MISSION, PURPOSE & DIRECTION
We will engage, educate and inspire our students to succeed in college, career and beyond.

VISION
MPS is a place where every student develops a love of learning, cultivates intellectual curiosity, and dreams of a future full of amazing possibilities.

EQUAL EMPLOYMENT OPPORTUNITY
The Montgomery County Board of Education operates under the following policy: “No person shall be denied employment, be excluded from participation in, or denied the benefits of, or be subjected to discrimination in any program or activity on the basis of disability, sex, race, religion, national origin, color or age.” (Board Policy GAAA)

IMPORTANT TELEPHONE NUMBERS
Superintendent’s Office .................................................. (334) 223-6710
Transportation Department ................................. (334) 284-2085
Communication Office ................................. (334) 223-6761
Helping Montgomery Families Initiative (HMFI) ................................. (334) 832-1666
Safe Schools Hotline ........................................ (888)-SAV-KIDS
MPS Homeless/Migrant Services ................................. (334) 223-6901
MPS Student Support Services ................................. (334) 223-6850
MPS Student Social Work Services ................................. (334) 223-6851

When an explanation is needed for the Student Conduct Manual, contact the school principal.
NOTICE OF RECEIPT FORM

I _________________, a student enrolled in ____________________________
(Student’s name) (Name of School)

and my parent/guardian hereby acknowledge by our signatures that we have received, read, and understand, and/or had read to us and understand, the 2018-2019 Student Conduct Manual.

We understand that these policies and laws apply to all parents and students enrolled in Montgomery Public Schools, and at all activities and events, including school buses, sponsored or supervised by MPS school officials.

Student Signature ___________________________ Date ___________________________

NOTE: If the student lives with both parents/guardians, both are to sign the statement. If the student only lives with one parent, only one signature is required. Failure to return this form does not absolve the student or parent from the requirements stated in this Student Conduct Manual.

Parent/Guardian ___________________________ Date ___________________________

Parent/Guardian ___________________________ Date ___________________________
# TABLE OF CONTENTS

## INTRODUCTION

### SCHOOL ATTENDANCE/ TRUANCY

- Compulsory School Attendance Law/ Truancy Intervention Program
- Montgomery City Truancy Ordinance
- Excused Absence/Chronic Ailments/ Unexcused Absence
- Make-up Work/ Check Outs/ Check Ins/Attendance Appeal
- Withdrawal for Non-Attendance

### SCHOOL VISITORS

### SPECIAL POPULATIONS

- Special Education
- Gifted
- Section 504
- Seclusion and Restraint

### STUDENT DISCIPLINE

- Principal’s Authority
- Classification of Rules
  - Class A- Violation of Class Rules
  - Class B- Violation of School or Board of Education Policies
  - Class C- Major Offenses
  - Class D- Major Offenses, Drugs/Possession of Weapons/Alcohol
  - Class E- Major Offenses- Use of Weapons
- Expulsion for Firearms Possession
- Weapons List
- Violations of Criminal Statutes
- Arrest of Students for Non-School Related Crimes
- Suspension Procedures
- Due Process Procedures

### ANTI-BULLYING & HARASSMENT POLICY

### GRIEVANCE PROCEDURES

### BUS RULES INFORMATION

### DRESS CODE POLICY

### GENERAL POLICIES

- Principal Authority
- Amnesty Surrender Clause
- Corporal Punishment
- Searches and/or Inspection of School property
- Penalties for Defacing/ Destroying Public Property
- Behavior During Extracurricular Activities
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>HELPING MONTGOMERY FAMILIES INITIATIVE</td>
<td>36</td>
</tr>
<tr>
<td>GENERAL FORMS</td>
<td>37</td>
</tr>
<tr>
<td>Internet Acceptable Use Procedures Policy and Permission Form</td>
<td>37</td>
</tr>
<tr>
<td>Bullying and Harassment Form</td>
<td>38</td>
</tr>
<tr>
<td>Suspension Appeal Form</td>
<td>39</td>
</tr>
<tr>
<td>Bus Information Form</td>
<td>40</td>
</tr>
<tr>
<td>Cell Phone Usage Policy Consent Form</td>
<td>41</td>
</tr>
<tr>
<td>Prior Approval Absence Form</td>
<td>42</td>
</tr>
<tr>
<td>SCHOOL DIRECTORY</td>
<td>43</td>
</tr>
<tr>
<td>GLOSSARY OF TERMS</td>
<td>45</td>
</tr>
</tbody>
</table>
INTRODUCTION

Montgomery Public Schools (MPS) is committed to creating a safe, positive learning environment for all our students. MPS has adopted the Student Conduct Manual to support the creation of a safe and positive learning environment for all members of the school community. The purpose of this Student Conduct Manual is as follows:

1. Create a consistent set of expectations for student behavior in Montgomery Public Schools.
2. Reinforce positive behavior and provide students with opportunities to develop appropriate social skills.
3. Outline interventions, consequences or disciplinary procedures for students who engage in inappropriate behavior. Interventions, consequences or disciplinary procedures mean actions taken by teachers, administrators, support staff and parents to teach students the skills necessary for success.

The Student Conduct Manual applies to any student behavior that occurs on school property, while riding in a school-owned or operated vehicle, at school-sponsored events on or off campus, at designated bus stops, and at any time the student is under school jurisdiction. The Student Conduct Manual also applies to behavior off campus that significantly impacts the educational environment, including the use of social media and electronic communications, etc.

The parent/guardian is responsible for the actions of their child/children and should be involved in their education. The parent/guardian should take special notice of the weapons and controlled substance sections of this Student Conduct Manual as well as the suspension and expulsion provisions.

Failure to sign the acknowledgment section will not relieve the student or the parent/guardian from their responsibility to know the contents of the Student Conduct Manual nor excuse any student’s non-compliance with the Student Conduct Manual.

The Montgomery County Board of Education may take all necessary actions to ensure that its facilities, personnel and students are safe and secure, and that the Student Conduct Manual is enforced. Such action may include the inspection and search of MPS facilities and property brought onto MPS facilities. Students and others may be asked to walk through a metal detection device or to allow a search of personal property when at any school-related event or when entering MPS property. Any person who refuses to be searched will be denied admission to the MPS event or facility and will be required to leave the premises immediately.

It shall be the policy of the Montgomery County Board of Education to permit law enforcement agencies to make periodic visits to MPS schools for the purpose of detecting the presence of illegal drugs. Such visits shall be unannounced except to the superintendent of schools and principals of the individual schools that are subject to visitation. The Board will also utilize a narcotics detection dog to deter individuals from bringing illegal narcotics onto school property. The dog will be utilized to conduct random searches on school property, including, but not limited to, school lockers, school classrooms, and school parking areas. Anything on MPS property is subject to inspection to enforce the Student Conduct Manual and to effectuate its purposes, subject only to any restrictions which may be imposed by federal, state, or local law.

Additionally, parents/guardians should be aware of the following law:

Section 16-28-12 - Person in loco parentis responsible for child’s school attendance and behavior; noncompliance; local boards to promulgate written behavior policy, contents, annual distribution, receipt to be documented; school officials required to report noncompliance; failure to report suspected violation; district attorneys vigorously to enforce provisions.

(a) Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, church school, denominational school, or parochial school, or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fail to compel the child to properly conduct himself or herself as a pupil in any public school in accordance with the written policy on school behavior adopted by the local board of education pursuant to this section and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars ($100) and may also be sentenced to hard labor for the county for no more than 90 days. The absence of a child without the consent of the principal/teacher of the public school he or she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.

(b) Each local public school superintendent shall adopt a written policy for its standards on school behavior. Each local public school superintendent shall provide at the commencement of each academic year a copy of the written policy on
SCHOOL ATTENDANCE / TRUANCY POLICY

A. Compulsory School Attendance Laws

State law requires that all children between the ages of six (6) and 17 attend school. Children may attend public schools, private schools, or church schools. Children may also be instructed by a competent, private tutor or in an authorized home school. State law requires that children attending public schools conduct themselves in accordance with the policies listed in the Student Conduct Manual.

Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, church school, denominational school, or parochial school, or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in any public school in accordance with the written policy on school behavior adopted by the local board of education pursuant to this section and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than $6,000.00 (Code of Alabama 13.A.5-12) and may be sentenced to a term of imprisonment in the county or jail or to hard labor for the county for not more than one year. (Code of Alabama 13.A.5-7) The absence of a child without the consent of the principal, teacher of the public school he or she attends or should attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section. Code of Alabama § 16-28-12.

B. Truancy Definition (Alabama Administrative Code, 290-3-1-02(7) (C)

A parent, guardian, or legal custodian having charge of any child officially enrolled in Alabama public schools (K-12) shall explain in writing the cause of any and every absence of the child no later than three school days following his/her return to school. The parent’s note will enable the child to make up any work missed or prevent charges from being filed against the parent, guardian or legal custodian when a child is absent. Failure to furnish an explanation shall be evidence of the child being truant each day he/she is absent. Seven unexcused absences within a school year constitute a student being truant. Affidavits may be filed with juvenile court with 10 unexcused absences during the academic school year.

C. Truancy Intervention Program (TIP)

The Early Warning/Truancy Intervention Program is a joint effort by Montgomery Public Schools, the Montgomery County District Attorney and the Juvenile Court to address truancy and enforce the Alabama Compulsory School Attendance Law. It is designed to improve school attendance, reduce the dropout rate, increase the graduation rate, and provide parents with information that their child is habitually absent from school after the school system has made reasonable efforts to address the student’s non-attendance. The District Resource Officers (DRO) are employees of Montgomery Public Schools and are responsible for all attendance investigations. They are assigned to the Office of Student Support Services. DRO’s may be contacted at (334) 269- 3774.

Truancy Intervention Procedures

1. Following the first unexcused absence, a call will be made to the number that is provided by the parent during enrollment and a notice of absence letter will be sent to the parent/guardian at the address provided during enrollment.

2. Following the second unexcused absence, the District Attorney’s (DA’s) Office will send an Attendance Alert Letter to the parent/guardian. Montgomery Public Schools (MPS) will monitor the student’s absences.
3. Following the fifth unexcused absence, the student is referred to an Attendance Intervention Program (AIP) and/or Early Warning (EW) meeting. At the AIP and/or EW meetings, the parent/guardian will meet with the DRO and efforts will be made to link them to services within MPS and the community, as agreed upon, to eliminate or reduce barriers that prevent the student from attending school regularly.

4. AIP meetings are held at MPS schools. The students are not required to attend the AIP Meeting because this meeting is held during school hours.

5. EW meetings are held at Montgomery County Phelps-Price Justice Center with representatives from MPS, Montgomery County Courthouse, Juvenile Court, and the DA’s office. The parent/guardian and student must be present at the EW meeting.

**Montgomery Truancy Ordinance**

A truancy ordinance is in effect for the City of Montgomery. A complete copy of ordinance No. 46-2008 can be obtained by contacting the Clerk for the City of Montgomery.

City of Montgomery Clerk’s Office
103 N. Perry Street
Montgomery, Alabama 36104
Telephone: (334) 241-2096 - Fax: (334) 241-2056 - www.montgomeryal.gov

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**ORDINANCE NO. 14-2015**

**AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 18-3 (a) (1) and (2) COMPULSORY ATTENDANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the Code of Ordinances of the City of Montgomery, Section 18-3 (a) (1) and (2) be and is hereby amended to read as follows:

Section 18-3. Compulsory Attendance; prosecution; truants.

(a) Compulsory attendance.

(1) Every child between the ages of six and seventeen years shall be required to attend a public school, private school, church school, or be instructed by a competent private tutor, or in an authorized home school, all as defined in 16-28- et. Seq. of the Alabama Code of 1975 (hereinafter referred to as the Alabama Compulsory School Attendance Law). Each child shall be required to be in attendance at one of the said schools or in a tutorial session during school hours on each day that the school is in service during the entire school term in every scholastic year unless the child is specifically exempted under the Alabama Compulsory School Attendance Law, or the child’s absence is excused for that particular day in accordance with the said law.

(2) While in attendance at a public school, each child between the ages of six and seventeen years shall be required to conduct himself or herself in accordance with the written policy on school behavior which has been most recently adopted by the Montgomery County Board of Education as required by 16-28-12(b) of the Alabama Code of 1975.

Adopted this the "7th" day of March, 2015.

TODD STRANGE, MAYOR

ATTEST:

BRENDA GALE BLALOCK, CITY CLERK  14-2015
D. **Excused Absences**

Any absences not falling into the categories listed below or otherwise excused by the superintendent, principal or the superintendent’s designee will be unexcused:

1. Personal Illness
2. Serious illness in the immediate family verified by a District Resource Officer
3. Death in the immediate family (not to exceed three (3) school days)
4. Absence for the observance of recognized holidays of the child’s own faith
5. Inclement weather which makes it dangerous to attend school — as determined by superintendent or designee
6. Court-required appearances
7. Suspensions
8. Prior approval of a non-illness absence must be obtained from the Office of Student Support Services. The request must be made from the parent or legal guardian. The Prior Approval Absence Form (located in the back of this book) must be submitted at least **two weeks** prior to requested absence. The form must be hand-delivered to the address listed on form or mailed via U.S. Postal Service.

For these absences to be excused, a parent note or doctor’s excuse must be sent to the school within three (3) school days of the student’s return to school to be counted as an excused absence.

- A faxed or emailed note from the parent or doctor’s office is not acceptable
- If a student is absent three (3) consecutive school days, a doctor’s excuse may be required.
- Parental excuses are limited to 8 per school year.
- After 15 days of unexcused absences, Alabama Law Enforcement Agency will be contacted to suspend driving privileges if applicable.

**Chronic Ailment Statement/Physician’s Statement of Illness**

The parent/guardian of any student who has a chronic illness or condition that may cause the student to miss school can provide a Physician’s Statement of Illness verifying the child’s condition and that the absences are necessary. The Physician’s Statement of Illness must be provided to the school at the beginning of each semester. The Physician’s Statement of Illness will automatically expire at the end of the semester. A copy of the Physician’s Statement of Illness should be forwarded to the teacher, attendance officer and school nurse. The original should be filed in the cumulative folder. When the student is absent, the parent/guardian is required to send an excuse to explain why the student was absent. If the absence is due to the condition stated in the Physician’s Statement of Illness, the parent may simply write, “See doctor’s letter”. Failure of the parent/guardian to provide the school with excuses may result in unexcused absence accumulation and referral to Juvenile Court.

**The Physician’s Statement of Illness should be:**
Written on the physician’s/medical office letterhead, include the signature of the physician, list the diagnosis, offer anticipated number of absences (i.e., 3-4 school days), inform the school district of requirement for returning to the physician’s office (i.e., after three (3) absences), provide a list of any physical limitations the student may have in getting to school, (i.e. late or absent on cold days below 40 degrees)

E. **Unexcused Absences**

Any absence not listed above in the Excused Absence section or otherwise excused by the superintendent, principal, or the superintendent’s designee will be considered unexcused. Examples of unexcused absences include, but are not limited to **as per Board Policy JBC issued on 1/27/2015:**

1. Missing the school bus or transportation to school
2. Trips unauthorized by the principal
3. Birthdays or other celebrations
4. Any absence for which a written excuse was not provided within three (3) school days from return of absence
5. Any absence due to dress code violation

F. **Make-up Work**

A student will have the opportunity to make-up exams/tests or work which occurred during an excused absence or suspension. When a student returns to school after an excused absence/suspension, he/she has three school days or the number of days equal to the number of school days of consecutive absences; whichever is greater, following the student’s return to class to make-up work. The teacher will provide the student any assignments missed during the absence. It is the responsibility of the student’s parent, guardian, or legal custodian to make arrangements with each
teacher and make sure make-up work is completed. Make-up work will be permitted only when written excuses from the parent, guardian, or legal custodian have been received in accordance with this policy. If a suspension is modified or reversed through the suspension appeal process, related absences will be noted as excused and the student will receive make-up work for those excused days. If a student who rides a bus is required to remain after school, the parent will be notified in advance. The parent must make arrangements for the child’s transportation from school. When a student is not allowed to attend school pending a due process hearing and/or suspension, that student will receive a standards-based work packet to complete which is due upon the students return to school and/or alternative placement.

G. Check-Outs

Students who leave school for any reason must check-out through the school office following their school’s check-out procedure. Only persons whose names appear on the school registration card may check-out students. Written permission should be given by the parent/guardian or “emergency person” shown on the school registration card before each check-out, except in cases of sudden illness, accident, or similar incident where telephone confirmation is the only alternative. **Students who are 18 years of age may not check themselves out without following the same guidelines. Valid picture identification is required for all checkouts.**

Students must attend a minimum of one-half of the instructional day to be counted present and to participate in extra-curricular activities. An early dismissal before one-half of the school day (three and one-half hours) or a check-in after one-half of the school day is counted as an absence.

Check-ins, check-outs, and **tardies for more than 50% of the class period will be considered an absence** from the class period missed and will be treated as any other absence. In order to be excused, a written explanation for the time missed must be submitted and will follow the same guidelines for excused or unexcused absences as outlined in the Student Conduct Manual.

H. Check-Ins

Students are required to report to school no later than the official beginning of the school day and to be on time for all classes during the day. Each school will devise procedures that will ensure compliance with this regulation. Only an individual whose name appears on the registration card can check-in the students unless the school verifies permission with the parent/guardian. Check-ins are excused for the same reasons as absences. Check-ins for any other reason are unexcused and may result in disciplinary action. No make-up work is allowed for unexcused check-ins. **Students who are 18 years of age may not check themselves in without following the same guidelines. Valid picture identification is required.**

I. Attendance Appeal

When a student’s unexcused absence is based on extenuating circumstances, the parent/guardian shall have the right to submit an appeal letter to the Office of Student Support Services requesting an attendance appeal. This must be done within three (3) school days of student’s return from the absence.

J. Withdrawal for Non-Attendance

**Students under age six** — Students under age six (6), who accumulate more than 10 consecutive or 15 days total unexcused absences during a single semester may be withdrawn from school.

1. Parent or guardian will be notified of pending withdrawal via certified mail by the **District Resource Officer (DRO).**

2. Parent will have one (1) week to appear before the principal and/or **DRO to show cause as to why the student should not be withdrawn.**

**Students age 18 or older** — Students 18 years of age or older, who accumulate more than 10 consecutive or 15 days total unexcused absences during a single semester **may be withdrawn from school.**

1. The parent or guardian will be notified via certified mail of the Student Exit Interview Referral Form by the DRO along with a scheduled time to appear at the school.

2. The parent will have one week to appear before the principal and/or DRO to show cause as to why the student should not be withdrawn.

3. If the student has not returned to school after all measures are documented above, they will be withdrawn. The **Office of Student Support Services will provide this data to the State Department of Education.**

**Students**

Students must be present at school for the entire school day throughout the school year (unless a student’s absence is excused under the MPS attendance policy). The City of Montgomery’s Truancy Ordinance allows the police...
and other officers to take children between the ages of 6 and 17 into custody if they are found away from school and away from a parent or guardian during school hours. Under the City of Montgomery’s Truancy Ordinance, a child may be taken into custody:

- If a child between the ages of 6 and 17 is found away from school during school hours;
- If the child is not in the custody of a parent, guardian, principal, or teacher; then
- The child may be taken into custody without a warrant by a police officer, a sheriff, a probation officer, or any other officer authorized to arrest; and
- The child will be delivered to his/her parent or guardian or to his/her school.

**SCHOOL VISITORS (BOARD OF EDUCATION POLICY)**

Parents/guardians and community members are invited and encouraged to visit the school. To ensure the safety of students, staff and visitors, **ALL PERSONS (PARENTS, COMMUNITY MEMBERS, VOLUNTEERS, BOARD EMPLOYEES, ETC.) VISITING THE SCHOOL ARE REQUIRED TO ENTER THROUGH THE DESIGNATED MAIN ENTRANCE TO SIGN IN AT THE SCHOOL OFFICE AND PRESENT PROPER IDENTIFICATION, INCLUDING AT LEAST ONE PHOTO ID.** A visitor’s pass will then be issued by office personnel. All school visitors must comply at all times with Board of Education policies, administrative rules and school regulations. Any person entering a Montgomery Public School building is subject to a routine hand-held search or walk through a metal detector. This is to include any school sponsored activity on or off school property, and non-school sponsored activities on school property.

1. Parents/guardians are asked to plan any visit so that they arrive at the beginning of classes. The purpose of the visit is to observe. Therefore, parents/guardians should not interact with their child, other students, and/or attempt to have a conference with the teacher. The school may have a designated area in the classroom for visitors.

2. Principal and school administration will reserve the right to limit the number of visitors to a classroom. More than one visitor or a parent with other children could distract students and hinder the learning process.

3. Students on suspension from any school are not allowed on any MPS campus or at any MPS functions, and will be considered trespassing.

4. Students from other schools will be allowed on campus only with the permission of school administration.

5. Parent/guardian conferences with the teacher and/or principal must be scheduled in advance and concluded in a timely manner.
   a. Mutual courtesy and respect should be shown during the conference. Visits may be prohibited at certain times such as: the first and last week of school, immediately before or after vacations and other breaks and while standardized testing or other assessments are being conducted.
   b. Conferences can only be held with a parent/guardian. Parents/guardians may invite the participation of an attorney or other advocate; however, the principal must be notified in advance if they are requesting that additional persons attend. The principal will have the final decision whether or not additional persons may attend the conferences. If special accommodations are needed for a conference, call the school to make arrangements prior to the visit.

6. Disruptive Visitors ─ Montgomery Public Schools expects mutual respect, civility and orderly conduct from all individuals on school property or at school-sponsored activities, no matter his or her status or the purpose of his or her presence. Any person who becomes physically or verbally disruptive on school property may be subject to criminal prosecution as well as termination of visitation privileges. Disruptive conduct includes, but is not limited to, using a raised voice, using profanity, uttering verbal or written threats or employing threatening gestures or otherwise engaging in an action deemed inappropriate by the building administrator. In the event a person visiting school property is deemed to be disruptive, the person will be instructed to leave school property and law enforcement may be called for assistance, if necessary. The building administrator may, with the approval of the superintendent or designee, issue a no-trespass notice against any person who is deemed to have created a disruption while on school property or at a school-sponsored event. The no-trespass notice shall be in force until such time as the superintendent or superintendent’s designee deems appropriate to lift that order.

7. All visitors’ cell phone calls should be completed prior to entering the building. All electronic devices should be turned off. Visitors should follow all school rules regarding telecommunication devices for students.
Special Populations

A. Special Education Students

Montgomery Public Schools provides a free, appropriate public education for students with disabilities between the ages of three (3) and 21, including children with disabilities who have been suspended or expelled from school. A student eligible for special education services must be identified according to the definitions, criteria and minimum evaluative components set forth by federal and state regulations. Guidelines of the Individuals with Disabilities Education Act (IDEA) will be observed when disciplining identified students.

B. Gifted Program

DEFINITION: Intellectually gifted children and youth are those who perform at or have demonstrated the potential to perform at high levels in academic or creative fields when compared with others of their age, experience, or environment. These children and youth require services not ordinarily provided by the regular school program. Children and youth possessing these abilities can be found in all populations, across all economic strata, and in all areas of human endeavor. Gifted students may be found within any race, ethnicity, gender, economic class, or nationality. In addition, some students with disabilities may be gifted. The Montgomery Public School System shall prohibit discrimination against any student on the above basis with respect to his/her participation in the gifted program.

C. Section 504 Students

Section 504 of the Rehabilitation Act of 1973 protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance. Pursuant to Section 504, a qualified individual with a disability shall not, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity in the school district.

Section 504 regulations require a school district to provide a free, appropriate public education to each qualified student with a disability in the school district, regardless of the nature or severity of the disability. A free, appropriate public education consists of the provision of regular or special education and related aids and services designed to meet the student’s individual educational needs as adequately as the needs of non-disabled students are met.

Students receiving services under Section 504 may not be subjected to a disciplinary change in placement for more than 10 school days unless the Section 504 team first determines: (a) that the behavior giving rise to the discipline was not substantially related to the student’s disabling condition or; (b) that the behavior is due to an inappropriate implementation of the plan. This process occurs in a manifestation determination hearing.

Seclusion and Restraint Policy

Montgomery Public Schools shall prohibit the use of seclusion, a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving.

Seclusion does not include — and Montgomery Public Schools shall allow— the following situations: a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student; time-out as defined below; in-school suspension; alternative school; detention; or a student-requested break in a different location in the room or in a separate room.

Time-Out — A behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used when:

1. The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.
2. The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however, each time-out should not exceed 45 minutes.
3. The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student and has sight of the student while in time-out.
4. The time-out space is free of objects that unreasonably expose the student or others to harm.

MPS shall prohibit the use of Chemical Restraint, which refers to any medication that is used to control violent physical behavior or restrict the student’s freedom of movement that is not prescribed treatment for the student’s medical or psychiatric condition.

MPS shall prohibit the use of Mechanical Restraint, which refers to the use of any device or material attached to or adja-
cent to a student’s body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. Mechanical Restraint does not include — and MPS shall allow — an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior. In addition, mechanical restraint does not include seat belts and other safety equipment when used to secure students during transportation.

MPS shall prohibit the use of Physical Restraint that restricts the flow of air to the student’s lungs or any method (face-down, face-up, or on the side) of physical restraint in which physical pressure is applied to the student’s body that restricts the flow of air into the student’s lungs.

MPS shall prohibit the use of Physical Restraint which refers to direct physical contact from an adult that prevents or significantly restricts a student’s movement except in those situations in which the student is in immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques.

Physical restraint shall not be used as a form of discipline or punishment. Physical Restraint does not include — and MPS shall allow — limited physical contact and/or redirection to promote student safety or to prevent self-injurious behavior, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to location, providing comfort, or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person’s property.

MPS shall utilize the following procedures for use of Physical Restraint:

1. All physical restraint must be immediately terminated when the student is no longer in immediate danger to himself or others or if the student is observed to be in severe distress.

2. Parents shall be provided, at least annually, with information regarding the policy for use of physical restraint.

3. Annual staff and faculty training on the use of physical restraint as well as Montgomery Public Schools’ Seclusion and Restraint Policy.

4. Maintain written or electronic documentation on training provided and a list of participants for each training.

5. Written parental notification when physical restraint is used to restrain their student within one school day from the use of restraint.

6. The use of physical restraint shall be documented by staff or faculty participating in or supervising the restraint for each student, in each instance, in which the student is restrained.

7. Annual report submitted to the Alabama Department of Education regarding the use and documentation of restraint and any prohibited use of seclusion, chemical, mechanical or physical restraint.

Nothing in this policy shall be construed to prohibit an employee of Montgomery Public Schools, any of its schools, or any of its program employees, from any of the following:

1. Use of any other classroom management techniques or approaches, including a student’s removal from the classroom that is not specifically addressed in this policy.

2. The right of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, 16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, 16-28-12.

3. Reasonable actions to diffuse or break up a student fight or altercation.

4. Reasonable action to obtain possession of a weapon or other dangerous objects on a student or within control of a student.

5. Discretion in the use of physical restraint to protect students or others from eminent harm or bodily injury. Nothing in this policy shall be construed to create a criminal offense or private cause of action against Montgomery Public Schools, or its programs or its agents, or employees.

6. In instances in which a student is an immediate danger to himself or herself or others, the school or program must
determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel. Parents must be promptly informed when students are removed from the school or program setting by emergency medical or law enforcement personnel.

This policy adheres to the *Alabama Administrative Code* regulation for seclusion and restraint for all students.

**STUDENT DISCIPLINE**

Montgomery Public Schools has placed an emphasis on school-wide systems of learning support that include proactive strategies for supporting appropriate student behaviors. Two fundamental frameworks used by MPS are Positive Behavioral Interventions and Supports (PBIS) and Response to Instruction (RtI). Positive Behavioral Interventions and Supports (PBIS) is a research-based, multi-tiered approach to improving student behavior and creating a positive climate and culture that enhances student learning. PBIS provides behavioral strategies to address psychological, social and emotional needs. RtI is a multi-tiered approach to the early identification and support of students with learning and behavior needs. Both frameworks provide early, systematic and intensive assistance to students who are at risk or already underperforming.

The seriousness of the offense, the academic placement, attitude and age of the student, as well as the pattern of misconduct, and the degree of cooperation should be considered in determining the appropriate action. The process is intended to be instructional and corrective. In some instances, restitution may be required. Elementary school students are less mature than secondary school students. Generally, when an elementary student behaves inappropriately, the behavior should be handled differently. Every emphasis should be placed on using corrective strategies to teach appropriate behavior in positive ways.

**PRINCIPAL’S AUTHORITY**

The principal is granted authority to modify the consequences for violating a rule indicated in the Student Conduct Manual by exercising good judgment in consideration of extenuating factors presented by school system employees, the student or the student’s parent or representative. Such factors may include, but are not limited to, the age of the student, the seriousness of the offense, the prior discipline record of the student, the degree of disruption to the educational process, and any other relevant factors. Repetitive instances of misconduct constitute a violation of Policy 10: Persistent/Willful Disobedience, and will be handled according to consequences under the Student Conduct Manual. Consequences are applicable to all grade levels unless otherwise specified.

**CLASSIFICATION OF RULES**

Rules of the Student Conduct Manual are divided into five classes: Class A, Class B, Class C, Class D and Class E. Consistent enforcement of consequences is essential. Students are expected to treat other students and staff members with courtesy, respect and dignity, and to comply with the Student Conduct Manual at all times. This section describes a wide range of behaviors prohibited by students in Montgomery Public Schools. Behaviors are divided into five categories based on their severity. Class A and B offenses are subject to the discretionary authority of the principal. Class C, D and E offenses are more serious and are considered criminal in nature. As students progress through their school career, it is reasonable to assume that an increase in age and maturity implies a greater level of responsibility for their actions. Differences in age and maturity are recognized in determining the level of disciplinary action to be taken.

**Class A – Violations of Classroom Rules**

Class A behaviors include student offenses that interfere with the educational process in the classroom or disrupt other areas of school jurisdiction and/or that violate Board of Education policy. Teachers must attempt to resolve Class A behaviors when it is appropriate before referrals are made to the administrator for official disciplinary action. **Class A consequences may not be appealed beyond the principal.**

**Accumulation of Class A Offenses may be upgraded to a Class B or C Offense**

Class A acts include behaviors that interfere with the educational process in the classroom or disrupt other areas of school jurisdiction and/or that violate Board of Education policy. Teachers are expected to manage general classroom disruptions and distractions and keep a discipline log on each student enrolled in the classroom. The classroom teacher may deal with classroom disruptions by implementing classroom disciplinary actions such as: calling the parent/guardian when feasible, and/or by scheduling a conference with the parent/guardian and other school staff, if necessary.

When the action taken by the teacher is ineffective or the disruption is severe, the student should be referred to the prin-
principal or his/her designee. A parent/guardian should be notified by the teacher when a student consistently exhibits poor
work habits and inappropriate conduct. If the offense is committed by a special education student, please refer to the
Special Education section before disciplining the student. If the offense is committed by a Section 504 eligible student,
please refer to the 504 section before disciplining the student.

After a teacher has exhausted all means of correcting a student’s behavior, then an office referral for a Class A
offense may be written. A copy of the discipline log should be attached to the office referral for review by the
administration.

**CLASS B - Violations of School Rules and/or Board of Education Policy**

Class B offenses include student behavior that seriously disrupts classroom instruction or other areas of school juris-
diction and/or that violate Board of Education policy. The seriousness of the offense, attitude and age of student, as well
as the pattern of misconduct and the degree of cooperation should be considered in determining what action should be
taken. The process is intended to be instructional and corrective, not punitive. Corrective action shall be adapted to the
needs and the background of a student as much as possible and shall be reasonable and fair with regard to the seriousness
of the offense. Punishment shall not be used as a substitute for a reasonable effort to achieve desirable internal controls
by good teaching and effective counseling.

**Code 08: Criminal Mischief/Pranks/Vandalism**

Students will not commit or participate in any act or prank that causes or has the potential to cause harm to another person
or property or intentionally damage, vandalize, or attempt to damage any school or private property. Examples include:
graffiti, carving initials in school furniture, destroying computer records and counterfeit money.

**Consequences:**
In-School Suspension, or Out-of-School Suspension not to exceed three (3) school days, or Proposal for Due Process
Restitution may be required and law enforcement may be called

**Code 09: Defiance Disrespect and Opposition to Authority**

Willful disobedience and/or refusal of a direct order of instruction from a school board employee or others having legal
authority. A contemptuous opposition or disregard of an order from a school board employee or others having legal
authority (policeman/fireman) openly expressed in words or actions. This conduct substantially disrupts the orderly
conduct of a school function or is behavior that substantially disrupts the orderly learning environment or poses a threat
to the health, safety and/or welfare of students, staff or others.

**Consequences:**
Implementation of Corrective Strategies and referral for district supports or, In-School Suspension or Out-of-School
Suspension not to exceed three (3) school days.

**Code 9.1 - Academic Dishonesty**

Cheating, including both giving and receiving information on an academic assignment, plagiarism, use of another’s words,
ideas or data without acknowledgment or fabrication/falsification, distorting or inventing this origin or content of informa-
tion used as authority.

**Consequences:**
The student may receive loss or partial credit as determined by the principal and /or the classroom teacher.

**Code 10: Disobedience: Persistent/Willful**

Reoccurring, intentional violation of the Student Conduct Manual as determined by the school administrator which
substantially disrupts the orderly conduct of a school function, behavior which substantially disrupts the orderly learning
environment, or poses a threat to the health, safety, and/or welfare of students, staff, or others will not be permitted.

**Consequences:**
Implementation of Corrective Strategies and referral for district supports or, In- School Suspension or Out-of-School
Suspension not to exceed three (3) school days.

**Code 16: Possession of Cell Phones or Telecommunication Devices (For Use Other than for Instructional Purposes)**

Students are not permitted to use a cell phone or any electronic device in school. This includes, but is not limited to an
iPhone, Blackberry, Smartphone, Apple Watch or other adapted tablets/PDAs or electronic devices.

- Principals have the authority to allow the use of cell phones and electronic devices for instructional purposes during
class, however that permission must be granted before students are allowed to openly display cell phones or other
electronic devices in class/school.
• Unless otherwise stated, cell phones and other electronic devices are to be **out of view and not in use** while students are in the school building, in classes that may be held outside of the building, and on school sponsored field trips.

**Consequences**
Conference with student
Conference with parent
Device may be confiscated on any offense.
If a violation of this rule also violates other Class B and/or C offenses, other consequences will be imposed.

**Code 19: Gambling**
Students will not engage in games of chance for stakes, or bet on the outcome of a game, contest, or other event.

**Consequences**
In-School Suspension, or Out-of-School Suspension not to exceed three (3) school days

**Code 20: Harassment/ Bullying**
A **continuous pattern of intentional behavior** (this is not a one-time event - see Code 31), whether physical acts, verbal, written or electronic, that is intended to annoy, intimidate, extort, alarm or terrorize another person, or poses a threat to the health, safety, and/or welfare of students, staff, or others on school grounds, in school vehicles, at designated school bus stops, or at school activities or sanctioned events, whether on or off school property. Harassment includes, but is not limited to:

- verbal acts, teasing, use of sarcasm, jokes, obscene, abusive, vulgar, or irreverent language;
- name-calling and belittling;
- nonverbal behavior such as graphic or written statements;
- conduct that is physically threatening, harmful or humiliating including, but not limited to the following: striking, shoving, kicking, touching a person or subjecting him/her to physical contact or gestures toward another student or school employee; or extortion of anything of value (such as personal property, money or information) from any other student or school employee through verbal, written, or physical threats, coercion, or intimidation.
- Posting to Facebook, Twitter, YouTube, Instagram, Vines, Snapchat, and any other established or emerging social media that initiates an act of physical aggression to be completed on school grounds or at school sponsored events.
- Students with complaints of bullying and harassment should complete the Bullying/Harassment Complaint Form.

**Consequences**
See Student Anti-Bullying and Harassment Policy, In-School Suspension, or Out-of-School Suspension not to exceed three (3) school days or Proposal for Expulsion
Law enforcement may be called

**Code 26: Disrespectful Words**
Students will not use obscene, abusive, or vulgar language to include excessive use of profanity, which substantially disrupts the orderly conduct of a school function, learning environment, or poses a threat to the health, safety, and/or welfare of students, staff, or others.

**Consequences**
Implementation of Corrective Strategies and referral for district supports or, In-School Suspension, or Out-of-School Suspension not to exceed three (3) school days

**Code 30 (A): Sexual Offense**
Students will not engage in any sexual acts including but not limited to sexual touching of themselves or others, and/or indecent exposure.

**Consequences**
In-School Suspension, or Out-of-School Suspension not to exceed three (3) school days, or Proposal for Expulsion
**Code 30 (B): Obscenity**
Students will not create, possess, or distribute obscene materials or demonstrate acts which are deemed indecent or lewd by community standards, including written, verbal, electronic communication and written publications. This also includes sexting, which is defined as the act of producing, sending, receiving (keeping), or forwarding sexually explicit messages, photographs, video links, or images primarily between mobile phones. It may also include the use of a computer or any digital or electronic device. Sexting is a punishable offense in the United States. A student, who electronically distributes sexually explicit photographs or videos of themselves, or of their friends or partners, can be charged with distribution of child pornography and those who receive (keep) the images can be charged with possession of child pornography.

**Consequences**
In-School Suspension, or Out-of-School Suspension not to exceed three (3) school days, or Proposal for Expulsion

**Code 31: Threats/Intimidation**

**Code 31.1: Include towards a school employee**

**Code 31.2: Include gang affiliation**

This occurs when a student unlawfully places another person in fear of bodily harm through physical acts, gestures, or verbal, written or electronic threats without displaying a weapon, or subjecting the person to actual physical attack through physical acts, gestures or verbal, written or electronic expression.

**Consequences**
Out-of-School Suspension not to exceed three (3) school days, or Proposal for Expulsion

Law enforcement may be called

**Code 32: Possession or**

**Code 33: Sale or**

**Code 34: Use of Tobacco Products, Matches or Lighters**

Students will not possess, use, distribute, or sell/transfer tobacco products on school grounds, at school-sponsored events, or on bus transportation to and from school. Students will not possess, use, or distribute matches, lighters or any other smoking equipment, which also includes hookah, electronic cigarettes, cigars, pipe tobacco, other novel tobacco products, and future tobacco products.

**Consequences**
Corrective strategies, confiscate all materials, In-School Suspension or Out-of-School Suspension not to exceed three (3) school days

**Code 35: Trespassing**

Students will not enter or remain in any school structure, conveyance, or on any school board facility without authorization by school personnel. A student will not be on the campus of another school other than his/her assigned school without the knowledge and consent of the officials of that school. A student who refuses to leave MPS property after being requested to do so is subject to arrest. **Students under suspension or expulsion are not allowed on any Montgomery Public School campus, nor shall they attend any school function.**

**Consequences**
In-School or Out-of-School Suspension not to exceed three (3) school days. Trespassing charges may be filed.

Law Enforcement may be notified

**Code 36: Truancy/Unauthorized Absence, Tardies**

Students are required to attend classes after entering the school building. Students should not be late to school or class, and/or skip a class, nor be absent from school without the knowledge of the parent/guardian and principal. Types of absences are explained in the attendance section.

**Consequences**
Zero on missed assignments with unexcused tardies and unexcused absences. Required parental contact via phone or mail
Class C Major Offenses

Class C violations include illegal behaviors that disrupt the orderly educational process in the classroom or other areas of school jurisdiction, and violate Board of Education policies, city, state and federal laws. The principal shall notify appropriate law enforcement officials when any person violates local Board of Education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If that person is a student enrolled in any public school, the local school system shall immediately suspend that person from attending regular classes and any school-related activity and schedule a hearing at the earliest possible date, which shall not be later than five school days. Referral to the PST (Problem Solving Team) is encouraged in addition to behavioral consequences.

Code 04: Arson (Setting a fire on/in school property)
A student must not intentionally damage a building or structure, or put a building or structure at risk of damage by starting or maintaining a fire or causing an explosion. Firecrackers, fireworks and trash can fires, which are a contributing factor to a damaging fire, are also considered arson. In the absence of a damaging fire, firecrackers and fireworks are included in the Weapon-Other category (Code 49). This category does not include the simple act of lighting a match or lighter. *(See B34)*

Consequences
Out-of-School Suspension not to exceed three days or, Proposal for Expulsion
Restitution is required, law enforcement will be called

Code 06: Bomb Threat
Students shall not, by any means of communication, unlawfully place any person in fear of bodily harm by real or false threat to use a bomb or other explosives, regardless as to whether or not a bomb or explosive actually exists.

Consequences
Out-of-School Suspension not to exceed three (3) days or, Proposal for Expulsion
Law enforcement will be called

Code 07: Burglary/Breaking & Entry or Code 24: Larceny/Grand Theft/ Possession Stolen
Code 25: Unauthorized Use of Vehicle (Theft)
Students will not unlawfully enter a building with the intent to commit a crime. Students will not steal, attempt to steal, or knowingly be in possession of stolen school or private property. This includes theft of a car, truck, motorcycle, or anything that is self-propelled.

Consequences
Out-of-School Suspension not to exceed three (3) days or, Proposal for Expulsion
Restitution is required, law enforcement will be called

Code 11: Disorderly Conduct/Disruption of School
Any act which substantially disrupts the orderly conduct of a school function or which substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others. This category does not include fights that involve two students.

Consequences
Out-of-School Suspension not to exceed three (3) days or, Proposal for Expulsion
Law enforcement may be called

Code 12: Disruptive Demonstration involving Five or More Students or Code 22: Incite Others to Create a Disruption of School
Demonstrations consisting of a group of students who, in a course of a demonstration, are likely to cause substantial harm or serious inconvenience, annoyance, or alarm, and intentionally refuse or fail to disperse when ordered to do so by an authorized school official, peace officer, or other public servant lawfully engaged in executing or enforcing the law. Students will not congregate to lead or participate in any activity or demonstration that substantially disrupts the orderly conduct of a school function, educational process, or poses a threat to the health, safety, and/or welfare of students, staff, or others. Inciting others is defined as leading, encouraging, or assisting in a major disturbance.

Consequences
Out-of-School Suspension not to exceed three (3) days or, Proposal for Expulsion
Law enforcement may be called
**Code 17: Fighting Among Students**
Fighting is a situation in which two or more students mutually engage in physical violence that creates a substantial risk of serious physical injury to another person, but it does not include a situation in which one student is attacked. If it can be clearly determined that a student engaged in self-defense, that participant will not be suspended. *(This does not include who hit first and hitting back.)* Fighting does not include verbal confrontations, horseplay, or other minor confrontations. Administrators need to consider age and developmentally appropriate behavior before using this category. A student who is attacked or who receives a threat of attack should seek assistance from any readily available staff.

**Consequences**
Out-of-School Suspension not to exceed three (3) days or, Proposal for Expulsion
Law enforcement may be called

**Code 18: False Fire Alarm**
Students shall not, by any means of communication, knowingly cause a false fire report to be transmitted to an official or volunteer fire department or to any other governmental agency. This action substantially disrupts the orderly conduct of a school function, disrupts the orderly learning environment, or poses a threat to the health, safety, and/or welfare of students, staff, or others. This includes discharging or tampering with fire equipment.

**Consequences**
Out-of-School Suspension not to exceed three (3) days or, Proposal for Expulsion
Law enforcement will be called, and Fire Marshall will be notified

**Code 29: Sexual Harassment**
Students will not engage in conduct constituting sexual harassment. Sexual harassment is unwanted, repeated, verbal, written, or physical sexual behavior that is offensive and objectionable to the recipient, causes discomfort or humiliation, and interferes with school performance. Administrators need to consider the age and developmentally appropriate behavior before using this category. Conduct that may be considered sexual harassment includes, but is not limited to, the following:

*Unwelcome sexual invitations/requests for sexual activity in exchange for preferences, favors, etc.*

- Any unwelcome communication that is sexually suggestive, sexually degrading, or implies sexual motives or intentions, such as sexual remarks or innuendos about an individual’s clothing, appearance or activities, sexual jokes, sexual gestures, public conversations about sexual activities, sexual rumors, “cat calls,” and whistles;
- Unwelcome and offensive name-calling, profanity, or actions that are sexually suggestive, sexually degrading, or sexually intimidating, such as unwelcome touching or blocking an individual, standing too close, or stalking;
- Unwelcome and sexually offensive physical pranks or touching an individual’s clothing;
- Leers, stares, gestures, or slang that is sexually suggestive or sexually degrading, or imply sexual motives or intentions; or
- Clothing with sexually obscene or sexually explicit slogans or messages, when used to harass.

**Consequences**
See Student Anti-Bullying and Harassment Policy, Out-of-School Suspension not to exceed three (3) days or Proposal for Expulsion, Notifying the Student Support Services Office is required in all cases. Law enforcement may be called

**Code 49: Realistic Replica Weapon**
Possession Other/Unknown Weapon- See Possession of Realistic Weapon

**Consequences**
Out-of-School Suspension not to exceed three (3) days or Proposal for Expulsion
Law enforcement will be called
Class D Major Offenses

Class D violations include illegal behaviors related to drugs, alcohol, assault, possession of weapons, and sexual battery that disrupt the orderly educational process in the classroom or other areas of school jurisdiction, and violate Board of Education policies, city, state and federal laws. The principal shall notify appropriate law enforcement officials when any person violates local Board of Education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If that person is a student enrolled in any public school, the local school system shall immediately suspend that person from attending regular classes and any school related activity and schedule a hearing at the earliest possible date, which shall not be later than five (5) school days.

Code 01: Purchase, Possession, or
Code 02: Sale, Delivery, Distribution or
Code 03: Use of Alcoholic Beverages

Students will not purchase, possess, use, be under the influence of, sell, transmit, deliver, or distribute alcoholic beverages on any school campus, bus or at any school function.

Consequences
Proposal for Expulsion and law enforcement will be called

Code 05: Assault (Serious Attack)
Assault refers to intentionally causing bodily harm to an individual. This includes an attack that causes serious bodily harm to the victim. This category should be used only when the attack is very serious. Administrators need to consider age and developmentally appropriate behavior before using this category. Examples include an individual who harms another person with intent to:

- disfigure another person seriously and permanently
- act with conduct that creates a grave risk of death to another person
- cause physical injury to another person by means of a deadly weapon or instrument
- cause serious physical injury to another person

Consequences
In all cases, law enforcement will be called and Proposal for Expulsion

Code 13: Purchase, Possession or
Code 14: Sale, Delivery, Distribution or
Code 15: Use of Marijuana, Narcotics, Stimulants, and Any Other Unauthorized Or Illegal Substances or Drug Paraphernalia; Inappropriate Use of Medications, Purchase, Possession, Sale, Delivery, Distribution, or Use of other Intoxicants

Students will not purchase, possess, use, be under the influence of, sell, transmit, deliver, or distribute any controlled drugs or narcotics, such as marijuana, illegal stimulants, or any other illegal drugs or drug paraphernalia at any time. Students will not use prescription medications other than those prescribed for the student by a licensed practitioner. This category includes over-the-counter medications only if they are abused by the student. This rule also applies to a non-controlled (look-a-like) substance that is represented to be a controlled substance. Students will not be under the influence of intoxicants such as glue, solvents, “Lean” or other hallucinogens.

Consequences
Proposal for Expulsion and law enforcement will be called

Code 27: Robbery
Robbery refers to taking or attempting to take anything of value that is owned by another person or organization under confrontational circumstances by force or threat of force and/or violence and/or by putting the victim in fear. A key difference between robbery and larceny is that a threat or assault is involved in a robbery.

Consequences
In all cases, law enforcement will be called and Proposal for Expulsion

Code 28: Sexual Battery (Forcible sex offenses, includes attempted)
This includes forcible rape, child molestation, forcible sodomy, and other forcible indecent contact, including attempted acts.

Consequences
In all cases, law enforcement will be called and Proposal for Expulsion
Possession of a Weapon, Realistic Replica of a Weapon, or Firearm

Students will not possess, conceal, or transport any weapon, realistic replica of a weapon, facsimile of a gun, firearm, air gun, pellet gun, or any instrument or device capable of firing a projectile, or other instrument that could cause or is intended to cause injury or harm to another, nor will students misuse otherwise acceptable objects in a manner intended to cause harm to others.

Consequences

Proposal for Due Process/Proposal for Expulsion (See Principal’s Authority and “Expulsion for Firearms Possession” listed below). Law enforcement will be called.

Codes for Possession/Sale of a Weapon

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>Poss. of a Handgun</td>
</tr>
<tr>
<td>38</td>
<td>Sale of a Handgun</td>
</tr>
<tr>
<td>40</td>
<td>Poss. Rifle/Shotgun</td>
</tr>
<tr>
<td>41</td>
<td>Sale of Rifle/Shotgun</td>
</tr>
<tr>
<td>43</td>
<td>Poss. Firearm Component</td>
</tr>
<tr>
<td>44</td>
<td>Sale Firearm Component</td>
</tr>
<tr>
<td>46</td>
<td>Poss. Explosives/Poison Gas</td>
</tr>
<tr>
<td>47</td>
<td>Sales Explosives/Poison Gas</td>
</tr>
<tr>
<td>49</td>
<td>Poss. Other Weapon</td>
</tr>
<tr>
<td>50</td>
<td>Sale Other Weapon</td>
</tr>
<tr>
<td>52</td>
<td>Poss. Knife</td>
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<tr>
<td>53</td>
<td>Sale Knife</td>
</tr>
<tr>
<td>55</td>
<td>Poss. Other/Unknown Weapon</td>
</tr>
<tr>
<td>56</td>
<td>Sales Others/Unknown Weapon</td>
</tr>
</tbody>
</table>

Expulsion for Firearms Possession

Alabama Code § 16-1-24.3 requires local school boards to have policies requiring a one-year expulsion for students who have brought a firearm to school or possess a firearm in a school building, on school grounds, on school buses, or at school-sponsored events.

Students who are expelled under this law may not attend regular school in any public school in the state during the year of expulsion. Under this law, the Board of Education or the Superintendent may choose to modify (not apply) the expulsion requirement for a particular student on a case-by-case basis. In addition, the appropriate discipline of students with disabilities must be determined on a case-by-case basis in compliance with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

A “firearm” for purposes of this law includes, but is not limited to, any handgun, pistol, shotgun, rifle, black powder firearm, starter gun, or any other weapon that uses gunpowder or another explosive to fire ammunition; the frame or receiver of such a weapon; any firearm muffler or silencer; any explosive bomb, grenade, poison gas bomb, or similar explosive devices and any other type of weapon that shoots ammunition by use of an explosive or other propellant, if it has a barrel with a bore of more than one-half inch in diameter. The definition of “firearm” under this law does not include devices that were not designed to use as a weapon (for example, replicas and water guns). It also does not include ordinary fireworks.

WEAPONS LIST— Weapons include, but are not limited to, the following:

1. A firearm, including, but not limited to, any hand gun, shotgun, black powder firearm, flare gun, zip gun, or any other device from which a projectile is discharged by explosive powder.

2. A realistic replica of any firearm, including, but not limited to, realistic replicas of a handgun, rifle, or shotgun, black powder firearm, flare gun, zip gun, air gun, blank gun (starter’s pistol), gas-operated gun or arrow gun.

3. Knife, irrespective of the blade length, (unless the student is six years of age or younger) including, but not limited to:

<table>
<thead>
<tr>
<th>Device</th>
<th>Blade Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Box cutter</td>
<td>Lock-blade knife</td>
</tr>
<tr>
<td>Swiss Army knife</td>
<td>Folding knife</td>
</tr>
<tr>
<td>Utility knife</td>
<td>Key chain knife</td>
</tr>
<tr>
<td>Straight razor</td>
<td>Linoleum knife</td>
</tr>
</tbody>
</table>

   Any other item that utilizes a razor blade or other blade, replaceable or fixed.

4. Numchucks (nunchaku), throwing stars, fighting claws or other weapon utilized in martial arts.

5. Explosive devices of any type including, but not limited to, fireworks.

6. Bicycle chain or heavy duty chain, bike sprocket, when not being used for the purpose for which it was normally intended.
7. Baton    Bull whip    Hatchet    Loaded gloves    Sling shot
        Black jack    Cattle prod    Ice pick    Mace/Pepper Spray    Spear
        Bow and/or arrow    Club    Impact baton    Machete    Spring billy
        Brass knuckles    Cross bow    Kubotan    Night stick    Sword/sword cane
        Bullet    Hand Axe    Leather Strap    Skewer    Taser

8. Any device capable of discharging a projectile of any kind.

9. Any other object not specifically listed that is primarily meant or that may be adapted, used, or threatened to be used, to attack or to inflict injury.

**Class E Major Offenses**

Class E violations include illegal behaviors related to weapons, homicide, kidnapping that disrupt the orderly educational process in the classroom or other areas of school jurisdiction, and violate Board of Education policies, city, state and federal laws. This includes the use of weapons, homicide and kidnapping. The principal shall notify appropriate law enforcement officials when any person violates local Board of Education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If that person is a student enrolled in any public school, the local school system shall immediately suspend that person from attending regular classes and any school-related activity and schedule a hearing at the earliest possible date, which shall not be later than five (5) school days.

**Violations of Criminal Statutes (Violent Criminal Offense)**

Students may not commit the following acts that have been identified by the State Department of Education as violent criminal offenses. The student will be removed immediately from school premises and school-related events.

**Rule C: Use of a Handgun, Firearm Component, Explosive, Knife or Unknown Weapon**

The use of a weapon is defined as the use of, or possession with intent to use any instrument or object to harm or intimidate another person.

**Codes for Use of Weapons**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>39</td>
<td>Use of Handgun</td>
</tr>
<tr>
<td>51</td>
<td>Use Other Weapon</td>
</tr>
<tr>
<td>42</td>
<td>Use Rifle/Shotgun</td>
</tr>
<tr>
<td>54</td>
<td>Use Knife</td>
</tr>
<tr>
<td>45</td>
<td>Use Firearm Component</td>
</tr>
<tr>
<td>57</td>
<td>Use Unknown Weapon</td>
</tr>
<tr>
<td>48</td>
<td>Use Explosives/Poison Gas</td>
</tr>
</tbody>
</table>

**Consequences**

In all cases law enforcement will be called, Proposal for Expulsion

**Code 21: Homicide**

Homicide refers to murder, killing of one human being by another, or killing a person through negligence.

**Consequences**

In all cases law enforcement will be called, Proposal for Expulsion

**Code 23: Kidnapping**

This is the unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian.

**Consequences**

In all cases law enforcement will be called, Proposal for Expulsion

**ARREST OF A STUDENT FOR NON-SCHOOL RELATED CRIMES**

The arrest of a student for non-school related crimes may be cause for placement in an alternative school or expulsion. The decision to assign a student to an alternative school shall include a review and consideration of the circumstances of the offense, safety risks and history of the student as determined by the superintendent or his/her designee, which may include, but is not limited to, psychiatric or psychological evaluation and/or counseling. A student may not be admitted as a transfer student or readmitted to Montgomery Public Schools if the student is being charged as an adult or charged with...
a felony until criminal charges or offenses arising from the conduct, if any, have been disposed of by appropriate authorities. Guidelines of the Individuals with Disabilities Education Act will be observed when disciplining identified students.

**SUSPENSION PROCEDURES**

A suspension is the temporary removal of a student from school for a designated period of time in which the student may not attend school or participate in school-related activities until the suspension period has ended.

**Definition of Suspension:**

1. A suspension shall be defined as action taken to deprive a student the privilege of attending school because of behavior which was found to be in violation of the Student Conduct Manual.
2. A student will not be able to withdraw from or enroll in any other MPS school while under suspension.
3. A suspended student, or student assigned to the alternative school, shall not participate in any school-sponsored activities both on and off campus without approval from school administration.
4. All suspended absences will be considered as excused absences.

**Procedural Policies for Suspensions** - Initial hearing by principal or designee

1. The principal or designee shall conduct an informal due process conference prior to any suspension. However, if the student’s presence in the school endangers persons or property, the principal shall be authorized to have the student immediately removed from the school and shall conduct the informal due process conference as soon as possible. When necessary to determine alleged misconduct, the principal or designee may suspend a student from school for a period up to three (3) school days pending an investigation. If the investigation determines that the student is not responsible for the misconduct, the suspension will be rescinded. (If rescinded, the student has the opportunity to make-up any work missed and absences are excused).
2. Prior to any suspension, the principal or designee must inform the student of the misconduct of which he/she is accused and the basis for the accusation.
3. Prior to any suspension, the principal or designee must give the student an opportunity to explain his/her version of the facts. The principal or designee may interview witnesses requested by the student. The witnesses are not required to be sworn in for this informal due process conference; however, the control of the process is subject to the discretion of the principal or designee. The principal or designee shall make a reasonable effort to reach a fair determination of the incident based on the information obtained before making any disposition.
4. If the principal or designee imposes a suspension or a disciplinary action other than a recommendation for due process, no further hearing shall be required.
5. Telephone contact shall be attempted and a letter sent to the parent/guardian responsible for the suspended student explaining the reason for the suspension, and the date and time of a conference if required for a student’s readmission from a suspension.
6. The principal may allow a student to return to school from a suspension without a parent conference if it is determined that readmitting the student is in the best interest of the student. A parent/guardian who willfully refuses to attend a readmission conference/meeting in person or by phone regarding a student’s behavior may be referred to the Circuit Court’s Juvenile Division.
7. In the event the suspension is for damage to property owned or contracted by MPS, the notice shall advise the parent/guardian that MPS may pursue legal action until payment or arrangements for payment for the damage has been made.

**SUSPENSION APPEAL**

Any parent/guardian of a suspended student shall have the right to appeal an Out-of-School and/or bus suspension to the Office of Student Support in writing within three (3) school days of the suspension. A suspension appeal will be conducted to review the facts of the suspension. The decision of the student support services officer and/or the superintendent is final. A suspension appeal form may be picked up at your local school, from the Office of Student Support Services or downloaded from the Student Support Services section of the MPS Website. Additionally a copy has been included in the Student Conduct Manual. Suspension appeals should be mailed via U.S. Postal Service or hand delivered to Student Support Services, 321 Early Street, Montgomery, AL 36104. All suspended students shall remain in school until the end of the school day unless released into the care of a parent/guardian. No student should be sent home without proper documentation of the particular misconduct and reason for the suspension. Suspension appeals do not apply to proposal for due process suspensions.
DUE PROCESS PROCEDURES

A principal CANNOT expel a student or send a student to alternative placement. Only a principal can recommend a student for alternative placement or expulsion through a due process hearing. If a principal or designee recommends a student for a due process hearing, the student may be suspended pending the results of the hearing. The student will have a due process hearing, in which the superintendent or designee will determine after the hearing whether to uphold the suspension days, place the student in an alternative placement or expel the student.

Definition of Alternative Placement - The removal of a student from the regular school setting to an alternative setting for a designated period of time. (State Reporting Code SIR 2)

Expulsion - The permanent removal of the rights and obligations of a student to attend a public school. Any student who has been expelled will not be readmitted to any MPS school until the designated expulsion time has elapsed AND the student has successfully completed the Second Chance Foundation’s therapeutic counseling program. (State Reporting Code SIR 3)

Procedures for Due Process/Hearings
1. A hearing shall be conducted by request of school administration for all recommendations for alternative school placement or expulsion.
2. A hearing shall be conducted within five (5) school days from the date the parent/student is notified of the proposal or recommendation for a due process hearing. Every effort will be made to contact parent/guardian. If parent/guardian cannot be contacted, due to not updating current information, and/or refusing to allow contact with school personnel, the hearing will still be held.
3. The student shall be afforded the opportunity to know the charges and evidence against him/her, will be given the opportunity to defend his/her actions, and will be permitted to question and present evidence. The student must be accompanied by a parent/guardian and may be assisted by an attorney or any other person of the student’s choice.
4. Until the hearing takes place, the student may remain suspended from school and all MPS school-related activities.
5. Upon conclusion of the hearing, the superintendent or designee shall determine whether the student shall be expelled, put in an alternative placement setting, or if other corrective or disciplinary actions shall be taken.

Procedures for Special Education Due Process Hearings
1. A hearing shall be conducted by request of school administration for all recommendations for alternative school placement or expulsion.
2. A hearing shall be conducted within five (5) school days from the date the student is given notice of the proposal or recommendation for due process hearing. Every effort will be made to contact parent/guardian. If parent/guardian cannot be contacted, due to not updating current information with the school, the hearing will still be held.
3. The student shall be afforded the opportunity to know the charges and evidence against him/her, will be given the opportunity to defend his/her actions, and will be permitted to question and present evidence. The student must be accompanied by a parent/guardian and may be assisted by an attorney or any other person of the student’s choice.
4. Prior to a due process hearing for special education students, the following procedures must take place: 1) A Disciplinary Action Compliance Review form must be completed and signed by a compliance officer and a behavior specialist. 2) Pending the results of the Disciplinary Action Compliance Review, a Manifestation Determination Review (MDR), must be held to address the behavior infraction for which a due process packet was submitted. 3) In instances of special circumstances (possession of drugs, possession of weapons, serious bodily injury), regardless of the outcome of the Disciplinary Action Compliance Review, and MDR, the infraction goes automatically to a due process hearing. Students that are in the referral process invoke the same rights. In lieu of a Manifestation Determination Review, a Disciplinary Action Review (Protections for students not yet determined eligible for special education services) is conducted to address the infractions committed by students in the special education referral process.
5. Due process decisions for special education students are made by the IEP team.

Appeal Procedures from Due Process Hearings Alternative Placement Results
Any parent/guardian of a student shall have the right to appeal the result of a due process hearing resulting in an alternative placement to the superintendent or designee in writing within three (3) school days of the decision. Appeals should be mailed via U.S. Postal Service (USPS) or hand delivered to Student Support Services, 321 Early Street, Montgomery, AL
36104. A due process hearing appeal will be conducted to review the facts of the decision regarding alternative placement. The decision of the superintendent or designee is final for all decisions regarding alternative placement. **While waiting on the appeal, students should be enrolled in alternative school.**

Due process appeals for special education students must be addressed by the IEP team. All special education appeals should be sent to the director of special education, Bellinger Hill, 1153 South Lawrence St. Montgomery, AL 36104 within five (5) school days.

**Appeal from Order of Expulsion**
- The parent/guardian may, within five (5) school days after the decision, request the Montgomery County Board of Education to review the findings of the superintendent or designee.
- A preliminary appeal will be scheduled in a timely manner to examine the evidence of the due process hearing.
- The time for the hearing shall be set by the Board of Education with appropriate parental contact.
- If the Board of Education affirms the action of the superintendent or designee, the decision is final.
- The Board of Education may affirm, modify or reverse the action previously taken.

Due process appeals for special education students must be addressed by the IEP team. All special education appeals should go to the director of special education, Bellinger Hill, 1153 South Lawrence St. Montgomery, AL 36104.

Special Education students (excluding gifted students) who are expelled, under the special circumstances clause, shall continue to receive special education services according to their current Individualized Education Program (IEP). Any parent/guardian of an expelled student shall have the right to appeal the result of a due process hearing resulting in expulsion to the superintendent or designee in writing within five school days of the decision. Appeals should be mailed via USPS or hand delivered to Student Support Services, 321 Early Street, Montgomery, AL 36104. The hearing will be held in a timely manner.

**VI. STUDENT ANTI-BULLYING AND HARASSMENT POLICY**

The Montgomery County Board of Education is committed to providing its students equal educational opportunities in a safe learning environment free from bullying and harassment. These forms of dangerous and disrespectful behavior will not be tolerated.

The Board expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with proper regard for the rights and welfare of other students and school staff; the educational purpose underlying all school activities; and the care of school facilities and equipment. The board expects district administrators, faculty, staff and volunteers to demonstrate appropriate behavior, treat others with civility and respect, refuse to tolerate bullying and harassment, and provide positive examples for student behavior.

**A. Definitions**

“**Bullying**” means any repeated and pervasive verbal, written, or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at designated school bus stops, or at school activities or sanctioned events, whether on or off school property. Bullying includes, but is not limited to, threatening, harassment, intimidation or menacing acts directed at a student which may, but need not be, based on the student’s race, color, sex, ethnicity, national origin, religion, mental, physical or sensory disability, socioeconomic background, age or sexual orientation.

“**Harassment**” means knowingly pursuing a pattern of conduct, whether physical, verbal, written or electronic, that is intended to annoy, intimidate, extort, alarm or terrorize another person, or poses a threat to the health, safety, and/or welfare of students, staff, or others on school grounds, in school vehicles, at designated school bus stops, or at school activities or sanctioned events, whether on or off school property. Harassment includes, but is not limited to:
- verbal acts, teasing, use of sarcasm, jokes, obscene, abusive, vulgar, or irreverent language;
- name-calling and belittling;
- nonverbal behavior such as graphic or written statements;
- conduct that is physically threatening, harmful or humiliating including, but not limited to the following: striking, shoving, kicking, touching a person or subjecting him/her to physical contact or gestures toward another student or school employee; or
- extortion of anything of value (such as personal property, money or information) from any other student or school employee through verbal, written, or physical threats, coercion, or intimidation.
“Disability Harassment” means any verbal, written, physical act, gesture or electronic intimidation or abusive behavior towards a student in school, on school grounds, in school vehicles, at designated school bus stops, or at school activities or sanctioned events, whether on or off school property that is based on the student’s disability and creates a hostile environment by interfering with, or denying the student’s participation in, or receipt of benefits, services or opportunities in the school district.

“Racial Harassment” means physical, verbal, written or electronic misconduct towards a student in school, on school grounds, in school vehicles, at designated bus stops, or at school activities or sanctioned events, whether on or off school property relating to an individual’s race, color or ethnicity when the conduct:

- has the purpose or effect of creating an intimidating, hostile or offensive academic environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual’s academic performance, or otherwise adversely affects an individual’s academic opportunities.

“Sexual Harassment” means any unwelcome sexual advances or propositions, requests for sexual favors, sexually degrading words, graphic comments about a person’s body, unwelcome touching or other inappropriate physical acts, gestures, verbal, written, or electronic expression of a sexual nature towards a student in school, on school grounds, in school vehicles, at designated bus stops, or at school activities or sanctioned events, whether on or off school property. Sexual harassment may take place under any of the following circumstances:

- When submission to such conduct is made, explicitly or implicitly, a term or condition of obtaining an education; or
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s education; or
- That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual’s education, or creating an intimidating, hostile or offensive educational environment;

Sexual harassment includes, but is not limited to the following:

- Unwelcome sexual invitations/requests for sexual activity in exchange for grades, preferences, favors, etc.;
- Any unwelcome communication that is sexually suggestive, sexually degrading, or implies sexual motives or intentions, such as sexual remarks or innuendos about an individual’s clothing, appearance or activities, sexual jokes, sexual gestures, public conversations about sexual activities, sexual rumors, “cat calls,” and whistles;
- Unwelcome and offensive name-calling, profanity, or actions that is sexually suggestive, sexually degrading, or sexually intimidating, such as unwelcome touching or blocking an individual, standing too close, or stalking.

“Hazing” means committing an act against a student, or coercing a student into committing an act, in school, on school grounds, in school vehicles, at designated bus stops, or at school activities or sanctioned events, whether on or off school property that creates a risk of harm to a person, in order for that student to be initiated into or affiliated with a group or organization, or for any other purpose. Hazing includes, but is not limited to:

- Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body;
- Any activity that intimidates or threatens the student with ostracism, subjects the student to extreme mental stress, embarrassment, shame or humiliation, adversely affects the mental health or dignity of the student, encourages criminal acts or discourages the student from remaining in school.

B. Reporting Bullying and Harassment Behavior

Any student who believes he or she has been the victim of bullying or harassment, or any person with knowledge or belief of such conduct that may constitute bullying or harassment toward a student should immediately report the alleged acts.

The written report may be made to any staff member. The staff member will assist the student in reporting to the principal or other appropriate district personnel. Teachers and other school staff who witness acts of bullying or receive student reports of bullying are required to promptly notify the school principal or his/her designated staff.

Reports should be made on the Bullying/Harassment Complaint Form attached in the Student Conduct Manual. The report may be mailed or personally delivered to the principal or his or her designee. The school principal or his or her designated administrator is required to accept and investigate all reports of harassment or bullying. The school principal or designated administrator is required to notify the parent or guardian of a student who commits a verified act of harassment or bullying of the response of the school staff and consequences of the verified act and/or the consequences that may result from further acts of bullying.

Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. The investigation shall be completed not more than five (5) school days after the administrator or designated investigator investigating the report receives notice of the complaint, except for good cause shown or with consent of the parties. The principal or designated investigator shall make a written report to the chief of student services upon completion of the investigation. The
report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be in violation of this policy, and the proposed discipline, if any.

Appeals from discipline implemented as a result of a bullying complaint against a student shall be handled according to established suspension and due process procedures. Retaliation against any person who reports or is thought to have reported student harassment or bullying, files a complaint or otherwise participates in an investigation regarding student harassment or bullying is prohibited.

The school administrator investigating the report will make every effort to inform the parents or guardians of the complainant and individual(s) against whom the complaint was filed prior to the investigation taking place. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint was filed, and others who may have knowledge of the alleged incidents(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or documents deemed relevant by the investigator.

C. Consequences for Bullying or Harassment Behavior

Verified acts of bullying or harassment shall result in disciplinary action and/or corrective action reasonably calculated to end the identified conduct, deter future conduct and protect the complainant and other similarly situated individuals. In imposing disciplinary and corrective measures, the district shall take into account the harm the victim and other members of the school community suffered and any damage to school property. The decision of whether discipline is imposed and the nature of any disciplinary action must comply with the school board’s disciplinary policies.

The following factors, at a minimum, shall be given full consideration by district and school administrators in determining appropriate consequences and remedial measures for each act of bullying or harassment.

Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

Factors for Determining Remedial Measures

**Personal**
- Life skill competencies
- Experiential deficiencies
- Social relationships
- Strengths
- Talents
- Interest
- Hobbies
- Extracurricular activities
- Classroom participation
- Academic performance

**Environmental**
- School culture
- School climate
- Student-staff relationships
- Social-emotional and behavioral supports
- Social relationships
- Community activities
- Neighborhood – school relationship
- Family situation

Consequences and appropriate remedial actions for a student who commits one or more acts of bullying or harassment may range from positive behavioral interventions up to, and including, suspension or expulsion, as set forth in the Student Conduct Manual.

Consequences for a student who commits an act of bullying or harassment shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the stu-
dent’s history of problem behaviors and performance, and must be consistent with the Student Conduct Manual. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. Effective discipline should employ a school-wide approach to adopt a rubric of bullying offenses and the associated consequences. The consequences and remedial measures may include, but are not limited to, the examples listed below:

**Examples of Consequences**

- Admonishment/parent conference
- Temporary removal from the classroom/isolation
- Loss of privileges
- Classroom or administrative detention/after school detention
- Referral to disciplinarian
- In-school suspension
- Out-of-school suspension, not to exceed five days
- Due process hearing

**Examples of Remedial Measures**

*Personal*

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal.
- Peer support group
- Corrective instruction or other relevant learning or service experience
- Supportive discipline to increase accountability for the bullying offense
- Supportive interventions, including participation of intervention and referral services, peer mediation, etc.
- Behavioral assessment or evaluation
- Behavioral management plan, with benchmarks that are closely monitored
- Involvement of school disciplinarian
- Student counseling
- Parent conferences
- Appropriate therapeutic services

*Environmental (Classroom, School Building, or School District)*

- Set a time, place, and person to help the bully reflect on the offending behavior, maintaining an emotionally-neutral and strength-based approach
- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying
- School culture change
- School climate improvement
- Adoption of research-based, systemic bullying prevention programs
- Modifications of schedules
- Adjustments in hallway traffic
- Modifications in students routes or patterns traveling to and from school
- Targeted use of monitors (e.g., hallway, cafeteria, bus)
- General professional development programs for certificated and non-certificated staff
- Professional development plans for involved staff
- Disciplinary action for school staff who contributed to the problem
- Parent conferences
- Referral to family counseling
- Involvement of parent-teacher organizations
- Involvement of community-based organizations
- Development of a general bullying response plan
- Peer support groups
- Law enforcement involvement (e.g., school resource officer, juvenile officer)
GRIEVANCE PROCEDURES

A. Discrimination Grievance (Title IX, ADA, Title VI and Section 504)

Anti Discrimination Policy
The Montgomery County Board of Education shall not discriminate on the basis of race, color, national origin, sex, religion, age or disability in any of its programs, services or activities. It is the policy of the Board of Education to comply fully with Section 504 of the Rehabilitation Act (“Section 504”), Title II of the Americans with Disabilities Act (“Title II”), Title IX of the Education Amendments (“Title IX”), Title VI of the Civil Rights Act (“Title VI”) and any other applicable state or federal laws. Prohibited actions include, but are not limited to, harassment, denial of opportunities or benefits for discriminatory reasons, and retaliation for complaints filed. The compliance coordinator may be contacted at the Board of Education.

GENERAL BUS RULES & INFORMATION
The driver is in charge of the school bus in the same manner a teacher is in charge of a classroom. The bus is considered an extension of the classroom. Students shall conduct themselves in an orderly and respectful manner. Poor conduct is not tolerated in the classroom nor will it be tolerated on the bus. Failure to do so endangers the driver and students. RIDING THE BUS IS A PRIVILEGE, NOT A RIGHT. LOSS OF BUS TRANSPORTATION MAY OCCUR IF THE BUS RULES ARE NOT FOLLOWED. ANY SUSPENSION FROM THE BUS CAN BE APPEALED. Please see Suspension Appeal form.

THE CHARLES POLAND, JR. ACT (ACT 2013-347)
Under the new law, the crime of trespass in the first degree includes intentionally stopping, impeding, delaying or detaining any school bus from being operated for public school purposes “with the intent to commit a crime”. Perpetrators will also be prosecuted in the first degree if they are found guilty of:

1. Entering a public school bus while the door is open to load or unload students without lawful purpose while at a railroad grade crossing or after being forbidden from doing so by the bus driver or other authorized school official
2. Refusing to depart the school bus after the bus driver in charge or other school official demands this of said occupant; or
3. Intentionally destroying, defacing, burning or damaging any public school bus.

Meeting the Bus – It is the parent/guardian’s responsibility to have their child at the assigned bus stop at least 10 minutes before the regular pickup time and remain at the stop until the bus arrives.

Who Do I Call?
1. For questions regarding the transportation process to include bus stops, bus routes, bus pick up times, drop off times, etc., please call the MPS Transportation Department at (334) 284-2085.
2. Direct all questions or concerns related to disciplinary actions to your child’s school administrative staff. The driver will not have any information regarding the outcome of infractions submitted to school office.

A. Bus Rules
The bus is an extension of the classroom or school. The school administrator, transportation director, the superintendent and his/her designee are the only authorized MPS staff to make the recommendation to suspend students from the bus. The following rules apply:

1. The driver is in charge of the bus and students. Students must obey the driver promptly and willingly.
2. All school rules/regulations are in effect when students are on the school bus.
3. Students must board or exit the bus at their assigned bus stop. Students should not request special consideration.
4. Students must not move toward the bus until the bus has made a complete stop and the doors are opened.
5. Students must remain seated while the bus is in motion and remain seated until the bus has come to a complete stop.
6. The bus driver is responsible for seating arrangements and may assign students to a seat. Students must sit in an assigned seat.
7. Students crossing the road after getting off the bus should walk at least 10 feet in front of the bus to make sure they are seen by the driver. **Students should never walk in the back of the bus.**

8. Students must be quiet at all railroad crossings and road intersections.

9. The school district will hold the student or parent/guardian responsible for any damage to a school bus caused by the student. The parent will be required to make restitution.

10. Students must not transport any item too large to be stored under a bus seat. Alabama law requires that all packages, book bags, projects, band instruments, etc., that are transported on a bus must fit under the seat. No athletic equipment will be transported.

11. Students must not throw anything from a bus window.

12. Students must keep the aisle free of feet, books or any objects that may obstruct the pathway.

13. Students will not fight, push, play or participate in any activity that would disrupt the process of transporting students or might cause an unsafe environment.

14. Students must not eat or drink on the bus.

15. Students must **never** tamper with or exit the emergency doors or windows unless authorized.

16. Students must use appropriate language. No profanity is allowed.

17. When students are suspended from riding the bus, he/she will not be permitted to ride any MPS bus until the suspension has ended.

18. Electronic devices must not be used on the bus.

19. The playing of cards or any form of gambling on a school bus is prohibited.

20. Parents may not remove a student from a bus after the student has boarded without school approval.

21. Students will not use any aerosol sprays or body products (deodorants, perfume, etc.) on the bus.

22. Students shall **NOT** sit in the driver’s seat or attempt to operate any bus mechanisms.

23. Students shall not strike matches, have lighters, use tobacco, alcohol or drugs in any form on the bus.

24. **Students who do not adhere to the rules are subject to disciplinary action, suspension, or expulsion.**

**Reporting Incidents**

Students who have difficulty with other students while riding the bus should report the problem to the driver as soon as possible. If the problem cannot be resolved by the driver, then the driver will report the incident to the school principal. The bus driver has **no** authority to administer disciplinary actions. Please contact your child’s school in regards to disciplinary concerns.

**BUS BEHAVIOR CLASSIFICATIONS AND CONSEQUENCES**

**CLASS D-I: Major Offense**

1. Profanity/threats directed towards the bus driver
2. Tampering with emergency equipment/unauthorized use bus emergency door or window
3. Throwing objects on/out of the bus
4. Use of tobacco or any controlled substances
5. Bullying and/or fighting
6. Possession, threat or use of weapons, explosives or flammables
7. Vandalism to the bus (restitution will be made)
8. Hanging out of the windows
9. Spitting out the windows
10. Sexual offense/sexual harassment
Consequences Grades K-3 - Major Violations:
• Student will be suspended for up to 10 days and may lose bus privileges. This must be approved by the Office of Student Support Services
• Proposal for Due Process/Expulsion (Principal/Transportation Director)
• Restitution will be required, if warranted
• Loss of bus privilege for up to one year
• Law enforcement may be called for criminal prosecution

Consequences Grades 4-12 - Major Violation:
• Student will be suspended for up to 10 days and may lose bus privileges. This must be approved by the Office of Student Support Services.
• Proposal for Due Process/Expulsion (Principal/Transportation Director)
• Restitution will be required, if warranted
• Law enforcement may be called for criminal prosecution

CLASS D-II: Minor Offense
1. False identification (failing to give the bus driver your name)
2. Excessive noise
3. Horseplay
4. Eating/drinking/ littering on the bus
5. Profanity, verbal abuse, harassment, obscene gestures or possession of unacceptable material
6. Getting on/off at an unassigned stop
7. Playing cards on the bus
8. Uses of electronic devices on the bus
9. Using body products on the bus
10. Riding a bus while suspended
11. Delaying bus schedule
12. Refusing to stay seated
13. Refusing to obey driver’s instructions
14. Disruptive behavior
15. Other offenses as reported by the driver or principal

Consequences Grades K-3 – Minor Violations:
• First violation- Students receive warning notice to allow parent/guardian to take corrective action
• Second violation- Student will receive up to two (2) days suspension
• Third violation- Student will receive up to three (3) days suspension. Continued violations by a student will result in the loss of bus privileges

Consequences Grades 4-12 - Minor Violations:
• First violation- Students receive warning notice to allow parent/guardian to take corrective action
• Second violation- Student will receive up to two (2) days suspension
• Third violation- Student will receive up to three (3) days suspension. Continued violations by a student will result in the loss of bus privileges

Class D – Violations of Bus Rules
Class D violations (Class I, II offenses) include disruptive behaviors that interfere with transporting students in Montgomery Public Schools’ jurisdiction. Bus drivers are expected to manage general bus disruptions and distractions. When the action taken by the drivers is ineffective or the disruption is severe, the drivers may write a bus referral for a Class D-I offense or a Class D-II offense. The referral is submitted to the school principal for disciplinary action.

Suspension from bus transportation does not excuse the student from school attendance. It is the parent/guardian’s responsibility to ensure students are transported to and from school. Students MUST be responsible for their own conduct while on the bus, ensuring their actions do not risk their safety or the safety of others.

Special Education Bus Suspensions
Whether a bus suspension would count as a day of suspension would depend on whether the bus transportation is part of the child’s IEP. If bus transportation is part of the child’s IEP, a bus suspension would be treated as a suspension unless
the public agency provides the bus service in some other way because that transportation is necessary for the child to obtain access to the location where all other services will be delivered. If the bus transportation is not part of the child’s IEP, a bus suspension would not be a suspension. In those cases, the child and his or her parents would have the same obligations to get the child to and from school as a non-disabled child who had been suspended from the bus. However, education agencies must address whether the behavior on the bus is similar to behavior in the classroom that is addressed in an IEP and whether bus behavior should be addressed in the IEP or in a behavioral intervention for the child. Any bus suspensions that are a part of the IEP must be appealed through the Special Education Department.

Montgomery Public Schools Transportation Department’s goal is to provide a safe and enjoyable ride for all students.

**DRESS CODE POLICY**

Attire considered disruptive or that seriously distracts from the learning environment or that could present a health or safety problem is not appropriate in an educational setting. With this in mind, the following rules concerning dress and grooming are mandatory for all students attending Montgomery Public Schools:

- All MPS students are required to wear uniforms. Colors of uniforms (top and bottom) will be determined by each school.
- Only one belt may be worn with attire. Standard belt buckles only (no oversized belt buckles).
- Shorts, skirts and skorts must be no higher than knee length from the crease in the back of the knee. Slits in skirts and dresses must meet the knee length regulation.
- Students must wear shoes that cover their feet. Athletic shoes in the colors of white, black, or a combination of white and black are preferred. Each school may permit other colors of shoes as deemed appropriate. No bedroom slippers, flip flops, stilettos, slides, boots with chains, steel toes or other metal reinforcement are allowed.
- On special occasions, principals may designate days when dress for students may be adjusted.
- Hats, caps, sweatbands, bandanna, visors, sunglasses and hoodies must be removed and placed in the locker or designated area and remain there during the school day (except for health and/or religious reasons, which must be approved in advance by the administration).
- Students are not to wear jewelry, ornaments, or accessories which distract from the learning environment. Facial and or tongue jewelry is not allowed for males or females. For safety reasons, visual piercing jewelry is limited to ears only. Hoops larger than one inch will not be allowed. Jewelry which includes long necklaces, accessories with spikes or chains, heavy medallions, removable dental grills, heavy bracelets and large finger rings will not be allowed.
- Students must wear clothing that fits properly and is clean. Pants must be worn at the waist, and may not be sagging. Oversized or undersized clothing, including pants, skirts, blouses, dresses, pants, or shirts, will not be allowed. Pant legs must be uniform length and may not drag on the floor. No pajamas or sleepwear are allowed. Clothing may not be shredded or with open holes. No clothing shall be worn inside out. Suspenders/braces shall be fastened and belts buckled.
- Students are not to wear clothing that reveals the body in an inappropriate manner. Examples include clothing which is too tight, too short and bare at the midriff. Undergarments must be worn in an appropriate manner and not be visible.
- Tattoos, insignias, and buttons which promote alcohol, tobacco, drugs, vulgarities, violence, illegal activity, or are demeaning to other persons may not be worn at school.
- Students shall not be permitted to wear clothing, accessories or regalia that conveys membership or affiliation with a “gang” or other similarly oriented groups or association prone to violence or criminal acts.

**CONSEQUENCES**

First violation- Parent/guardian will be contacted and required to take corrective action. The parent will be asked to bring appropriate apparel/shoes to school

Second violation- Student will receive a one-day detention and/or in school suspension. The parent/guardian will be asked to bring appropriate apparel/shoes to school

Third or subsequent violations will be upgraded to B10: Persistent/Willful Disobedience and consequences will be issued accordingly.

**OPT-OUT PROVISION**- If a sincerely-held religious belief, disability or medical condition, financial hardship, or other special extenuating circumstance prevents a child from following the dress code policy, the parent/guardian shall seek an
exemption from the Office of Student Support Services. The school principal may also give students permission not to wear uniforms for curricular and extracurricular purposes.

GENERAL POLICY STATEMENTS

PRINCIPAL’S AUTHORITY
The principal is granted authority to modify the consequences for violating a rule indicated in the Student Conduct Manual by exercising good judgment in consideration of extenuating factors presented by school system employees, the student or the student’s parent or representative. Such factors may include, but are not limited to, the age of the student, the seriousness of the offense, the prior discipline record of the student, the degree of disruption to the educational process, and any other relevant factors. Repetitive instances of misconduct constitute a violation of Policy 10: Persistent/Willful Disobedience, and will be handled according to consequences under the Student Conduct Manual. Consequences are applicable to all grade levels unless otherwise specified.

AMNESTY/SURRENDER CLAUSE
A student who discovers, or realizes that he/she has possession of items that violate district policy while on school property shall, upon discovery, immediately turn in the prohibited items to school personnel, or notify them to the whereabouts of the items. Upon turning the item in, the student shall not be subject to any disciplinary consequence. This amnesty does not apply when the items are discovered by someone else, for example, in a school-wide search. It also does not apply when an administrator’s investigation reveals that the student has used the items for prohibited purposes.

CORPORAL PUNISHMENT POLICY
Montgomery Public Schools does not advocate the use of corporal punishment. Corporal punishment will not be administered to any students.

SEARCHES AND OR INSPECTION OF SCHOOL PROPERTY
The building principal and his/her designees may conduct legally appropriate searches. All searches must be conducted in the presence of two MPS employees, one of which must be a building administrator. Students will not be involved in conducting searches.

Property Searches — Lockers, desks, and other school property will be subject to search. Although a student may exercise exclusive control of his/her locker as opposed to access to fellow students, the control is not exclusive against school officials. School officials may search or authorize a search of vehicles on school property when there is reasonable suspicion to believe prohibited materials are being concealed. The student will be invited to be present during the search, except in cases of clear and present danger to life, health, or property.

Bodily Searches — School officials may conduct bodily searches of students whenever there is reasonable suspicion to believe the search will reveal a violation of school policy or produce evidence of unlawful activity, but it cannot be invasive. Metal detectors, either walk-through or hand-held, may be used to facilitate the search. Searches should be conducted on a same-gender basis.

Confiscation — any unlawful, disruptive, dangerous material, or other property held in violation of board policy found in or on school premises may be confiscated. Any other items or materials deemed inappropriate to possess on school property may also be confiscated. School officials accept no responsibility for safeguarding confiscated items.

Use of School Property — Montgomery Public Schools property may not be used for any unlawful purpose. Search dogs and metal detectors may be used to search on school property. Any person entering a Montgomery Public School building is subject to a routine hand-held or walk-through metal detector search. This is to include any school sponsored or non-school sponsored activity on school property.

A. PENALTIES FOR DEFACING/DESTROYING PUBLIC PROPERTY
Under Alabama law, it is unlawful to destroy or deface public property. A person who inflicts damage of:
- $2,500 or over is guilty of a Class C felony;
- $500 up to $2,500 is guilty of a Class A misdemeanor; and
- Up to $500 is guilty of a Class B misdemeanor

Parents or guardians of a minor who caused the damage will be liable for actual damages plus court costs. The minor who is convicted of violating the act “will be ordered by the court to correct or clean up any destruction or defacement.

B. BEHAVIOR DURING EXTRACURRICULAR ACTIVITIES
Students participating in extracurricular activities must comply with the established rules and regulations governing student behavior set by the State of Alabama and the Montgomery County Board of Education. Participation in extracurricular activities is a privilege, not a right. All students engaging in extracurricular activities are expected to be on their best behavior at all times. If a student engages in prohibited behavior (i.e. profanity, fighting, violations of state law and district policy, or any other prohibited behavior which results in removal from an extracurricular activity) one or more of the following consequences may apply:
• Suspension from the activity
• Removal from the team or club
• Suspension from school for violation of state law or district policy; and/or
• Recommendation for Expulsion/Due Process Hearing

The school sponsor in charge of the extracurricular activity will document any student misbehavior and refer the student to an administrator for disciplinary action upon the student’s return to school. The school sponsor will confiscate and document any physical evidence that is a violation of state law and board policy, as well as secure statements from the student who has allegedly committed an offense and all witnesses to the incident. Should the confiscated evidence be controlled substances or weapons, law enforcement officials shall be notified immediately.

Attending school-sponsored activities away from the regular school setting and participating in extracurricular activities are valuable parts of a comprehensive educational experience. To ensure that these activities are successful, administrators must clearly explain behavioral expectations to students, parents, sponsoring staff members and chaperones. Students must encourage and display appropriate behavior as well to make these activities beneficial and productive.

**School Sponsored Activities**

Any school sponsored activity is under the jurisdiction of Montgomery Public Schools. Any person that is not a student at the school that is sponsoring the activity must have permission from the school principal to attend that activity. Any student that is under a suspension may not attend any school sponsored activity. All students that are assigned an alternative placement are under a long term suspension. These students must have permission from the originating school principal to attend any activities at that school.
August 1, 2018

Dear Parent(s)/Guardian(s):

The Montgomery County District Attorney’s Office and Montgomery Public Schools, with the support of the City of Montgomery and Montgomery County Commission have partnered to continue our efforts through the Helping Montgomery Families Initiative (HMFI) to assist youth and their families.

HMFI’s mission is to identify and intervene with youth who are suspended due to their behavior or truant from school. Truancy and misconduct at school may lead to juvenile delinquency or worse. The Alabama School Compulsory Attendance Law requires parents/guardians to ensure that their children attend school regularly, and that they behave themselves appropriately in class.

HMFI will coordinate a diverse number of community agencies and organizations that provide services to assist suspended or truant students and their families to address their specific needs that may hinder the student’s ability to either behave appropriately or attend school regularly.

At the first suspension, the student’s parent(s)/guardian(s) will receive a letter of concern/warning from the Montgomery County District Attorney’s Office.

If the student continues to behave inappropriately in school and receives additional suspensions, MPS will refer the family to HMFI’s program.

Failure of the student or parent(s)/guardian(s) to fully cooperate may result in taking legal action against the student and/or parent(s)/guardian(s).

Parents of students at risk of being considered truant will receive a DA Attendance Alert Letter; continued unexcused absences will require participation in attendance programs; if interventions fail, an affidavit or petition will be filed in Juvenile Court against the parent(s)/guardian(s) and age appropriate students.

The Montgomery County District Attorney’s Office and the Montgomery Public Schools System want your child to be successful. The Helping Montgomery Families Initiative is a resource for helping suspended or truant child to overcome barriers to success in school and in life.

Sincerely,

DARYL D. BAILEY
DISTRICT ATTORNEY

ANN R. MOORE
SUPERINTENDENT
INTERNET ACCEPTABLE USE PROCEDURES
PERMISSION FORM

Parents and Students:

Montgomery Public Schools’ Internet Acceptable Use Procedures are designed to provide guidelines for using the Internet in the classroom, media center and computer labs at your school. Please read the privileges and rights of the user information, and Board policy IFBGB Internet Safety Policies and Computer Usage. If you have any questions, contact the Office of Technology Support Services at (334) 269-3830.

These procedures must be read and signed by the student and a parent/guardian, and returned to the student’s teacher. Students will not be given access to the Internet until this form is signed and returned to the school.

Please note that if a student violates the terms of these procedures, they may lose their Internet privileges or be disciplined in accordance to the consequences outlined in the Student Conduct Manual. It is the parent/guardian and student’s responsibility to read and ask questions about these procedures. This form should be signed and returned to the teacher as soon as possible.

I acknowledge that I have read, understood and agree to all terms as outlined in the Montgomery Public School Internet Acceptable Use Procedures. I further understand that this agreement will be kept on file at my school.

______ My child may use e-mail and the Internet while at school according to the rules outlined.

______ I would prefer that my child not use e-mail and the Internet while at school.

Student’s Name (Printed) __________________________ Parent/Guardian’s Name (Printed) __________________________

Student’s Signature __________________________ Parent/Guardian’s Signature __________________________

Teacher/Section __________________________ Date __________________________
Bullying/Harassment Complaint Form

Student Name: ________________________________________   Grade: ___________

School Name: ___________________ Person Reporting: ____________________________
(Student signature optional)

Location of incident: _____________ Date of Incident: __________ Time: ___________

Specific Description of Bullying/Harassment Complaint

Please attach any additional documentation for which consideration is desired in investigation of this complaint.

Signature of person reporting: ___________________________________ Date submitted to principal: ___________

The Montgomery County Board of Education prohibits all forms of bullying and harassment against students. The Board’s anti-bullying and harassment policy can be found in the Code of Student Behavior. The Alabama Code defines harassment as follows:

Ala. Code 16-28B-3. HARASSMENT. A continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to written, electronic, verbal, or physical acts that are reasonably perceived who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in the model policy adopted by the department or by a local board. To constitute harassment, a pattern of behavior may do any of the following:

A. Place a student in reasonable fear of harm to his or her person or damage to his or her property.
B. Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
C. Have the effect of substantially disrupting or interfering with the orderly operation of the school.
D. Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school sponsored function.
E. Have the effect of being sufficiently severe, persistent or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

Details of Actions Taken: _______________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

Principal’s Signature: ________________________ Date: _______________________
Suspension Appeal Form - Office of Student Support
(To include Out-of-School/Bus Suspensions)

Date:__________________________________  Student’s Name:  __________________________________

School Name: ______________________________________________________________________________

Does the student receive Special Education Services?  (Yes)  (No)

Does the student have a 504 plan?  (Yes)  (No)

DOB:    /   /    Age:_____ Grade: _____  Last four digits of the student’s Social Security No.:___________

TO WHOM IT MAY CONCERN:

My child was suspended on ________ from____________________ for the period of time indicated below.

(Date)      (School/ Bus #)

Length of Suspension:______________  Dates of Suspension: From ____ /____ /_____ To____ /____ /_____

I am appealing:
☐ The principal’s decision to suspend
☐ Information written on the office referral

for the following reason(s):  ___________________________________________________________________
                                                                 ___________________________________________________________________
                                                                 ___________________________________________________________________

and would like the committee to consider:________________________________________________________
                                                                 ___________________________________________________________________
                                                                 ___________________________________________________________________

Parent/Legal Guardian Printed Name: ___________________________________________________________

Parent/ Legal Guardian Signature:  ______________________________________________________________

Address: _______________________________  City/Zip: ___________________________________

Home Phone:____________________________  Cell Phone: _________________________________

A copy of the referral must be attached to this appeal. All appeals must be hand-delivered to the address
listed below or mailed via U.S. Postal Service within five (5) school days of the suspension.

Faxed or emailed appeals will not be accepted.

*Suspension Appeal form is for Out-of-School/ Bus suspensions only. It does not apply to due process suspensions.

Montgomery Public Schools
Office of Student Support Services
321 Early Street, Montgomery, AL 36104
Phone: (334) 223-6850
Student Name: __________________________________________ Grade: __________________________

Address: _________________________________________________________________________________

City: ___________________________________ State:_________________ Zip:______________________

Home Phone: ______________________________________ Cell Phone: ___________________________

I have read and understood the REGULATIONS/RULES COVERING STUDENTS RIDING SCHOOL BUSES
and agree to assume full responsibility for my child’s conduct on the bus. Failure of the above named student
to comply with the following conditions may result in disciplinary action. I have read and agree to abide by the
conditions.

PARENTAL Responsibility:
• Do not detain the bus at the bus stop. Report any misconduct on school buses to the principal.
• Report bus numbers of any buses observed operating in a careless or unsafe manor the Transportation
  Department.
• Encourage students to observe all safety and conduct regulations for the safe and efficient operation of the
  school bus.
• See that your child is at the bus stop 10 minutes BEFORE the bus is scheduled to arrive.
• Exercise extreme caution when approaching bus stops, moving buses, or stopped buses.
• Read the Charles “Chuck” Poland, Jr. Alabama Act (2013-347) Refer to Student Conduct Manual

My student will be riding bus number:

____________Morning Route       ___________Afternoon Route       ___________Both Morning and Afternoon Route

Nurse Required on Bus __________________________

Parents / Guardian Signature: ____________________________________ Date: _______________________

Student Signature: _____________________________________________ Date: _______________________

5000 Troy Highway, Montgomery, AL 36116/ (334) 284-2085
Students are not permitted to use a cell phone or any electronic device in school. This includes, but is not limited to an IPhone, Blackberry, Smartphone, other adapted PDAs or electronic devices. Principals have the authority to allow the use of cell phones and electronic devices for instructional purposes during class, however that permission must be granted before students are allowed to openly display cell phones or other electronic devices in class/school. Unless otherwise stated, cell phones and other electronic devices are to be out of view and not in use while students are in the school building, in classes that may be held outside of the building and on school sponsored field trips. If a cell phone rings or beeps in class/school, it is considered being in use. Therefore, it is advised that student phones remain off while in the school building. Students assigned to behavior alternative sites are to adhere to the MPS Cell Phone Usage Policy. Procedures for confiscating, securing and returning devices will be developed on a school by school basis. School officials accept no responsibility for safeguarding confiscated items or for loss or damage to confiscated property.

Consequences
- Conference with student
- Conference with parent
- Device may be confiscated on any offense.

If a violation of this rule also violates other Class B and/or C offenses, other consequences will be imposed.

I have read and understand the MPS Cell Phone Usage Policy stated above and grant permission for my student, ___________________________________________ above.

(Please Print Student’s Name)

________________________________       _________________
Parent/Guardian’s Signature          Date
PRIOR APPROVAL ABSENCE FORM

School: ________________________________ Date of Request: ____________

Name of Student(s): _________________________________________________________________

Address: __________________________________________________________________________

Phone Number: _____________________________________________________________________

Days/Dates to be Absent: ______________________________________________________________________

Reason for Absence: ______________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____ Attachment to Request (Optional)

*** All Prior Approval Absence Forms must be hand-delivered to the address listed below or mailed via U.S. Postal Service within two (2) weeks of the request. Faxed or emailed forms will not be accepted.

____ I give approval for the dates listed above to be counted as an excused absence(s).
____ I do NOT give approval for the dates noted above to be counted as an excused absence(s).

__________________________________, Student Support Services

__________________________________, Date

Montgomery Public Schools
Office of Student Support Services
321 Early Street
Montgomery, AL 36104
<table>
<thead>
<tr>
<th>School Name</th>
<th>Phone</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baldwin Arts &amp; Academics Magnet (6-8)</td>
<td>(334) 269-3870</td>
<td>410 S. McDonough St. 36104-4226</td>
</tr>
<tr>
<td>Bear Exploration Center (K-5)</td>
<td>(334) 284-8014</td>
<td>2525 Churchill Dr. 36111-2899</td>
</tr>
<tr>
<td>Bellingrath Middle School (6-8)</td>
<td>(334) 269-3623</td>
<td>3350 S. Court Street, 36105-1606</td>
</tr>
<tr>
<td>Blount Elementary (K-5)</td>
<td>(334) 244-0078</td>
<td>1650 Ray Thorington Rd, 36117-8487</td>
</tr>
<tr>
<td>Booker T. Washington Magnet (9-12)</td>
<td>(334) 269-3618</td>
<td>632 S. Union Street, 36104-5887</td>
</tr>
<tr>
<td>Brewbaker Primary (K-2)</td>
<td>(334) 284-8005</td>
<td>4445 Brewbaker Dr. 36116-4299</td>
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<tr>
<td>Brewbaker Intermediate (3-5)</td>
<td>(334) 284-8006</td>
<td>4455 Brewbaker Dr. 36116-4299</td>
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<tr>
<td>Brewbaker Middle (6-8)</td>
<td>(334) 284-8008</td>
<td>4425 Brewbaker Dr. 36116-4299</td>
</tr>
<tr>
<td>Brewbaker Tech Magnet High (9-12)</td>
<td>(334) 284-7100</td>
<td>4405 Brewbaker Dr. 36116-4299</td>
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<tr>
<td>Capitol Heights Middle (6-8)</td>
<td>(334) 260-1000</td>
<td>116 Federal Drive, 36107-1798</td>
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<tr>
<td>Carr Middle (6-8)</td>
<td>(334) 244-4005</td>
<td>1610 Ray Thorington Rd, 36117-8487</td>
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<tr>
<td>Carver Elementary (K-5)</td>
<td>(334) 269-3625</td>
<td>3100 Mobile Drive, 36108-4058</td>
</tr>
<tr>
<td>Carver High (9-12)</td>
<td>(334) 269-3636</td>
<td>2001 W. Fairview Ave, 36108-4199</td>
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<tr>
<td>Catoma Elementary (K-5)</td>
<td>(334) 288-5799</td>
<td>1780 Mitchell Young Rd, 36108-4058</td>
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<tr>
<td>Chisholm Elementary (K-5)</td>
<td>(334) 269-3643</td>
<td>307 E. Vandiver Blvd, 36110-1800</td>
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<tr>
<td>Crump Elementary (K-5)</td>
<td>(334) 284-8020</td>
<td>3510 Woodley Road, 36116-3899</td>
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<tr>
<td>Dalraida Elementary (K-5)</td>
<td>(334) 260-1007</td>
<td>440 Dalraida Road, 36109-2898</td>
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<tr>
<td>Dannelly Elementary (K-5)</td>
<td>(334) 269-3657</td>
<td>3425 Carter Hill Road, 36111-1897</td>
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<tr>
<td>Davis Elementary (K-5)</td>
<td>(334) 269-3662</td>
<td>3605 Rosa L. Parks Ave, 36105-2099</td>
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<td>Dozier Elementary (K-5)</td>
<td>(334) 260-1012</td>
<td>200 Eastern By-pass, 36117-2092</td>
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<tr>
<td>Dunbar-Ramer School (K-8)</td>
<td>(334) 562-3250</td>
<td>56 Naftel Ramer Rd, Ramer, AL 36069-6054</td>
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<tr>
<td>Fitzpatrick Elementary (K-5)</td>
<td>(334) 284-8044</td>
<td>4055 Fitzpatrick Blvd. 36116-4820</td>
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<td>Flowers Elementary (K-5)</td>
<td>(334) 260-1015</td>
<td>3510 Harrison Road, 36109-5134</td>
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<tr>
<td>Floyd Middle (6-8)</td>
<td>(334) 284-7130</td>
<td>215 Hall Street 36104-3844</td>
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<td>Forest Avenue Magnet (K-5)</td>
<td>(334) 269-3673</td>
<td>1700 W. Fifth Street, 36106-1587</td>
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<td>Garrett Elementary (K-5)</td>
<td>(334) 260-1090</td>
<td>555 McLemore Drive, 36117-7633</td>
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<td>Goodwyn Middle (6-8)</td>
<td>(334) 260-1021</td>
<td>209 Perry Hill Road, 36109-3799</td>
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<tr>
<td>Halcyon Elementary (K-5)</td>
<td>(334) 271-9000</td>
<td>1501 Parkview Drive, 36117-7744</td>
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<tr>
<td>Highland Avenue Elementary (K-5)</td>
<td>(334) 269-3690</td>
<td>2024 Highland Avenue, 36107-2698</td>
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<tr>
<td>Highland Gardens Elementary (K-5)</td>
<td>(334) 269-3685</td>
<td>2801 Willena Avenue, 36107-1096</td>
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<tr>
<td>Jefferson Davis High (9-12)</td>
<td>(334) 269-3712</td>
<td>3420 Carter Hill Road, 36111-1896</td>
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<tr>
<td>Johnson Elementary (K-5)</td>
<td>(334) 284-8016</td>
<td>4550 Narrow Lane Road, 36116-2998</td>
</tr>
<tr>
<td>King Elementary (K-5)</td>
<td>(334) 284-8080</td>
<td>4655 Gateway Drive, 36108-4923</td>
</tr>
<tr>
<td>Lanier High (9-12)</td>
<td>(334) 269-3726</td>
<td>1756 S. Court Street, 36104-5498</td>
</tr>
<tr>
<td>Lee High (9-12)</td>
<td>(334) 269-3742</td>
<td>225 Ann Street, 36107-2599</td>
</tr>
<tr>
<td>Loveless Academic Magnet Program (9-12)</td>
<td>(334) 284-7500</td>
<td>3440 McGehee Rd., 36116-3511</td>
</tr>
</tbody>
</table>
MacMillan at McKee (K-5)  (334) 284-7137  4015 McInnis Road, 36116-5509
McKee Middle (6-8)  (334) 284-7528  4017 McInnis Road, 36116-5509
Morningview Elementary (K-5)  (334) 260-1028  2849 Pelzer Avenue, 36109-2099
Morris Elementary (K-5)  (334) 223-6920  801 Hill Street, 36108-2713
Nixon Elementary (K-5)  (334) 269-3012  1000 Edgar D. Nixon Blvd, 36104-4836
Park Crossing High (9-12)  (334) 260-8121  8000 Park Crossing, 36117-8487
Pintlala Elementary (K-5)  (334) 288-9523  215 Federal Dr. Hope Hull, AL 36043-5102
Southlawn Elementary (K-5)  (334) 284-8028  5225 Patricia Lane, 36108-5399
Southlawn Middle (6-8)  (334) 284-8086  5333 Mobile Highway, 36108-5367
Vaughn Road Elementary (K-5)  (334) 260-1031  4407 Vaughn Road, 36106-3099
Wares Ferry Road Elementary (K-5)  (334) 260-1036  6425 Wares Ferry Road, 36117-3399
Wilson Elementary (K-5)  (334) 272-8819  8900 New Park Drive, 36117-5367
Wilson Elementary (K-5)  (334) 272-8819  8900 New Park Drive, 36117-5367

Learning Academies/Special Education Centers
Children's Center  (334) 262-4850  310 N. Madison Terr. 36107-1599
Fews Secondary Acceleration Academy  (334) 269-3665  1220 Hugh Street, 36108-2610
MPS Arboretum Nature Center  (334) 269-4815  1755 Hunter Loop Road, 36108
MPS Pre-K Center  (334) 223-6801  4015 McInnis Road, 36116-5509
Montgomery Preparatory Academy for Career Technologies (MPACT) (10-12)  (334) 613-9177  2901 E. South Blvd., 36116-1023
McInnis School  (334) 288-2280  Rt. 4, 247 McInnis Rd., 36116-9498
Progressive Academy for Creative Education (6-12)  (334) 241-5307  1220 Hugh Street, 36108-2610

Central Office Departments- (Frequently Called Numbers)
District Operator  (334) 223-6700  307 S. Decatur Street, 36104
Communication Office  (334) 223-6761  307 S. Decatur Street, 36104
District Resource Officers (Truancy)  (334) 269-3774  321 Early Street, 36104
Human Resources-Certified  (334) 223-6730  307 S. Decatur Street, 36104
Human Resources-Classified  (334) 223-6740  307 S. Decatur Street, 36104
Instructional Support-Elementary  (334) 223-6840  307 S. Decatur Street, 36104
Instructional Support-Secondary  (334) 223-6756  307 S. Decatur Street, 36104
McKinney-Vento Homeless Program  (334) 223-6901  321 Early Street, 36104
Special Education Department  (334) 269-3808  1153 S. Lawrence Street,
Student Support Services  (334) 223-6850  321 Early Street, 36104
Student Social Services  (334) 223-6851  321 Early Street, 36104
Superintendent's Office  (334) 223-6710  307 S. Decatur Street, 36104
Transportation Department  (334) 284-2085  5000 Troy Highway, 36116

All buildings used by the Montgomery County Board of Education are free of friable (easily air-borne) asbestos. Most buildings built before 1985 contain some forms of non-friable asbestos (most commonly found in floor tile). This asbestos is managed according to an approved management plan that may be examined in each principal's office. The Montgomery County Board of Education is in full compliance with A.H.E.R.A. (Asbestos Hazard Emergency Response Act) and asbestos-containing material is inspected on a regular basis as required by law. For more information, contact the MPS Operations Office (334) 223-6750.
GLOSSARY OF TERMS

- **Alternative Placement** – The assignment of the student for a specified time to a designated program or school. The student must follow the guidelines established by the alternative school or program before a recommendation can be made for a return to the home school. This category may include Home Bound Services for Special Education students.

- **Behavior Analyst (BA)** - provides comprehensive behavioral assessment and consultation services for students with significant behavioral challenges in the school setting. Services may include observations, review of records, and interviews with school staff, parents, and student. In addition, services may include classroom management coaching, recommendations for behavioral strategies, and assistance with the development of a Functional Behavior Assessment, Behavior Intervention Plan, Crisis/Safety Plan, and/or Skill Development Plan.

- **Behavior Interventionist (BI)** - provides intensive counseling services to general education students enrolled in MPS. Services are also extended to administrators, teachers and parents to assist in the knowledge, understanding, and antecedent of certain behaviors which impede the student's academic success. Intensive and specialized services are inclusive of the following behaviors: bullying, defiance, disrespect, impulsivity, poor self-control, disruptive behavior, and other unacceptable behaviors.

- **Bullying** - any repeated and pervasive verbal, written, or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at designated school bus stops, or at school activities or sanctioned events, whether on or off school property. Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts directed at a student which may, but need not be, based on the student's race, color, sex, ethnicity, national origin, religion, mental, physical or sensory disability, socioeconomic background, age or sexual orientation.

- **Digital Device** - any telecommunications instrument capable of capturing or relaying information, to include, but not limited to, cell phones, cameras, MP3 Players, or other similar devices.

- **Disciplinary Consequence** - The consequence, usually involving a specific sanction, for a student’s failure to meet MPS expectations for student behavior.

- **Disruption** - Intentional actions that result in interference with instruction or prevent other students from accessing instruction or completing their school work. Disruption does not include occasionally acting in a manner that is not aligned with classroom expectations, i.e., occasionally blurting something out or having a side conversation with another student.

- **District Resource Officer (DRO)** - a school official who has been tasked with enforcement of the State of Alabama Compulsory Attendance Law.

- **Dress Code** - the requirement that all MPS students wear uniforms. The types and colors of uniforms are determined by the respective school administration.

- **Due Process** - A hearing held in order for the student to know the charges against him/her, must be given an opportunity to defend his/her actions; and may be permitted representation by an attorney or by any other person of his/her choice.

- **Expulsion** - the removal of a student from the school system for the remainder of the school year or longer. Only the superintendent or someone designated by the superintendent can expel a student.
• **Family Educational Rights and Privacy Act (FERPA)** - a federal law that defines certain rights with respect to a student’s education records and privacy.

• **Gang Affiliated** - Of or related to gangs, gang culture, or gang signs. This may include certain combinations of colors, symbols, or other insignia that pertains to a gang or gang activity.

• **Helping Montgomery Families Initiative (HMFI)** - a partnership between MPS and the Montgomery County District Attorney’s Office. The mission is to identify and intervene with youth at risk “of being truant” and youth who have been suspended but not yet arrested.

• **Homeless Children and Youth** - individuals who do not have a fixed, regular and adequate night-time residence, including those who are sharing the housing of other persons due to loss of housing, economic hardship, or related conditions.

• **Immediate Family** - Mother, Father, Brother, Sister, or Grandparent

• **Individualized Education Program (IEP)** - a legal document that is developed for a student that receives special education services. It attempts to define the student’s learning needs, the services that the school will provide, and how progress will be measured.

• **In School Suspension (ISS)** - a student is removed temporarily from the traditional classroom environment to another setting within the school building because of violation(s) of school or class rules or of the Student Conduct Manual.

• **Local Educational Agency (LEA)** - local school system.

• **Non-Educationally Required Device** - Any device that is not permitted for use as part of a teacher’s instruction or to complete school work, whether electronic or otherwise, including cellular telephones, personal music or video players (e.g., iPods or MP3 Players), hand-held video game devices (e.g., PSP or Nintendo DS), electronic tablets, cameras, and other image, voice, or video recording devices.

• **Out of School Suspension (OSS)** - the temporary removal of a student from the school site for one or more days.

• **Personal Use** - An amount of drugs or alcohol intended for use by a single person. For example, a single can of beer or a small amount of marijuana. If the amount in a student’s possession exceeds a single use of the substance, an administrator can consider this fact in determining whether a student is engaging in the distribution of a substance.

• **Positive Behavioral Interventions and Supports (PBIS)** - a nationally recognized approach designed to assist school personnel with progressive guidelines of evidence-based behavioral responses and interventions. The goal of this program is to enhance academic and social behavior outcomes for all students.

• **Possession** - Having any item or substance on one’s person, or in one’s backpack, locker, purse, vehicle, or any other storage container owned by the student while on school property or at a school sponsored event.

• **Problem Solving Team (PST)** - An interdisciplinary team of school personnel that uses a student’s data and information to develop interventions to respond to the student’s unmet academic or behavioral needs.
• **Response to Instruction (RtI)**- A fundamental framework of learning support for struggling students used by MPS to provide appropriate instruction based on grade level standards or content and to encourage acceptable student behaviors.

• **Section 504**- That part of the Rehabilitation Act of 1973 that is designed to protect the rights of students with disabilities in programs or activities that receive federal assistance.

• **Sexting**- The sending of sexually explicit messages or images by cell phone or any electronic device.

• **Special Education Student (SpEd)**- A student with disabilities between the ages of three (3) and twenty one (21) who is eligible for certain services based on the definitions, criteria, and evaluative components set forth by federal and state regulations.

• **Student’s Identifying Characteristic**- Any characteristic expressly defined and protected by federal, state, or local law, regulation or ordinance including ancestry, creed, gender, gender identity, gender expression, marital status, national origin, parental/guardian status, pregnancy, race, religion, or sexual orientation. This definition also includes any disability, including physical, mental, emotional, or learning disabilities.

• **Synthetic Drugs**- Any artificial or man-made drug, including synthetic cannabinoids, which are commonly known as synthetic marijuana, K2, or spice, and sometimes labeled as herbal incense, potpourri and synthetic cathinones, which are commonly known as bath salts or jewelry cleaner.

• **Truant Student**- A student who has accumulated at least seven (7) unexcused absences within a school year.

• **Without Consent**- Means by use of force, weapons, threats, coercion, or intimidation; when the recipient is incapable of consent, or when the recipient does not agree to the physical contact or sexual act.