESL), or Homeless Students
The Huntsville City Schools seeks to provide students with immediate access to public education regardless of their immigrant, ESL, or homeless status as well as their inability to immediately produce required documents. Enrollment for such students will be approved pending required documents. Furthermore, school personnel will provide the proper assistance in obtaining documents.

HUNTSVILLE CITY SCHOOLS
(INTERNET PROCEDURES)

INTERNET SAFETY POLICY-STUDENTS

The Board of Education encourages and supports the welfare and safety of all users when using the Internet in all subjects and all facets of curriculum (written, taught, tested). The term “safety” of the Internet, applies to the use of accepted Internet etiquette and compliance with all legal and basic ethical constraints.

A. Prohibited Uses of Network. Among the uses that are considered unacceptable and which constitute a violation of these procedures are the following:

1. Use of the network for non-educational communication.
2. Uses that violate the law or encourage others to violate the law.
3. Uses that cause harm to others or damage to their property.
4. Use of the computer network or the Internet to gain unauthorized access. Any use which violates state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance, is strictly prohibited.
5. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet.
6. Uses that are commercial transactions.
7. The installation of software or downloading of unauthorized files, viruses, games, programs, or other electronic media.
8. Plagiarizing or using Internet resources for school assignments without citing references is.
9. Access of another user’s work, folders, or files.
10. Viewing, sending, or displaying obscene, profane, lewd, vulgar, rude, disrespectful, threatening, or inflammatory language, messages, or pictures.
11. Connecting to networks which are outside of HCS measures of control or which violate blocked or filtered media and websites, both during school hours and/or on school system premises is strictly prohibited.

IF A STUDENT ACCESSES A SITE CONTAINING INAPPROPRIATE MATERIAL, THE STUDENT MUST IMMEDIATELY NOTIFY THE TEACHER OR AN ADMINISTRATOR.

B. INTERNET SAFETY

1. General Warning: All users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged pupils. Every user must take responsibility for his or her use of the computer network and Internet and stay away from these sites. If a student finds that other users are visiting offensive or harmful sites, he or she should report such use to the teacher.

2. Confidentiality of Student Information. Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a teacher or administrator.

C. Personal Safety

1. Be safe at all times. In using the computer network and Internet, do not reveal personal information such as your home address or telephone number, private or confidential information about yourself or others on the Internet.
2. Students will not give anyone on the Internet information about themselves or anyone else. This includes any of the following information: First and Last Name, School Name, School Mascot, Sport Team Names or affiliations, Home telephone Number, Home address (any part of), Parent's name(s), Age or Birthday (with year), particularly credit card numbers and Social Security numbers (in combination or alone).
3. Do not arrange a face-to-face meeting with someone you "meet" on the computer network or Internet without your teacher and parent's permission (if you are under 18).
4. Do not share photos of yourself, your family, or your home with people you meet online without prior permission from the supervising teacher or school administrator.
5. Do not give out Internet passwords to anyone other than parents or teachers.

D. INTERNET FILTERING

1. Filtering software will be utilized to help prevent students from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors. A supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects may request Internet filtering be disabled. Filtering will help provide the following:
2. Safety and security of minors when using electronic mail, chat rooms, and other forms of direct communication.
3. Unauthorized access, including "hacking" and other unlawful activities regarding minors online.
4. Unauthorized disclosures, use, and dissemination of personal information regarding minors.

E. PRIVACY

Network and Internet access is provided as a tool for your education. The Huntsville City Schools reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and remain the property of the Huntsville City Schools and no user shall have any expectation of privacy regarding such materials.

F. FAILURE TO FOLLOW PROCEDURES

The use of the computer network and Internet is a privilege, not a right. A user, who violates these procedures, shall at a minimum, have his or her access to the computer network and Internet terminated. The Huntsville City Schools may refuse to reinstate access for the remainder of the student's enrollment in the Huntsville City Schools. A user violating these procedures by his or her own action or by failing to report any violations by other users will be denied access to the network. Further, a user violates these procedures if he or she permits another to use his or her account or password to access the computer network and Internet, including any user whose access has been denied or terminated. The Huntsville City Schools may take other disciplinary action in such circumstances.

G. WARRANTIES/INDEMNIFICATION

1. The Huntsville City Schools makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under these procedures. It shall not be responsible for any claims, losses, damages or costs (including attorney's fees) of any kind suffered, directly or indirectly, by any user or his or her parent(s) or guardian(s) arising out of the user's use of its computer networks or the Internet under these procedures. By signing this handbook, users are taking full responsibility for his or her use, and the user who is 18 or older or, in the case of a user under 18, the parent(s) or guardian(s) are agreeing to indemnify and hold the School, the School District, the Data Acquisition Site that provides the computer and Internet access opportunity to the School District and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims or damages resulting from the user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user's parent(s) or guardian(s) agree to cooperate with the school in the event of the School's initiating an investigation of a user's use of his or her access to its computer network and the Internet, whether that use is on a school computer or on another computer outside the Huntsville City School network.

2. Any illegal or inappropriate use of the Internet not specifically stated above is prohibited.

ACKNOWLEDGEMENT

I, _____, enrolled
(Student Name – please print)

in _____ School
(School Name – please print)

and my parent(s)/guardian(s) hereby acknowledge by our signature that we have received, read, and discussed the Student-Parent Handbook and Code of Conduct.

(signed) _____

(signed) _____

(signed) _____

Date: _____

AFTER YOU HAVE REVIEWED THE HANDBOOK, PLEASE DETACH, SIGN, AND RETURN THE LAST PAGE. YOUR SIGNATURE ASSURES THE SCHOOL THAT YOU HAVE RECEIVED, READ, AND DISCUSSED THE HANDBOOK WITH YOUR CHILD. WE LOOK FORWARD TO HAVING A PRODUCTIVE AND REWARDING YEAR.

Please detach this page after signing and have the student return it to the school.

2011-2012 Huntsville City Schools