



Montgomery Public Schools  
**STUDENT CONDUCT MANUAL**

2021-2022

A Handbook on Student  
& Parental Responsibilities



**MONTGOMERY  
PUBLIC SCHOOLS**

[www.mps.k12.al.us](http://www.mps.k12.al.us)





**MONTGOMERY  
PUBLIC SCHOOLS**



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**MONTGOMERY PUBLIC SCHOOLS**

307 S. Decatur Street, 36104  
Post Office Box 1991 Montgomery, AL 36102-1991 • (334) 223-6700

**MONTGOMERY COUNTY BOARD OF EDUCATION  
MPS SUPERINTENDENT**

Ann Roy Moore, Ed.D.

**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.”

**IMPORTANT TELEPHONE NUMBERS**

Superintendent’s Office	(334) 223-6710
Behavior Intervention Center	(334) 223-6851
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 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 2021-2022 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



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## I. 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 the 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. School administrators have the authority to question students enrolled with MPS during an investigation and/or incident without permission or presence of a parent or legal guardian.**

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 and will not excuse any student's noncompliance 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 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, 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 board of education 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 behavior to each parent, guardian, or other person having care or control of a child who is enrolled. Included in the written policy shall be a copy of this section. The signature of the student and the parent, guardian, or other person having control or custody of the child shall document receipt of the policy.

(c) Any parent, guardian, or other person having control or custody of any child enrolled in public school who 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 accordance with the written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the superintendent of education of the school system in which the suspected violation occurred. The superintendent of education or his or her designee shall report suspected violations to the district attorney within 10 days. Any principal or superintendent of education or his or her designee intentionally failing to report a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in public school.

**(School Code 1927, §305; Code 1940, T. 52, §302; Acts 1993, No. 93-672, p. 1213, §1; Acts 1994, 1st Ex. Sess. No. 94-782, p. 70, §1.)**

## II. SCHOOL ATTENDANCE / TRUANCY POLICY

### **A. Compulsory School Attendance Laws**

*State law requires that all children between the ages of six (6) and seventeen (17) attend school. Children may attend public schools, private schools, or church schools. Children may also be instructed by a competent, private tutor or 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 the 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. DROs 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 the 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 at:

**City of Montgomery Clerk's Office**  
103 N. Perry Street | Montgomery, Alabama 36104  
Telephone: (334) 241-2096 | Fax: (334) 241-2056  
[www.montgomeryal.gov](http://www.montgomeryal.gov)

**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:**

**Sec. 18-3. - Compulsory school attendance; prosecution; truants.**

(a) Compulsory attendance.

(1) Every child between the ages of six and 17 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 Code of Ala. 1975, § 16-28 et seq. (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 17 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 the Code of Ala. 1975, § 16-28-12(b).

Adopted this 17th day of March, 2015

ATTEST:



BRENDA GALE BLALOCK, CITY CLERK



Todd Strange, Mayor

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 the principal or District Resource Officer
3. Death in the immediate family (not to exceed three (3) school days) includes ( mother/father/step-parent/sibling/grandparent)
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 the superintendent's designee
6. Court-required appearances
7. Suspensions
8. Prior approval of a non-illness absence must be obtained from the Chief of Student Services. The request must be made from the parent or legal guardian. The Prior Approval Absence Form must be submitted at least two weeks prior to the requested absence. The form must be hand-delivered to the address listed on form or mailed via U.S. Postal Service. A response will be sent within one week to the parent and school. A copy of the parent's valid ID must be submitted whether the form is hand delivered or mailed.

**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 eight (8) days per school year. Once exhausted, any additional parent notes will be unexcused.

### **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. If there is a need for this information to remain confidential, please turn it in to the school nurse.

### **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, (ie. 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 those included in Board Policy issued on 2/19/2019, Section 6.1.5*

1. Missing the school bus or transportation to school
2. Birthdays or other celebrations
3. Any absence for which a written excuse was not provided within three (3) school days from return of absence

### **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 (3) 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.

### **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 extracurricular 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 *See Board Policy issued on 02.26.2019, Section 6.2.2***

No student of compulsory attendance age will be permitted to withdraw from school except in accordance with state law and any withdrawal procedures that may be developed by the superintendent. Students who are absent 15 consecutive days will be withdrawn after a home visit and certified letter is mailed to the parent with no response. Schools will use addresses on file in INOW.

## 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.

The Montgomery Public Schools Behavior Intervention Center (BIC) provides free individual and group counseling to MPS students exhibiting behaviors that interfere with their learning environments. Students who have received an office referral or have been suspended for outbursts of anger, skipping school, fighting, or for other unacceptable behaviors are encouraged to attend. The BIC offers sessions at Fews School, 321 Early Street, 36104. The BIC incorporates the *WhyTry* Curriculum in a 10-week program. Parents may request BIC services for their students by submitting the BIC Parent Request Form provided in the forms section of the Student Conduct Manual. The completed form may be returned by mail, email, fax or hand delivered to:

Fews School  
Attention: BIC  
321 Early Street, Montgomery, AL 36104  
Email: [behavior.interventioncenter@mps.k12.al.us](mailto:behavior.interventioncenter@mps.k12.al.us)  
Phone: (334) 223-6851 | Fax: (334) 262-3013

### 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 Board Policy: 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. **The principal has the authority to develop an individual school cell phone procedure. The principal also has the authority to prohibit outside food/drink, and any outside items that may be hazardous to others (i.e. aerosol sprays and perfumes). In an effort to quickly gain information about certain incidents involving or witnessed by students, MPS has the right to question and/or interview students outside of the presence of students' parents and/or guardians. To the extent required by law or Board policy, parents will be notified of such interviews as soon as practicable.**

## **CLASSIFICATION OF RULES**

The Student Conduct Manual rules 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 Class 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 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.

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. Parent/legal guardian shadowing and/or attending the Behavior Intervention Center may also be required.

## **CLASS B – VIOLATIONS OF SCHOOL RULES AND/OR BOARD POLICY**

Class B offenses include student behavior that seriously disrupts classroom instruction or other areas of school jurisdiction 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:**

Parent/Legal Guardian Shadowing

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 to include Defiance towards a School**

#### **Administrator and Academic Dishonesty**

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 (i.e. policeman or 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.

*To School Administrator* - Willful disobedience and/or refusal of a direct order of instruction from a school administrator (principal or assistant principal) on campus or at any school sponsored event.

*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 its origin or content of information used as authority. This includes copying from any website. Schools may use programs such as Turn It In to identify possible academic dishonesty.

#### **Consequences:**

Parent/Legal Guardian Shadowing

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

For academic dishonesty, the student will receive loss or partial credit as determined by the principal and /or the classroom teacher, which may be retroactive for the current school year

Proposal for Expulsion (witness statements to incident must be included in due process packet)

### **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

Parent/Legal Guardian shadowing

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

**Code 16: Unauthorized Communication Device (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. This includes GPS tracking devices.

- Principals have the authority to allow the use of cell phones, earbuds/earphones, or other 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.
- No earbuds/headphones or other listening devices for safety purposes.

**Consequences**

Conference with student

Conference with parent

Device may be confiscated on any offense

Parent/Legal Guardian shadowing

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**

Parent/Legal Guardian Shadowing

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, by the same person and/or persons (this is not a one-time event- see Code 31) including, but not limited to, hazing, harassment, intimidation, threats of violence, or menacing or violent acts that are intended to cause distress upon one or more students. This behavior can occur on or off of school property (during school functions), on a school bus, at designated school bus stops, or at school-sponsored functions including, but not limited to, cyberbullying, verbal, written, electronic, or physical actions that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the following categories:

**Gender • Sexual Orientation • Age • Religion • Nationality • Ethnicity • Race • Color  
Socioeconomic Background • Mental, Physical, or Sensory Disability**



## ***Jamari Terrell Williams Student Bullying Prevention Act No. 2018-472***

Harassment - Knowingly pursuing a pattern of conduct, whether physical, verbal, written or electronic, that is intended to annoy, intimidate, extort, alarm, or terrorize another person. Additionally, the behavior 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, at school activities or sanctioned events, whether on or off school property. Harassment includes, but is not limited to:

- verbal acts, teasing, name-calling, belittling, or use of sarcasm, jokes, obscene, abusive, vulgar, or irreverent language;
- 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.

**Students with complaints of bullying and/or harassment should complete the Bullying/Harassment Complaint Form that can be downloaded from the MPS website [www.mps.k12.al.us](http://www.mps.k12.al.us).**

### **Consequences:**

See Anti Bullying/ Harassment Policy

Positive Behavior Interventions and Supports

Corrective Strategies

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

Proposal for Expulsion

Law enforcement may be called

### **Code 26: Profanity/Vulgarity**

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

Parent/Legal Guardian Shadowing

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

### **Code 30 : Sexual Offense to Include Obscenity and Sexual Misconduct**

Students will not engage in any sexual acts including, but not limited to, sexual touching of themselves or others, and/or indecent exposure. Sexual offense involves inappropriate touching and/or exposure as deemed age appropriate.

**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.

**Sexual Misconduct-** Students will not engage in sexual misconduct any time a student is on school property, riding in a school owned or operated vehicle, at school sponsored events on or off campus, and at any time the student is under the jurisdiction of the school. This category is to include any form of sexual activity as well as videoing, recording, taking or sharing photos of any sexual activity.

### **Consequences**

Parent/Legal Guardian shadowing

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

Proposal for Expulsion

**Student Support must be called**

Law enforcement may be called

### **Code 59 Technology, Inappropriate Use**

Students will not engage in any Technology or internet usage that violates the Internet Acceptable Use Policy which is located on the district website. This includes, but is not limited to:

- Sending or displaying obscene or offensive messages or pictures, child pornography, and any visual depictions that are harmful to minors (Under 17)
- Using obscene/profane language
- Harassing, insulting or attacking others
- Damaging computers, computer systems or networks
- Violating local, state, or federal statutes or copyright laws
- Using another user's password
- Trespassing in another user's folders, work or files
- Using Technology resources without authorization

### **Consequences**

Parent/Legal Guardian shadowing

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 31: Threats/Intimidation to include threats or intimidation towards a school employee or 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**

Parent/Legal Guardian Shadowing  
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**

Parent/Legal Guardian Shadowing, Corrective Strategies, Confiscate all materials  
In-School Suspension or Out of School Suspension not to exceed three (3) school days, or  
Proposal for Expulsion.

**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**

Parent/Legal Guardian Shadowing  
In-School Suspension or Out of School Suspension not to exceed three (3) school days  
Proposal for Expulsion  
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. May be upgraded to a Code 9 if behavior is persistent.

**Consequences**

Parent/Legal Guardian Shadowing  
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 Problem Solving Team (PST) 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 (3) days, or  
Proposal for Expulsion  
Restitution is required, if needed, and 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 Theft/Larceny

### Code 25: Unauthorized Use of Vehicle (Theft) - Theft/Motor Vehicle

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 includes any unauthorized student on another campus or any school board facility.

**Consequences**

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

**Code 12: Disruptive Demonstration involving Five or More Students or  
Code 22: Incite Others to Create a Disruption of School Inciting a Disturbance**

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 the 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 Office of Student Support Services **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

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
- with conduct that creates a grave risk of death to another person
- with intent to cause physical injury to another person by means of a deadly weapon or instrument
- with intent to cause serious physical injury to another person

### **Consequences**

In all cases, law enforcement will be called

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. This category also includes edibles, which are food products infused with illegal substances.

**Consequences**

Proposal for Expulsion  
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  
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  
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/Expulsion (*See Principal’s Authority and Expulsion for Firearms Possession listed below*)  
Law enforcement will be called

**Codes for Possession/Sale of a Weapon**

- |                                  |                                 |
|----------------------------------|---------------------------------|
| 37- Poss. of a Handgun           | 47 - Sale Explosives/Poison Gas |
| 38- Sale of a Handgun            | 49 - Poss. Other Weapon         |
| 40- Poss. Rifle/Shotgun          | 50 - Sale Other Weapon          |
| 41- Sale of Rifle/Shotgun        | 52 - Poss. Knife                |
| 43- Poss. Firearm Component      | 53 - Sale Knife                 |
| 44- Sale Firearm Component       | 55 - Poss. Other/Unknown Weapon |
| 46 - Poss. Explosives/Poison Gas | 56 - Sale Other/Unknown Weapon  |



## **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 handgun, 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:

Box cutter	Lock-blade knife	Spring-loaded knife	Switch blade
Swiss Army knife	Butterfly knife	Folding knife	Stiletto knife
Utility knife	Carpet knife	Key chain knife	Palm knife
Straight razor	Exacto knife	Linoleum knife	Razor blade

*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	Paintball Gun	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: WEAPONS, KIDNAPPING, HOMICIDE**

Class E violations include illegal behaviors related to weapons, homicide and 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**

39 Use of Handgun | 51 Use Other Weapon | 42 Use Rifle/Shotgun | 54 Use Knife  
45 Use Firearm Component | 57 Use Unknown Weapon | 48 Use Explosives/Poison Gas

#### **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 school in the Montgomery Public School System 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 student when suspended explaining the reason for the suspension, and the date and time of a conference, if required, for a student's re-admission 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 by the school system or property contracted by the school system, the notice shall advise the parent/guardian that Montgomery Public Schools may pursue legal action until payment or arrangements for payment for the damage have 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 Services 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. A principal can only 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.

**Elementary due process packets must be pre-approved by Student Support Services before they can be submitted.**

**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. If the student chooses to have an attorney present, school personnel must be notified so the MPS Board attorney or designee may attend.
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 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 disciplinary recommendations for alternative school placement or expulsion. 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. **Parents must be provided written notice and an opportunity to participate in meetings regarding identification, evaluation, educational placement, and the provision of FAPE to their child.** Every effort will be made to the contact parent/guardian. **If parent/ guardian cannot be contacted due to not updating current information with the school, the hearing will still be held.**

2. 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.
3. Prior to a due process hearing for special education students, the following procedures must take place:
  - (a) A Disciplinary Action Compliance Review Form must be completed and signed by a compliance officer and a behavior specialist.
  - (b) Pending the results of the Disciplinary Action Compliance Review (DACR), a Manifestation Determination Review (MDR) must be held to address the behavior infraction for which a due process packet was submitted.
  - (c) In instances of special circumstances (possession of drugs or weapons or serious bodily injury), regardless of the outcome of the DACR 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 MDR, a DACR —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.
4. When the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities. The exception being that the child must continue to receive educational services which may be provided in an interim alternative setting.
5. The student's IEP team determines the interim alternative educational setting for services.

#### **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. No appeal can be requested if the student has not been enrolled in alternative school.

#### **Appeal Procedures from Due Process Hearings/Alternative Placement Results- Special Education Students**

The parent of a child with a disability who disagrees with any decision regarding disciplinary placement or the manifestation determination, may appeal the decision by requesting a due process hearing with the Alabama Department of Education's Special Education Services. All due process requests should be sent to:

Alabama Department of Education Special Education Services  
P.O. Box 302101  
Montgomery, Alabama 36130-2101.

The Department of Education is responsible for arranging an expedited due process hearing due to disciplinary action, which must occur within 20 school days of the date the hearing request is filed. The state-appointed hearing officer must make the determination within 10 school days after the hearing.

### **Placement During Appeals for Special Education Students**

When an appeal has been made by the parent, the child must remain in the interim alternative educational setting pending the decision of the state-appointed hearing officer or until the expiration of the time period, whichever occurs first, unless the parent and education agency agree otherwise.

### **Appeal from Order of Expulsion**

- The parent/guardian may, within three (3) school days after the decision, request the Montgomery County Board of Education to review the findings of the superintendent or designee in writing.
- The appeal can be hand delivered or mailed via USPS to: Student Support Services, 321 Early Street, Montgomery, AL 36104.
- 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.

### **Appeal from Order of Expulsion- Special Education**

The parent of a child with a disability who disagrees with any decision regarding disciplinary placement or the manifestation determination, may appeal the decision by requesting a due process hearing with the Alabama Department of Education, Special Education Services. All due process requests should be sent to:

Alabama State Department of Education, Special Education Services  
P.O. Box 302101, Montgomery, Alabama 36130-2101.

The Department of Education is responsible for arranging an expedited due process hearing due to disciplinary action, which must occur within 20 school days of the date the hearing request is filed. The State appointed hearing officer must make the determination within 10 school days after the hearing.

### **Placement During Appeals**

When an appeal has been made by the parent, the child must remain in the interim alternative educational setting pending the decision of the State appointed hearing officer or until the expiration of the time period, whichever occurs first, unless the parent and education agency agree otherwise.

## SCHOOL BUS POLICY

### Violation of Bus Rules

Major/ Minor Offenses include disruptive behaviors that interfere with transporting students in Montgomery Public School's jurisdiction. Bus drivers are expected to manage general bus disruptions and distractions. When the action taken by the bus driver is ineffective or the disruption is severe, the bus driver may write a bus referral for a major or minor 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.

#### A. 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-5

#### Major Violations:

- Student will be suspended for a minimum of two ( 2) up to 10 days depending on the severity of the incident 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 6-12

#### Major Violation:

- Student will be suspended for a minimum of two (2) days up to 10 days depending on the severity of the incident 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
- Loss of bus privilege for up to one year

### Minor OFFENSES:

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-5 – 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 6-12 - 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

**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 the 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.

## GENERAL POLICY STATEMENTS

### A. 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. The principal has the authority to develop an individual school cell phone procedure. The principal also has the authority to prohibit outside food/drink, and any outside items that may be hazardous to others (i.e. aerosol sprays and perfumes).

### B. 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.

### C. CORPORAL PUNISHMENT POLICY

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

### D. 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.

- 1. 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.
- 2. 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.
- 3. 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.

**4. 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 search or walk-through a metal detector search. This is to include any school sponsored or non-school sponsored activity on school property to include city community centers. Consequences may be amended after new evidence is discovered during an investigation.

#### **E. PENALTIES FOR DEFACING/DESTROYING PUBLIC PROPERTY**

Under Alabama law, it is unlawful to destroy or deface public property. A person who inflicts damage of:

- (a) \$2,500 or over is guilty of a Class C felony;
- (b) \$500 up to \$2,500 is guilty of a Class A misdemeanor; and
- (c) 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.

#### **F. 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 extra- curricular 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.



**MONTGOMERY  
PUBLIC SCHOOLS**



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# SUSPENSION APPEAL FORM

(To Include Out of School and Bus Suspensions)

Office of Student Support

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): \_\_\_\_\_

\_\_\_\_\_

I 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 **three (3) 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.*

MPS Office of Student Support Services  
321 Early Street, Montgomery, AL 36104 | Phone: (334) 223-6850



**MONTGOMERY  
PUBLIC SCHOOLS**

# MPS Directory of Schools & Central Office Departments



@MontgomeryPublicSchools



@MPSAL



Montgomery Public Schools Alabama

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Baldwin Arts & Academics Magnet (6-8)	(334) 269-3870	410 S. McDonough St. 36104-4226
Bear Exploration Center (K-5)	(334) 284-8014	2525 Churchill Dr. 36111-2899
Bellingrath Middle School (6-8)	(334) 269-3623	3350 S. Court Street, 36105-1606
Blount Elementary (K-5)	(334) 244-0078	1650 Ray Thorington Rd, 36117-8487
Booker T. Washington Magnet (9-12)	(334) 269-3618	3315 Hayneville Road, 36108
Brewbaker Primary (K-2)	(334) 284-8005	4445 Brewbaker Dr. 36116-4299
Brewbaker Intermediate (3-5)	(334) 284-8006	4455 Brewbaker Dr. 36116-4299
Brewbaker Middle (6-8)	(334) 284-8008	4425 Brewbaker Dr. 36116-4299
Brewbaker Tech Magnet High (9-12)	(334) 284-7100	4405 Brewbaker Dr. 36116-4299
Capitol Heights Middle (6-8)	(334) 260-1000	116 Federal Drive, 36107-1798
Carr Middle (6-8)	(334) 244-4005	1610 Ray Thorington Rd, 36117-8487
Carver Elementary (K-5)	(334) 269-3625	3100 Mobile Drive, 36108-4058
Carver High (9-12)	(334) 269-3636	2001 W. Fairview Ave. 36108-4199
Catoma Elementary (K-5)	(334) 288-5799	1780 Mitchell Young Rd. 36108-4058
Chisholm Elementary (K-5)	(334) 269-3643	307 E. Vandiver Blvd. 36110-1800
Crump Elementary (K-5)	(334) 284-8020	3510 Woodley Road, 36116-3899
Dalraida Elementary (K-5)	(334) 260-1007	440 Dalraida Road, 36109-2898
Dannelly Elementary (K-5)	(334) 269-3657	3425 Carter Hill Road, 36111-1897
Davis Elementary (K-5)	(334) 269-3662	3605 Rosa L. Parks Ave. 36105-2099
Dozier Elementary (K-5)	(334) 260-1012	200 Eastern By-pass, 36117-2092
Dunbar-Ramer School (K-8)	(334) 562-3250	56 Naftel Ramer Rd. Ramer, AL 36069-6054
Fitzpatrick Elementary (K-5)	(334) 284-8044	4055 Fitzpatrick Blvd. 36116-4820
Flowers Elementary (K-5)	(334) 260-1015	3510 Harrison Road, 36109-5134
Floyd Middle (6-8)	(334) 284-7130	215 Hall Street 36104-3844
Forest Avenue Magnet (K-5)	(334) 269-3673	1700 W. Fifth Street, 36106-1587
Garrett Elementary (K-5)	(334) 260-1090	555 McLemore Drive, 36117-7633
Goodwyn Middle (6-8)	(334) 260-1021	209 Perry Hill Road, 36109-3799
Halcyon Elementary (K-5)	(334) 271-9000	1501 Parkview Drive, 36117-7744
Highland Avenue Elementary (K-5)	(334) 269-3690	2024 Highland Avenue, 36107-2698
Highland Gardens Elementary (K-5)	(334) 269-3685	2801 Willena Avenue, 36107-1096
Jefferson Davis High (9-12)	(334) 269-3712	3420 Carter Hill Road, 36111-1896
Johnson Elementary (K-5)	(334) 284-8016	4550 Narrow Lane Road, 36116-2998
King Elementary (K-5)	(334) 284-8080	4655 Gateway Drive, 36108-4923
Lanier High (9-12)	(334) 269-3726	1756 S. Court Street, 36104-5498
Lee High (9-12)	(334) 269-3742	225 Ann Street, 36107-2599

Loveless Academic Magnet Program (9-12)	(334) 284-7500	3440 McGehee Rd., 36116-3511
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

### **Learning Academies/Special Education Centers**

Children's Center	(334) 262-4850	310 N. Madison Terr. 36107-1599
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
McIntyre Comprehensive Academy	(334) 223-7885	1200 Hugh Street, 36108

### **Central Office Departments- (Frequently Called Numbers)**

<b>District Operator</b>	<b>(334) 223-6700</b>	<b>307 S. Decatur Street, 36104</b>
Behavior Intervention Center	(334) 223-6851	321 Early Street, 36104
Communication Office	(334) 223-6761	307 S. Decatur Street, 36104
District Resource Officers (Truancy)	(334) 269-3774	321 Early Street, 36104
English as a Second Language	(334) 223-6864	8900 New Park Drive, 36117
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
MPS Security	(334) 223-6750	1718 Britton Lance, 36106
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.

**Child Pornography**- Images and representations that reveal nude body parts of children for a sexual purpose, show parts of a child's body, whether natural or computer generated that exploits a child for sexual stimulation.

**Cybercrime** - Criminal activity committed using computers, phones, tablets, or any electronic device especially to illegally access, transmit or manipulate data.

**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.

**Edibles-** Food products infused with illegal substances.

**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 and or developing a pattern of suspensions with no court involvement.

**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 grandparents

**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.

**Statutory Rape**- Sexual intercourse with a minor.

**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.

**Unaccompanied Youth**- Homeless child or youth not in the physical custody of a parent or guardian.

**Vaping**- to inhale vapor through the mouth from a usually battery-operated electronic device (such as an electronic cigarette) that heats up and vaporizes a liquid or solid.

**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.



**MONTGOMERY**  
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