Mission Statement: In partnership with the community, the Baldwin County Public Schools’ mission is to provide a quality education that fosters learning.

Vision Statement: Our vision is to create a world class learning environment.

Pupil Responsibilities and Conduct Standards: A Statement of Policy for 2009-2010

GUARANTEE OF FREE APPROPRIATE EDUCATION
The Baldwin County Board of Education guarantees the right to a free appropriate education for all school age persons regardless of disability. The school system will arrange and provide for free evaluation services for any student who is suspected of having a disability and of needing personalized educational accommodations and/or related services.

Parents may contact the office of Special Services or Section 504 Coordinator, Baldwin County Board of Education, 251-972-6862, for further information and/or refer their child for an evaluation.

EQUAL OPPORTUNITY POLICY
It shall be the policy of the Baldwin County Board of Education ("Board") that no student shall be denied the benefit of any educational program or educational activity on the basis of race, color, national origin, age, sex, disability, limited English proficiency, immigrant status, migrant status, or homeless status. A free and appropriate education is available to all students with disabilities. It shall be the policy of the Board that barriers to enrolling and retaining homeless students shall be removed. All programs offered by schools within the school district shall be open to all students in compliance with statutory and judicial requirements.

PARENTS RIGHT-TO-KNOW NOTICE
In accordance with Title I of the No Child Left Behind (NCLB) Act of 2001, parents, through the Right-To-Know provision, may request information regarding the professional qualifications of their child’s teacher(s) or the qualifications of paraprofessionals providing services to their child. In addition, parents will be provided information about their child’s level of achievement on any state academic assessments.

When requesting this information, send your written request to local school principal or Ms. Cindy Chandler, 1091 “B” Avenue, Loxley, AL 36551.

Title IX
Baldwin County Public Schools does not discriminate on the basis of sex in the admission to or employment in its education programs or activities it operates.

All inquiries, questions, or comments should be sent to: Mr. Chuck Anderson-Title IX Coordinator, 2600 Hand Avenue Bay Minette, AL 36507 or 251-580-1833.

FEDERAL PROGRAM SERVICES FOR HOMELESS STUDENTS
For information on services for Homeless students, please call Ms. Cindy Chandler at 251-972-6863.

The Baldwin County Board of Education shall be committed to providing students an environment for learning. This includes the establishment of an atmosphere conducive to purposeful instruction. Regulations and due process procedures shall be designed to protect all members of the educational community in the exercise of their rights and responsibilities and to provide uniformity to assist in understanding the practices and procedures used in the schools. Principals shall be authorized to make supplemental rules and regulations as deemed necessary to provide for the effective operation of the local school program.

Parents or guardians shall be encouraged to seek conferences with the principal or other members of the professional staff whenever the general welfare of the student is concerned.

I. COMPULSORY ATTENDANCE
Every child between the ages of seven (7) and seventeen (17) years shall be required to enroll in school and to attend for the entire length of each scholastic year. Legal Reference: Laws of Alabama Relating to Education, Title 16-28-3

Regular school attendance is very important; irregular attendance makes for a lack of interest and poor grades. Regular Attendance shall be defined as those attendance requirements as set forth in the Early Warning Truancy Prevention Program and is applicable to all students in grades Pre-K - 12. Since something of importance is being taught every school day, each pupil is expected to be in attendance every day.

II. ENTRANCE AGE
Children who are five years old on or before September 1 (born on or before September 2) and youth who have not attained twenty-one (21) years of age by this date shall be eligible to enroll in and attend the Baldwin County Public Schools. Children eligible for admission to kindergarten by virtue of the fact they are five years old on or before September 1 (born on or before September 2) and who are still not of compulsory school age (age seven) shall enter kindergarten during the first two weeks of school. Students seeking enrollment after the second week of school must provide the principal with satisfactory reasons as to why enrollment was impossible or impractical during the first two weeks. An underage child who transfers from the public kindergarten in another state shall be permitted to enroll in a public kindergarten in Baldwin County. Upon successful completion of a kindergarten program, this student is eligible for admission to the first grade regardless of age. Legal Reference: Laws of Alabama Relating to Education, Title 16-28-4

Children eligible for admission to the first grade by virtue of the fact they are six years old on or before September 1 (born on or before September 2), and who are still not of compulsory school age (age seven) shall enter first grade during the first two weeks of school. Otherwise, satisfactory reasons as to why enrollment during this period was either impossible or impractical shall be provided the principal. Students moving into this state having completed a mandated kindergarten program in another state shall be eligible for admission to the first grade regardless of age. Legal Reference: Laws of Alabama Relating to Education, Title 16-28-4

III. ABSENCES - EXCUSES AND TARDINESS
The fundamental right to attend public school places upon students the
accompanying responsibility to be faithful in attendance. Regular attendance can be assumed to be essential for a student’s successful progress in the instructional program. The following absences shall be considered excused absences, provided that in each instance parental confirmation of the reason for the absence has been received. Parents are required to explain in writing all absences. An excused absence permits work to be made up.

(a) Illness or death in the immediate family.

(b) Inclement weather which would be dangerous to the life or health of the pupil.

(c) Legal Quarantine or emergency condition as determined by the superintendent or principal.

(d) Permission of principal and consent of parent (i.e., absence to observe traditional religious holiday). Except in Emergency situations, out of town trips must have principal’s approval prior to taking the trip, if the absence is to be coded excused.

A student, upon returning to school, shall bring a written statement from his/her parent, guardian or other person having control of the student, with an explanation of the reason for the absence and the date of the absence. The student has three (3) days to turn in an excuse to his/her homeroom teacher. After the three days have passed the school officials do not have to accept any excuses from parent or physicians.

Students having unexcused absences, excessive absences, or unexcused tardies shall be disciplined according to procedures outlined in the Early Warning Truancy Prevention Program. Parents will receive courtesy letters after their student has had one unexcused absence, four excused absences, or four unexcused tardies. Once a student reaches their third unexcused absence, tenth excused absence (ten absences is considered excessive) or their tenth unexcused tardy he/she may be required to attend the Early Warning Truancy Prevention Program. The only way you and/or your student will be required to attend this program is if his/her principal submits their name to the Attendance Office. Once a parent receives notification requiring they attend the Early Warning Truancy Prevention Program the parent/student will not be excused from the program. If the student is age 11 or older he/she must attend the program with his/her parent/guardian.

A student checking out of school before he/she has had 50% of instruction time for the day will be marked absent. A student checking into school that has missed more than 50% instruction time for the day will be marked absent.

IV. EARLY DISMISSAL

• Pupils who leave school for any reason must check out through the principal’s office.

• Parents must send a written note of permission for any pupil to leave school for any reason except when sudden illness, accident or similar incident occurs.

• The nature of the check-out will determine whether the absence from any part of the school day will be excused. Only an excused check-out permits work to be made up.

V. TRUANCY

The policy of the Baldwin County Board of Education shall be to comply with the mandates of Alabama Compulsory Attendance Laws and procedures set forth in the Early Warning Truancy Prevention Program governing truancy. Legal Reference: Laws of Alabama Relating to Education, Title 16-28-12, 16-28-14, 16-28-15, 16-28-17

VI. ATTENDANCE ZONES

The Baldwin County Board of Education affirms those present school attendance zones outlined by the Federal Courts. The Board, however, gives the Superintendent or designee discretionary authority to grant variances to pupils who present evidence of extreme hardship. Extreme hardship may not be construed to include dissatisfaction with personnel in the school in the zone in which the pupil resides, or dissatisfaction with curriculum offerings which are non-academic (such as band) or extracurricular activity offerings in the school in the zone in which the pupil resides.

It is the intent of the Board to disrupt as few students as possible for the sake of compliance with enforcing guidelines previously stated, to maintain a smooth and well understood transition from one school to the other and to keep the concern of students uppermost in the minds of administrators, supervisors and teachers.

A student eligible to be classified as a senior in high school shall be permitted to graduate in the school in which he/she was enrolled even though his/her parents or guardians move to a different school zone.

VII. COMMUNICABLE DISEASES

The policy of the Baldwin County Board of Education is to observe the regulation for the control of communicable diseases/parasites in public school as recommended by the State Board of Health. The Board shall exercise its authority to condition the recommendation with regard to the prescribed school program and the dates of admittance. Legal Reference: Laws of Alabama Relating to Education, Title 16-29-1

VIII. DRESS AND APPEARANCE

Pupils are expected to be clean and appropriately dressed for school. Dress and appearance must not present health or safety problems or cause disruption and should encourage a serious approach to school. The local school principal will be the final authority for determining appropriate dress within the framework of the policy.

Baldwin County Public Schools’ Uniform Policy is under review. The current policy remains in place until a new dress code is established. You can find the current Uniform Policy at www.bcbe.org/dress

A. Standards I

1. All students enrolled in Baldwin County Public Schools shall be required to dress in accordance with the adopted uniform policy. The school principal must approve any deviation from the school uniform. Those deviations may include but are not limited to:

   a. School dress-up days.

   b. Students who participate in a nationally recognized youth organization may wear the apparel of that organization on assigned meeting dates.

B. Standards II

Additional standards of dress and hair style shall be required for the safety of pupils who enroll in vocational classes that require them to work near equipment and machinery that may entangle loose clothing and hair. These standards shall be published by the local school and vary with the type of activity in which the pupil is enrolled.

BODY PIERCING

The Pupil Responsibilities and Conduct Standards policy statement addresses behaviors or actions which may be disruptive to the orderly operation of school. Please be advised that this general prohibition will be applied to body piercing, other than earrings.
IX. PUPIL CONDUCT

In order for the Board to fulfill its commitment to provide appropriate educational opportunities and experiences, each pupil shall conduct himself in a responsible manner at all times.

A. Conduct and Language

Conduct and/or language which materially and substantially interferes with the educational process is prohibited on school property.

B. Display of Affection

Public display of affection is inappropriate and unacceptable on the school campus.

C. Off-Campus Events

Pupils at school-sponsored events shall be governed by school system rules and regulations and are subject to the authority of school officials.

D. Criminal Acts

The commission of or participation in unlawful activities on school property or a school-sponsored event is prohibited. Disciplinary action shall not be postponed until criminal charges are resolved. Pursuant to Section 16-1-24.1 of the Code of Alabama as Amended May 1992... “The principal shall notify appropriate Law Enforcement Officials when any person violates local board of education policies concerning drugs, alcohol, weapons, physical harm, or threatened physical harm to a person. If a criminal charge is warranted arising from the conduct, the principal is authorized to sign such warrant.”

The following activities shall be among those defined as criminal under the laws of the State of Alabama and/or Baldwin County:

1. Arson - The intentional setting of fire to property.

2. Assault - Physical threats or violence to persons - Class C Felony if on a teacher or any employee of public education.

3. Bomb Threats - Verbal or written communication about the presence or threat of a bomb or other explosive devices on school property. (Source and Penalty-Organized Crime Control acts of 1970-Public Law 91-457)

4. Burglary - Breaking into or entering a building or structure with intent to steal or to commit a crime.

5. Larceny - Theft of property of another.

6. Robbery - Obtaining money or property by violence or threat of violence or forcing or threatening to force someone to depart with something of value.

7. Trespass – Being present in an unauthorized place in the school or on school property or refusing to leave the premises when ordered to do so by school officials.

8. Unlawful Interference with School Authorities

Disruptive conduct resulting in interference with administrators and/or teachers in the discharge of their official duties.

9. Sale, Use or Possession of Alcoholic Beverages or Illegal Drugs

10. Malicious Damage or Destruction of the Property of Another


12. Possession of or Responsible for Explosives on School Campus

E. Student Identification

Pupils should maintain in their possession at all times some form of identification. All persons shall (upon request) identify themselves to school authorities in school buildings, on school grounds, or at school-sponsored events. Persons refusing to identify themselves upon request of school officials shall be considered trespassing.

F. Gambling

Gambling in any form is prohibited on school property.

G. Smoking/Use or Possession of Tobacco

Students shall not be permitted to have tobacco in their possession or to use tobacco in any form on the school property or on a school-sponsored trip -(ALA. ADM. Code 290-030-010-06). Parental permission to possess tobacco, to smoke, or otherwise to use tobacco does not exempt a student from this policy. Professional school personnel shall organize and maintain programs of education designed to make pupils fully aware of the hazards of smoking and use of tobacco.

Students caught using or having in their possession tobacco in any form on the school grounds are subject to suspension or other appropriate disciplinary action.

H. Unlawful Assembly

The blocking of halls, passageways, stairs, doorways, or other school property constitutes a hazard to the welfare and safety of other students and school personnel and is disruptive to the educational process. Conduct of students or assembly of students which disrupts the educational process is prohibited.

X. CORPORAL PUNISHMENT

Good discipline in the school is extremely important to the total school program and is vital to the development of citizenship. Teachers are expected to exercise toward students those courtesies which pupils are required to show teachers. The finest possible human relationships should be maintained at all times.

(a) Corporal punishment may be administered after other control measures have not been effective and, after the nature of the offense has been explained to the pupil.

(b) When necessary to administer corporal punishment, it shall be administered with a paddle, or facsimile thereof, to the buttocks and in the presence of another professional employee.

(c) Corporal punishment shall not be administered in the presence of other students.

XI. SUSPENSION AND EXPULSION

A principal may suspend a pupil from school for violation of school rules
When a pupil is suspended or expelled, he/she is denied admittance to
the educational process. A pupil may be expelled for a period of:
(a) more than ten days, less than one semester, (b) one semester or more, (c) permanently. The
Superintendent provided notice of intent to appeal is given within five
(5) days of receipt of the notice of the results of the hearing. The appeal
hearing from the results of said administrative hearing to the local
administration shall be scheduled as soon as practicable and not
later than five (5) days after suspension except as otherwise agreed upon
by the principal and the pupil or his/her parents or guardian.

In connection with suspensions, not in excess of nine (9) days, the
principal, before determining to so suspend a pupil, must notify the pupil
of the misconduct with which he/she is charged and give him/her an
opportunity to state his/her version of the facts in question, unless the
principal determines that the pupil poses an immediate threat to persons
or property or threatens immediately to disrupt the educative process,
in which case the pupil may be suspended immediately. In such cases,
otice of misconduct with which the pupil is charged should be given as
soon as practicable and no later than three days following suspension. An
administrative hearing shall be scheduled as soon as practicable and not
later than five (5) days after suspension except as otherwise agreed upon
by the principal and the pupil or his/her parents or guardian.

Before implementing expulsion proceedings on any student, regular
or disabled, the principal must notify the pupil of the misconduct with
which he/she is charged and give him/her an opportunity to state his/her
version of the facts in question unless the pupil poses an immediate threat
to persons or property or threatens immediately to disrupt the educative
process, in which case he/she may be suspended immediately. In such case,
as soon as practicable and no later than three days following suspension,
the pupil and his/her parents or guardian shall be notified in
writing of the misconduct with which he/she is charged and of the initia-
tion of expulsion proceedings and of their right to request an administr-ative hearing before the principal. The request for such a hearing must be
submitted to the principal within five (5) days of the date of the notifica-
tion of the expulsion. Notice of the results of the hearing shall be given in
writing to the pupil or his/her guardian within five (5) days of the hearing.

The pupil and the parents or guardian shall have the right to request an
appeal hearing from the results of said administrative hearing to the local
Superintendent provided notice of intent to appeal is given within five
(5) days of receipt of the notice of the results of the hearing. The appeal
shall be heard by the Superintendent’s Disciplinary Action Review Com-
mittee within five (5) days of the receipt of the notice of appeal except as
otherwise agreed upon by the local Superintendent’s Disciplinary Action
Review Committee and the pupil or his/her parents or guardian. During
the appeal hearing the pupil or his/her guardian shall have the right to be
represented by counsel. The pupil and his/her parents or guardian shall
be notified in writing of the results of the appeal within two weeks fol-
lowing the hearing.

When a pupil is suspended or expelled, he/she is denied admittance to
any other school in the system until he/she has cleared his/her record
with the school originating the suspension or expulsion even though
he/she might have moved into a new attendance zone.

**XII. SUSPENSION AND EXPULSION OF DISABLED STUDENTS**

Suspension and expulsion may be appropriate disciplinary action for stu-
dents with disabilities but additional procedural protections may apply. If
suspension is considered beyond ten days in a school year, the IEP team
must determine whether such approval is appropriate for the student.
The IEP team will review the following: the student’s behavior, the IEP
which may include the Functional Behavioral Assessment and Interven-
tion Plan to determine whether the student’s behavior was a manifesta-
tion of the student’s disability. Only where it is properly determined that
a student’s behavior is not a manifestation of the student’s disability may
the student be further removed from school or expelled. For removals
that are beyond ten days cumulatively, in a school year, the IEP team will
also determine services that will be provided during the suspension or
expulsion period. Any student that is expelled must apply to the alterna-
tive school before services can be provided. For students who present
dangerous or certain criminal behaviors, emergency procedures will be
followed and are contained in Principal Handbook.

**XIII. ON-CAMPUS SUSPENSION PROGRAM (OCS)**

The Baldwin County Board of Education shall maintain an on-campus
suspension program as necessary to provide a structured disciplinary
atmosphere in which a student is isolated or removed from regular class-
room activities but is not dismissed from the school setting.

**XIV. ALCOHOL/DRUG USE**

The school principal or authorized official of the school shall automati-
cally suspend for a minimum of three days and notify appropriate law
enforcement officials of any student found in possession of, in the act of
using, or under the influence of: Alcohol, Marijuana, or Drugs (stimu-
nants, depressants, hallucinogens or opiates) for which the student has no
prescription from a duly recognized physician.

The principal shall immediately notify the parents or guardians of the
student by telephone. If the parents or guardians cannot be reached by
telephone, the principal shall then notify them of the action by sending a
letter within twenty-four hours. Care shall be given to afford due process
to all students as outlined by requirements in the Goss, et. al. case.

The school principal or authorized official of the school shall expel any
student who is caught selling alcohol and/or harmful drugs to others on
school grounds, on school buses and/or at any school sponsored event,
during or after regular school hours.

Section 16-1-24.1 Code of Alabama, 1975, as Amended May 1994. Any
person determined to be guilty of an offense involving drugs, alcohol,
weapons, physical harm to a person, or threatened physical harm to a
person, may be readmitted to the public schools of this state upon such
conditions as the local board of education shall prescribe for preservation
of the safety or security of students and employees of the local school
board.

Persons, firms, corporations or associations who knowingly sell, give or
otherwise dispense any alcoholic beverage to a school student under the
age allowable by law or who have sold an alcoholic beverage on school
premises shall be liable for prosecution under Laws of Alabama relating to
Education, Title 16-1-10.

Legal Reference: Laws of Alabama relating to Education, Title 16-1-10,
16-1-14 and 16-4-13

**XV. SEARCH OF PROPERTY AND INDIVIDUAL**

Desks, lockers and other items at any school, although assigned to a
particular student, may be entered and searched by school officials when-
ever said officials have reasonable cause to believe there exists on school
campus illegal items harmful to the student, the welfare of the student
body or significantly disruptive to or dangerous to the overall operation of
the school program.
A search of the person shall be with the student’s consent, except under emergency conditions when the safety and welfare of others is involved. When consent is not granted, the assistance of the parent and/or law enforcement official shall be secured. The principal may take appropriate disciplinary action against the student who fails to cooperate with school officials in their investigation of school conduct code violations. Officials of law enforcement agencies are allowed to make periodic unannounced visits to any local school for the purpose of detecting the presence of illegal drugs. Legal Reference: Laws of Alabama Relating to Education, Title 16-4-13 - Al. Administrative Code #290-030-010-06.

**XVI. INTERROGATIONS**

Students shall be allowed to participate in investigations conducted by law enforcement authorities or other state agencies while under the jurisdiction of the school system. In such incidents, a professional member of the local staff shall be present during each investigation unless otherwise prohibited by law. Should a student be placed under arrest by the legal authorities and removed from school, the principal shall notify the parents or guardians immediately or as soon as possible.

Representative of the Department of Human Resources may hold private interviews with suspected victims of child abuse without the presence of a school official. Legal Reference: Ala. Supreme Court Case #89-0863.

**XVII. MARRIED STUDENTS**

Married students are subject to all Board policies relating to students.

**XVIII. SCHOOL HEALTH SERVICES**

A program of student health services is provided in the areas of Health Assessment and Care, Emergency Care, Communicable Disease Prevention and Control, and Health Education and Screenings for students of Baldwin County. Screening programs include vision and hearing screening in grades kindergarten, second, and fourth and scoliosis screening is provided in grades 5-9 (ages 11-14) as mandated by state law. Periodically, dental screening programs are provided for elementary school students.

Various health education programs are provided annually. A maturation program is offered for all fifth grade students with parental consent. Special emphasis is given to ‘hand washing’ and ‘cough and sneeze etiquette’ programs. Individualized Health Care Plans and/or Emergency Action Health Care Plans are developed for all students with chronic health care conditions. Immunization Audits are conducted during the year by local health department staff on randomly selected student’s records, with parental consent.

The parent/guardian and physician must sign the Alabama State Department of Education School Medication Parent/Prescriber Authorization form granting permission for a child to receive prescription medication at school. The delegating registered school nurse must evaluate and approve all over-the-counter medicines and parent instructions. The parent/guardian or the parent designated responsible adult shall deliver all medication to the school nurse or other school personnel designated by the principal in the original container with clear, current instructions.

Should you have questions or concerns regarding this information, please contact Ms. Martha Holloway, Supervisor School Health Services Program, at (251) 970.4415.

**XIX. SCHOOL VISITORS**

Visitors to the school campus must obtain permission through the principal’s office before entering school buildings or going on school grounds.

a) **Pupil Visitors** Pupils are not to visit other schools during school hours except for school sponsored events. Pupils who are found in violation of this are subject to disciplinary action and may be considered trespassing.

b) **Parents** are invited and encouraged to visit the school. Visits during the school day should be cleared through the principal’s office. Parent-teacher conferences are most important in improving the learning atmosphere. Conferences may be held with the principal during the school day. Conferences with teachers should be scheduled before or after school or during a teacher’s planning period, after permission is granted by the principal.

c) **Unauthorized persons** on school property are trespassers and shall be subject to legal prosecution. This includes students who are on suspension or have been expelled.

**XX. INSPECTION OF SCHOOL PROPERTY**

School officials reserve the right to inspect school property, including lockers, to ensure the safety and security of the premises and pupils. Lockers remain the property of the school. Although a student may exercise exclusive control of his/her locker as opposed to access by fellow students, the control is not exclusive against school officials. School officials may inspect lockers at any time to ensure school safety and pupil welfare.

**XXI. CARE OF PROPERTY**

Every pupil shall be a protector and caretaker of school board property. Pupils who injure, deface or destroy any property of the school system shall be required to pay for the damages. Pupils shall respect the property rights of others. Liability limit up to $1,000.00 - Act 94-819.

**Safekeeping of Valuables**

(a) Pupils are discouraged from bringing valuables and large amounts of money to school. Pupils shall be responsible for safekeeping of valuables and should not leave books, clothing, wallets, purses or other valuables unattended.

(b) Only pupils assigned to a locker should have the combination.

**Textbooks**

We have read the Pupil/Parent Responsibilities for Care of State Owned Textbooks. We understand that the responsibility of these books lie with the pupil/parent; should loss or damage occur the pupil/parent shall pay for the textbook in question. For such loss or damage, the pupil/parent will be assessed as follows: Full Price if textbook was issued new to pupil, Seventy-five percent of full price for textbooks two years old. Fifty percent for textbooks three years or older. All textbooks must be returned to the issuing school by the pupil when he/she is promoted, transferred or terminates his/her enrollment with the school.

**XXII. HAZARDOUS AND DISRUPTIVE ITEMS**

Items which are hazardous or disruptive to the educational process may be collected by school officials.

**XXIII. ELECTRONIC PAGERS/COMMUNICATION DEVICES**

It shall be the policy of the Baldwin County Board of Education that academic integrity and personal privacy shall be honored with due diligence.

In order to achieve this end, students shall not be permitted to have in their possession (except in vehicles on campus) an electronic communication device at school except for health or other extraordinary need and then only with the written approval of the Superintendent of Education. This policy shall include, but not be limited to cell phones, electronic
Any student not holding a Certificate of Exemption shall be required to obtain a Certificate of Exemption by the Superintendent of the Baldwin County Board of Education. All students must attend school or must be instructed privately unless the student holds a Certificate of Exemption. In accordance with state law, a student in the following categories may not attend public school.

Permissible Reasons for Absences (Grades Pre-K--12)
The following are permissible reasons for excused absences:

(a) Student illness

(b) Inclement weather which makes it dangerous for students to attend school (as announced by the Superintendent)

(c) Legal quarantine

(d) Death in the immediate family

(e) Emergency condition as determined by the principal or superintendent.

(f) Absence to observe traditional religious holidays of a local, national, or international origin when verified by the student’s minister or religious leader.

Absences in Elementary School and Middle School (Pre-K--12)
Students in grades Pre-K--8 schools may not exceed nine (9) unexcused absences per year. If a student misses more than half of the school day, a full absence will be accumulated. A student and a student’s parent or guardian shall be given written notice when a student’s unexcused absences exceed four (4) days. The student could be retained if unexcused absences exceed nine (9) unexcused days per year. If the maximum number of unexcused absences is exceeded, the student and parent/guardian may petition the Attendance Committee for review of the reasons for the absences. Petition for review by the Attendance Committee may be filled-out at any time after notification, but in any event, no later than 30 calendar days after the final day of the semester. The Attendance Committee shall review the student’s entire attendance record and documented excuses to determine whether to allow the student to pass.

NOTE: The Early Warning Program will remain in effect.
High School (Grades 9-12)
All Alabama public schools are governed by the Alabama State Department of Education Administrative Code 290-3-1-.02(9)(a) which states the following:

(9) Time Allotment and Credit Requirements for Secondary Schools

(a) Any subject passed in Grades 9-12 that meets for a minimum of 140 clock hours of instruction shall count as one (1) credit toward graduation, either required or elective. All subjects taught are considered major subjects. The Alabama State Department of Education does not recognize major and minor subjects in Grades Pre-K–12.

In the block schedule program (grades 9-12), a student may not exceed five (5) unexcused absences per class per term. If a student misses more than half of a class period, a full absence will be accumulated. A student and a student’s parent or guardian shall be given written notice when a student’s unexcused absences exceed two (2) days in any class. The student could lose credit for any class in which the unexcused absences exceed five (5) per class. If the student exceeds five (5) unexcused absences per class, the student and parent/guardian may petition the Attendance Committee for review of the reasons for the absences, and/or make-up two (2) of the absences by attending Academic Saturday School. Petition for review by the Attendance Committee may be filled-out at any time after notification, but in any event, no later than 30 calendar days after the final day of the term. The Attendance Committee shall review the student’s entire attendance record and documented excuses to determine whether to award credit.

NOTE: The Early Warning Program will remain in effect.

Policy to Reclaim High School Credit
Students who fail a course are strongly encouraged to make-up the course in summer school or through a correspondence course.

Policy for Make-Up Work
Upon return to school from excused absence(s), students have up to three days to complete and turn-in make-up work to teachers.

Academic Saturday School (Grades 9-12)
There will be four Academic Saturday School dates set aside per term per school year. Students whose unexcused absences exceed four days per term may be allowed to make-up two (2) unexcused absences per term by attending Academic Saturday School. Students who make-up absences due to suspension will be allowed to make-up absences from excused suspensions only. Students who choose to make-up absences in Academic Saturday School must sign-up for Academic Saturday School via the school Principal or his/her designee.

Written Explanation for All Absences (Grades Pre-K–12)
Every parent, guardian, or other person having control or charge of any child required to attend public school, private school, or church school, shall as soon as practical explain the cause of any absence of the child under his control or charge which was without permission of the teacher. (Alabama Code (1975) § 16-28-15)

Failure to furnish such explanation shall be admissible as evidence of such child being a truant with the consent and connivance of the person in control or charge of the child, unless such person can show to the reasonable satisfaction of the court that he had no knowledge of such absence and that he had been diligent in his efforts to secure the attendance of such child. (Alabama Code (1975) § 16-28-15)

A written note from parents or guardians will excuse absences for up to but not exceeding nine (9) absences in grades Pre-K–8 and four (4) absences in grades 9-12. Future absences for illness will require a doctor’s note in order to be excused.

Transfer Students and Attendance Requirements
Students who transfer into Baldwin County Public Schools must have documented proof of enrollment, attendance, and coursework from another school system before enrolling in local schools. High school students (grades 9-12) who do not submit proof of enrollment from another school system and who enroll after the first five (5) days of a term may not be awarded Carnegie units for coursework. Elementary and middle school students (grades Pre-K–8) who do not submit proof of enrollment in another school system and enroll after the first ten (10) days of the school year may be retained.

Absences incurred in the student’s previous school will not apply to the student’s attendance record in Baldwin County.

Role of Attendance Committee
The Attendance Committee will have the opportunity to review petitions by students and parents/guardians to determine whether excessive absences are justified.

At the local school level, the Attendance Committee will be composed of the Principal (his/her designee) and a counselor. The Superintendent’s Attendance Committee will be composed of the Assistant Superintendent assigned to the local school and a representative from the Baldwin County Board of Education Attendance Office. All decisions made by the Superintendent’s Attendance Committee are final.

Appeal Process
CAMPUS LEVEL: Students and parents/guardians may appeal to the Attendance Committee to review both written excuses and oral explanations for excessive absences. Students or parents/guardians will use the appeal form available in the counselor’s office. The Attendance Committee will review all written/oral appeals within three weeks before the end of the term. If needed, the Attendance Committee may interview the student prior to making a decision regarding awarding of Carnegie units or promotion/retention.

DISTRICT LEVEL: Student and parents/guardians may appeal the decision made by the local school Attendance Committee. A written appeal must be submitted to the Superintendent’s Attendance Committee within three days of receipt of the local school’s Attendance Committee decision. The Superintendent’s Attendance Committee will review all written excuses and oral explanations for excessive absences. If needed, the Superintendent’s Attendance Committee may interview the student prior to making a decision regarding awarding of Carnegie units or promotion/retention. All decisions made by the Superintendent’s Attendance Committee are final.

Date: 3/15/2007
PARENTAL NOTIFICATION

Dear Parents/Guardians:

During the special legislative session of 1994, the Alabama Legislature passed Ala. Code 16-28-12 (1975) which amended Act 93-672 as codified in Ala. Code 16-28-12 (1975). This legislation has important implications for parents, mainly to provide a safe, secure school environment for your children. This letter is to inform you of the statutory requirements of Ala. Code 16-28-12 (1975) and the procedures to be followed.

Parental responsibilities in Ala. Code 16-28-12 (1975) are as follows:

a. To enroll children between the ages of 7 and 16 in school (public school, private school, church school, or be instructed by a private tutor).

b. To require any child enrolled to regularly attend school or to be regularly instructed by a tutor.

c. To compel the child to properly conduct himself or herself as a pupil.

Parents should be aware that:

a. Inappropriate student conduct or behavior may result in suspension from school.

b. The Code of Conduct and related behavior and discipline policies adopted by the Board of Education shall define proper conduct.

c. Out-of-school suspensions shall be reported to the superintendent of education and the district attorney.

d. Parents, guardians or other persons having control or custody of the student are subject to prosecution for violations of this law.

e. The Early Warning Truancy Prevention Program and the School Conduct Intervention Program shall be followed to implement this legislation.

Read these procedures carefully. 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 students on school property or against school employees. This information is provided to advise you of these school-related civil liabilities and criminal penalties. You are encouraged to read this document carefully and retain it for future reference.

Although most students are regular in attendance and conduct themselves properly, we have a responsibility to make every effort to protect all children. Therefore, we are taking this opportunity to notify all parents of the requirements of this legislation and the procedures to be followed in the event violations occur. You are encouraged to read the enclosed documents carefully. Please sign the acknowledgment statement (on the back of this brochure) to document your receipt of this information and return it to school.

Sincerely,
Faron L. Hollinger, Ed.D
Superintendent Baldwin County Schools

PARENTAL NOTIFICATION EARLY WARNING TRUANCY PREVENTION PROGRAM

1. ATTENDANCE

The Alabama Compulsory School Attendance Law (Sec. 16-28-3) requires children between the ages of 7-16 to enroll and attend school. Additionally, Section 16-28-12 of the Code of Alabama, as amended May 17, 1993, requires that any parent/guardian who enrolls a student in school will be responsible for the child’s regular attendance and proper conduct. Parents and/or guardians must provide to the child’s teacher an explanation of each absence within three days after the child returns to school. If the parent or guardian fails to provide this information to the teacher, each child’s absence will be recorded as unexcused or truant. Except in emergency situations, out of town trips must have the principal’s approval prior to taking the trip, if the absence is to be coded excused.

Please be advised of the attendance requirements as set forth in the Early Warning Truancy Prevention Program which has been implemented in Baldwin County schools since the 1989-90 school year. The program was recommended by the State Department of Education and the Administrative Office of the Courts and has been approved by the Baldwin County Board of Education and the Juvenile Court. Pursuant to Section 16-28-12 of the Code of Alabama, all students – grades Pre-K–12 are subject to the provisions of this program.

The following procedures shall be followed to address attendance:

a. **FIRST TRUANCY:** (unexcused absence)
   Teacher shall caution student about truancy and subsequent action to be taken by the school and courts should a 2nd and 3rd truancy occur. Parents shall be notified by the school attendance clerk and/or principal that said student was truant and the date of truancy. Parents are to be notified that after the student receives three or more unexcused absences will be required to attend the Early Warning Truancy Prevention Program.

b. **THIRD TRUANCY:** (unexcused absence)
   Once referred to the Early Warning Truancy Prevention Program, a parent/student has two opportunities to attend the program. Failure to attend will be an indication that the student’s attendance issue is not being addressed. Consequently, a truancy petition (against student) or a contributing to truancy petition (against parent/guardian) may be filed with the Baldwin County Juvenile Court.

c. **TENTH ABSENCE CODED EXCUSED:**
   Students who accumulate Ten Unexcused absences may also be required to attend the Early Warning Truancy Prevention Program. This action will require approval of the principal.

d. **UNEXCUSED TARDIES:**
   Students who accumulate Ten Unexcused Tardies may also be required to attend the Early Warning Truancy Prevention Program. This action will require approval of the principal.

e. **FOURTH TRUANCY OR 11 OR MORE EXCUSED ABSCENTSES OR UNEXCUSED TARDIES:**
   File Complaint/Petition against student or parent/guardian (parent/guardian and student may go to Court.)
SCHOOL CONDUCT INTERVENTION PROGRAM

II. CONDUCT
The following procedures shall be followed for out-of-school suspensions:

FIRST SUSPENSION:
A. The parent, guardian, or person having control or custody of the child shall be notified in writing of the suspension.
B. The superintendent of education shall be notified of the suspension.
C. The district attorney shall be notified of the suspension.
D. The parent, guardian, or person having control or custody of the child shall attend a school conference.
E. The student on off-campus suspension for the first time, except for infractions involving drugs or alcohol, will be given the opportunity to make up tests, but not daily assignments.

NOTE: The second and all subsequent suspensions off-campus are unexcused. A student who has been suspended off-campus more than once during the school year will not be allowed to make-up any school work and the student will receive a zero on all graded work.

A student who has been placed on suspension (ON-CAMPUS or OFF-CAMPUS) is prohibited from participating in all extracurricular activities.

SECOND SUSPENSION:
A. The parent, guardian, or person having control or custody of the child shall be notified in writing of the suspension.
B. The parent, guardian, or person having control or custody of the child shall attend a school conference.
C. The superintendent of education shall be notified of the suspension.
D. The district attorney shall be notified of the suspension.

THIRD SUSPENSION
A. The parent, guardian, or person having control or custody of the child shall be notified in writing of the suspension.
B. The child and the parent, guardian, or person having control or custody of the child 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 identifying resources.
C. The superintendent of education shall be notified of the suspension.
D. The district attorney shall be notified of the suspension.

FOURTH SUSPENSION
A. The parent, guardian, or person having control or custody of the child shall be notified in writing of the suspension.
B. The superintendent of education shall be notified of the suspension.
C. The district attorney shall be notified of the suspension and provided information relative to this and previous suspensions.
D. The fourth suspension shall result in a referral to the Baldwin County Juvenile Court for Judicial Action.

IT'S THE LAW!

Parental Notification of Civil Liabilities and Criminal Penalties
The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees: A Synopsis of each Act is printed below. The ACTS are available in each high school principal’s office and may be reviewed by parents and/or students upon request.

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

ACT 94-783 - CIVIL LIABILITY/DRUG DEALING
Provides that a person who unlawfully sells, furnishes, or gives a controlled substance as defined in sec. 20-2-2, Code of Ala.-1975, to a minor may be liable for injury or damage or both suffered by a third party caused by or resulting from the use of the controlled substance by the minor.

ACT 94-784 - ESTABLISHMENT OF SCHOOL DISCIPLINE PLANS INCLUDING: DRUGS/ALCOHOL/WEAPONS AND ASSAULT
Provides for automatic suspension of students violating drug, alcohol, weapons, and assault policies - students will be readmitted based on local board approval. Principals are required to notify appropriate law enforcement officials when any person violates local board of education policies concerning drugs, alcohol, weapons or assaults.

ACT 94-794 - ASSAULT ON TEACHERS OR OTHER EMPLOYEES
Changes Assault on education employees from a Class A misdemeanor to a Class C felony.

ACT 94-817 – WEAPONS IN SCHOOLS
Forbids the possession of a deadly weapon on public school premises and makes violations a Class C felony if the violator has intent to do bodily harm.

ACT 94-819 – LIABILITY FOR VANDALISM
Increases from $500 to $1000 the Liability Limitations of parents for students who willfully damage school property.

ACT 94-820 – DROPOUT/POSSESSION OF PISTOL/DRIVER’S LICENSE
The Department of Public Safety shall deny a driver’s license or learner’s permit to any person under 19 who has not received a diploma or certificate of graduation. Exceptions are those students
who enrolled in a GED or a secondary school, participating in a job
training program, gainfully employed, a parent of a minor or unborn
child, and the sole source of transportation for a parent(s). Denies
or suspends a driver’s license for 180 days to persons over 14
convicted of a crime involving a pistol on school premises or school
transportation.

ACT 95-314
If the school administrator is unable to verify the enrollment
status* of a student, the student shall automatically be removed
from membership when he/she has accumulated ten (10) consecu-
tive unexcused absences. This does not remove the responsibili-
ties for investigating nonattendance, nonenrollment, and other
requirements as specified by legislative or State Board of Education
mandates relative to school attendance.

*BALDWIN COUNTY BOARD OF EDUCATION

The policies and procedures of the Baldwin County Board of Educa-
tion form the Code of Student Conduct and are based on the following
responsibilities, rights, violations and sanctions.

**Student Responsibilities Are:**

**Attendance**

- To abide by laws and local board of education and individual
school rules and policies regarding attendance.
- To be punctual and in regular attendance.
- To promptly request and complete make-up assignments for
excused absences and tardies.

**Students Rights Are:**

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

**Respect for Person, Privacy, and Property**

**Student Responsibilities Are:**

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

**Student Rights Are:**

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

**Knowledge and Observation of Rules of Conduct**

**Student 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 conduct with his/her signature.

**Student Rights Are:**

- To be informed of laws and local board of education and indi-
vidual school rules and policies regarding rules of conduct.
- To be informed as to the specific grounds of the violation(s) of
the local board of education’s code of student conduct.

**Right to Learn**

**Student Responsibilities Are:**

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

**Student Rights Are:**

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

**Free Speech**

**Student Responsibilities Are:**

- To abide by laws and local board of education and individual
school rules and policies regarding free speech.
- To be courteous of the views of others.

**Student Rights Are:**

- To be informed of laws and local board of education and individ-
al 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.

**Student Publications**

**Student Responsibilities Are:**

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

**Student Rights Are:**

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

**Assembly**

**Student Responsibilities Are:**

- To abide by laws and local board of education and individual
school rules and policies in regard to assembly.
- To seek approval, plan, and conduct meetings consistent with
local board of education rules.
Student Rights Are:
   a. To be informed of laws and local board of education and individual school rules and policies regarding assembly.
   b. To assemble in a lawful manner for lawful purpose with prior approval by local school officials.

**Participation in School Programs and Activities**

Student Responsibilities Are:
   a. To abide by laws and local board of education and individual school rules and policies in regard to school programs and activities.
   b. To be courteous and responsible at all school programs and activities.
   c. To complete assignments related to his/her participation in school programs and activities.

**DISCIPLINE INFRACTIONS AND DISPOSITIONS**

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### Class II ~ Infractions

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<tr>
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<tr>
<td>BC-13</td>
<td>Tardiness from School or Class</td>
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<tr>
<td>BC-14</td>
<td>Unauthorized use of school or personal property</td>
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<tr>
<td>BC-15</td>
<td>Vandalism/property damage</td>
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### Class II ~ Dispositions

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<th>Code</th>
<th>Description</th>
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<tbody>
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<td>A</td>
<td>After School Detention</td>
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### Class III ~ Infractions

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<td>BC-09</td>
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<td>BC-12</td>
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<td>Unauthorized use of school or personal property</td>
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<td>Vandalism/property damage</td>
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<tr>
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### Class III ~ Dispositions

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<td>Handgun--Sale</td>
</tr>
<tr>
<td>39</td>
<td>Handgun--Use</td>
</tr>
<tr>
<td>40</td>
<td>Rifle--Possession</td>
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<tr>
<td>41</td>
<td>Rifle--Sale</td>
</tr>
<tr>
<td>42</td>
<td>Rifle--Use</td>
</tr>
<tr>
<td>43</td>
<td>Firearm--Possession</td>
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<tr>
<td>44</td>
<td>Firearm--Sale</td>
</tr>
<tr>
<td>45</td>
<td>Firearm--Use</td>
</tr>
<tr>
<td>46</td>
<td>Explosive--Possession</td>
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### Class III ~ Infractions (cont.)

<table>
<thead>
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<tr>
<td>47</td>
<td>Explosive--Sale</td>
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<tr>
<td>48</td>
<td>Explosive--Use</td>
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<tr>
<td>49</td>
<td>Weapon--Possession</td>
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<td>Weapon--Sale</td>
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<td>51</td>
<td>Weapon--Use</td>
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<td>52</td>
<td>Knife--Possession</td>
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<tr>
<td>53</td>
<td>Knife--Sale</td>
</tr>
<tr>
<td>54</td>
<td>Knife--Use</td>
</tr>
<tr>
<td>55</td>
<td>Other--Possession</td>
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<tr>
<td>56</td>
<td>Other--Sale</td>
</tr>
<tr>
<td>57</td>
<td>Other--Use</td>
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<td>58</td>
<td>Other Incidents</td>
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<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>SIR1</td>
<td>Out of School Suspension</td>
</tr>
<tr>
<td>SIR2</td>
<td>Alternative Placement</td>
</tr>
<tr>
<td>SIR3</td>
<td>Expelled</td>
</tr>
<tr>
<td>SIR4</td>
<td>Expelled, Services Provided</td>
</tr>
<tr>
<td>SIR5</td>
<td>Removed by Hearing Officer</td>
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<tr>
<td>SIR6</td>
<td>Alternative Setting/Special Ed.</td>
</tr>
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<td>SIR7</td>
<td>Corporal Punishment</td>
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<td>SIR8</td>
<td>Permanent Expulsion</td>
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<td>SIR9</td>
<td>Removed/Alt School</td>
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<td>SIR10</td>
<td>Removed/Special Ed.</td>
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<td>SIR11</td>
<td>In-School Suspension</td>
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<td>SIR12</td>
<td>Suspended--Pending</td>
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### #847 PROHIBITING HARASSMENT AND VIOLENCE

#### I. GENERAL STATEMENT OF POLICY

It is the policy of the Baldwin County Board of Education (the “Board”) to maintain a learning and working environment that is free from religious, racial or sexual harassment and violence. The Board prohibits any form of religious, racial or sexual harassment or violence.

It shall be a violation of this policy for any student, teacher, administrator or other school personnel of the Board to harass a student, teacher, administrator or other school personnel through conduct or communication of a sexual nature or regarding race or religion as defined by this policy. (For purposes of this policy, school personnel include school Board members, Board employees, agents, volunteers, contractors or persons subject to the supervision and control of the Board.)

It shall be a violation of this policy for any student, teacher, administrator or other school personnel of the Board to inflict, threaten to inflict, or attempt to inflict religious, racial or sexual violence upon any student, teacher administrator or other school personnel. The Board will act to investigate all complaints, either formal or informal, verbal or written, of religious, racial or sexual harassment or violence, and to discipline or take appropriate action against any student, teacher, administrator or other school personnel who is found to have violated this policy. Disciplinary action may include: a warning, a verbal reprimand, a written reprimand, counseling, reassignment, suspension or termination.

#### II. RELIGIOUS, RACIAL AND SEXUAL HARASSMENT AND VIOLENCE DEFINED

**A. Sexual Harassment Definition.** Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct of communication of a sexual nature when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education;
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
3. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual’s employment or education, or creating an intimidating, hostile or offensive employment or educational environment.

**Sexual harassment may include but is not limited to:**

1. unwelcome verbal harassment or abuse, such as derogatory comments, jokes or slurs;
2. unwelcome pressure for sexual activity;
3. unwelcome, sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of student(s) by teachers, administrators or other school personnel to avoid physical harm to persons or property;
4. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual’s employment or educational status;

**B. Racial Harassment Definition.** Racial Harassment consists of physical or verbal conduct relating to an individual’s race when the conduct:

1. has the purpose or effect of creating an intimidating, hostile or offensive working academic environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or
B. Religious Harassment Definition. Religious harassment consists of physical or verbal conduct which is related to an individual’s religion when the conduct:

(1) has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;

(2) has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or

(3) otherwise adversely affects an individual’s employment or academic opportunities.

C. Sexual Violence Definition. Sexual violence is a physical act, use of force, which involves the touching of another’s intimate parts or forcing a person to touch any person’s intimate parts. Intimate parts include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas.

Sexual violence may include, but is not limited to:

(1) touching, patting, grabbing or pinching another person’s intimate parts, whether that person is of the same sex or the opposite sex;

(2) coercing, forcing or attempting to coerce or force the touching of anyone’s intimate parts;

(3) coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or

(4) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

D. Racial Violence Definition. Racial violence is a physical act or assault upon another because of, or in a manner reasonably related to, race.

E. Religious Violence Definition. Religious violence is a physical act or assault upon another because of, or in a manner reasonably related to, religion.

F. Assault Definition. Assault is:

(1) an act done with intent to cause fear in another of immediate bodily harm or death;

(2) the intentional infliction of or attempt to inflict bodily harm upon another; or the threat to do bodily harm to another with present ability to carry out the threat.

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III. REPORTING PROCEDURES

Any person who believes he or she has been the victim of religious, racial or sexual harassment or violence by a student, teacher, administrator or other school personnel of the Board, or any person with knowledge of conduct which may constitute religious, racial or sexual harassment or violence toward a student, teacher, administrator or other school personnel should report the alleged acts immediately to an appropriate Board official designated by this policy. The Board encourages the reporting party or complainant to reduce all complaints to writing, but oral reports shall be considered complaints as well.

A. On Each Campus. The school principal or designee is the person responsible for receiving oral or written reports of religious, racial or sexual harassment or violence at the campus level. In the event a principal appoints a designee, such designation should be conspicuously posted. Any adult Board personnel who receives a report of religious, racial or sexual harassment or violence shall inform the campus principal/designee immediately.

The principal/designee may request, but may not insist upon, a written complaint. If the complainant or reporting party refuses to make or sign a written complaint, the principal/designee should carefully document the allegations in writing and record the date and circumstances of the interview. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the principal/designee. If the complaint involves the campus principal/designee, the complaint shall be made or filed directly with the Superintendent or his/her designee by the reporting party or complainant. In the event the Superintendent appoints a designee, such designation should be conspicuously posted.

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B. Submission of a good faith complaint or report of religious, racial or sexual harassment or violence will not affect the complainant or reporter’s future employment, grades or work assignments.

C. Use of formal reporting forms is not mandatory.

D. The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board’s legal obligations to investigate, to take appropriate action and to conform with any disclosure obligations.

IV. INVESTIGATION

A. By authority of the Board, the campus principal/designee, upon receipt of a report of complaint alleging religious, racial or sexual harassment or violence, shall immediately undertake or authorize an investigation. The investigation may be conducted by Board officials or by a third party as deemed appropriate under the circumstances.

B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods deemed pertinent by the investigator.

C. In determining whether alleged conduct constitutes a violation of this policy, consideration should be given to the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

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D. The investigation will be completed as soon as practicable. The investigator shall make a written report to the principal/designee upon completion of the investigation. If the complaint involves the principal/designee, the report may be filed directly with the Superintendent/designee. If the complaint involves the Superintendent/designee, the report may be filed
directly with the School Board President. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

E. Upon receipt of a report, the recipient will take appropriate action or make an appropriate recommendation. Such action or recommendation may include, but is not limited to: a warning, a verbal reprimand, a written reprimand, counseling, reassignment, suspension or termination.

F. The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant in accordance with state and federal law regarding data or records privacy.

V. REPRISAL
The Board will discipline or take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged religious, racial or sexual harassment or violence or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

VI. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES
These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the Federal Office of Civil Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law.

VII. HARASSMENT OR VIOLENCE AS ABUSE
Under certain circumstances, alleged harassment or violence may also be possible abuse under Alabama Law. If so, duties of mandatory reporting under Alabama Code Sections 16-1-24 and 26-14-1 may be applicable.

VIII. DISSEMINATION OF POLICY AND TRAINING
A. This policy shall be conspicuously posted in each school building in areas accessible to students and staff members.
B. This policy shall appear in the student handbook.
C. The School District will develop a method of discussing this policy with students and employees.
D. A copy of this policy shall be provided to every student, teacher, administrator or other school personnel of the Board. Each recipient, or their parent or guardian, shall sign an acknowledgement providing that they have received a copy of the Baldwin County Board of Education’s Policy Prohibiting Harassment and Violence and that they have read and understand the policy.

Acceptable Use and Internet Safety Student Guidelines

The Baldwin County Public School System recognizes the value and necessity of computer and other electronic resources to improve student learning and enhance the administration and operation of its schools. To this end, the Baldwin County Board of Education encourages the responsible use of computers, computer networks including the Internet, and other electronic resources in support of the mission and goals of the school system. Please review the following Acceptable Use and Internet Safety Student Guidelines with your child. Under staff supervision, students may search the Internet for expert resources and participate in various distance-learning activities. If you do not want your child to have access to Internet resources, you must request alternative activities by contacting the administration at your child’s school. Students are expected to use these resources responsibly and according to the guidelines outlined in the District’s complete Acceptable Use and Internet Safety Policy (AUP). The AUP is available for review by all parents, guardians, and other members of the community either on request from the school office or library or for download from the BCBE website (www.bcbe.org – under “District Policies & Documents”).

The following statements guide acceptable use of district technology and Internet resources by all students:

1. Students will use Internet equipment only for school-related activities with permission from the teacher or library media specialist.

2. Students will not intentionally misuse computer resources or use equipment or facilities in a way that is inconsistent with the general rules of conduct that govern student behavior (e.g., be polite, use appropriate language, etc.).

3. Student users will sign-in legibly on the appropriate log or register (e.g. a seating chart or log for an individual computer) in the classroom, lab, or media center each time they use the Internet.

4. Students will not damage or mistreat equipment or facilities under any circumstances. This includes trying to “fix” plugs, cables, or other parts of the equipment.

5. Students will not employ the network for personal financial gain or commercial purposes.

6. Students will not engage in practices that threaten the integrity of the network including (but not limited to) utilizing proxy servers/sites or similar means to circumvent the Internet content filter, visiting websites that contain malware (virus, spyware, popups), or downloading files that contain malware.

7. Students will not create, use, send, download, or display obscene, threatening, harassing, or otherwise offensive messages or pictures, including pornography, to internal or external users, websites, or blogs.

8. Students will not use the equipment or network for illegal activities, including the violation of copyright laws and/or intellectual piracy, hacking into corporate or public websites, or hacking into corporate or public applications.

9. Students will not load or copy any software to or from district equipment.
INSTRUCTIONS FOR COMPLETING THE ACKNOWLEDGEMENT STATEMENT

Complete an acknowledgement statement for each child enrolled.

a. Detach, sign, and return the statement to your child’s school within one week after the date of issuance.

Acknowledgement/Signature Statement for 2009-2010

I have read the following or had the following read to me:
1. Letter to Parents concerning Alabama Code 16-28-12 (1975) and school related responsibilities.
2. Parental Notification of the Early Warning Truancy Prevention Program and Student Conduct Intervention Program (SCIP).
3. It’s the Law!
4. Code of Student Conduct, which includes Classification of Violations and Sanctions.
5. Pupil Responsibilities and Conduct Standards
6. Sexual Harassment Policy
7. Acceptable Use and Internet Safety Student Guidelines
8. Health Programs (Check ONE of the statements below for A, B and C)
   A. ___ I give permission for my child to participate in the School Health Services Programs.
      ___ 1 DO NOT give permission for my child to participate in the School Health Services Programs.
   B. ___ I do give permission for my child’s immunization record to be audited by representatives of the local health department.
      ___ 1 DO NOT give permission for my child’s immunization record to be audited by representatives of the local health department.
   C. ___ I give permission for my child’s communicable disease information (cases such as staph infection, strep throat and chickenpox) to be released to the local Health Department.
      ___ 1 DO NOT give permission for my child’s communicable disease information (cases such as staph infection, strep throat and chickenpox) to be released to the local Health Department.

9. Attendance Policy
10. Textbook Care

Printed Name of Student: _____________________________________________________________

Signature of Student: ________________________________________________________________

School Name: _____________________________________ Grade: _____ School Year: 2009-2010

Printed Name of Parent: ____________________________________________________________

Signature of Parent/Guardian: ________________________________________________________

Activites done on District equipment are not private and are accessible by teachers, administrators and other students. Activities include websites visited, files created or modified, transmitted, received or stored on any District equipment.

Students who violate any of the above conditions will be subject to the suspension or termination of their Internet privileges and possibly other computing privileges, as well as other disciplinary action in accordance with District policies and procedures as well as proceedings under civil and/or criminal law, if such has been violated.

Revised May 2008