

**School  
Conduct  
Intervention  
Programs  
For  
Cullman City  
Schools**

Cullman City Schools  
301 First Street, NE, Suite 100  
Cullman, Alabama 35055

**Non-Discrimination Policy**

It is the official policy of the Cullman City Board of Education that no person shall, on the grounds of race, color, disability, sex, religion, national origin, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity, or employment.

**SCHOOL CONDUCT  
INTERVENTION PROGRAMS  
FOR CULLMAN CITY SCHOOLS**

The Cullman City Schools' Conduct Intervention Programs clarifies roles and responsibilities of parents, teachers, administrator, and the court, as well as identifying procedures addressing school conduct requiring out-of-school suspension and truancy. The local school superintendent of education, principals and other school officials have worked cooperatively with local juvenile court judge, district attorney, and juvenile probation officers to develop the programs. These intervention programs will open new avenues of opportunities for students and parents to address improper school conduct and will provide means by which applicable State Board of Education resolutions may be successfully addressed.

**PARENT / GUARDIAN  
ROLES AND RESPONSIBILITIES**

**Parent, guardian, or other person having control or custody of a student shall:**

- require the child to properly conduct himself or herself as a pupil.
- read, sign, and return to the school an acknowledgement of receiving written policies and procedures relative to school conduct.
- cooperate with appropriate authorities or agencies to address improper school conduct.
- file an "incurable petition" (beyond control) with the court when appropriate.

**LOCAL SUPERINTENDENT OF EDUCATION**

**The local superintendent of education shall:**

- report compliance with this law to the State Superintendent of Education.
- report to the district attorney within 10 days all violations of school conduct which result in out-of-school suspension.

## SCHOOL ADMINISTRATOR

### The local school administrator shall:

- identify staff responsibilities and provide training to implement Ala. Code Section 16-28-12 (1975). This should include staff responsibilities and training form implementing procedural safeguards for identified special education and 504 students or students in the process of eligibility determination.
- distribute copies of the Initial Parent Notification Letter and *It's the Law!*— a model parental notification of potential civil liabilities and criminal penalties to the parent, guardian, or other person having control or custody of the enrolled child.
- file and store parents' and student's acknowledgement of receiving the school discipline code and programs adopted to address school conduct.
- document each violation of school conduct which resulted in an out-of-school suspension.
- document correspondence and/or communication with the parent which may include, but is not limited to, suspension notification, future procedures, and possible sanctions to be invoked for additional violations.
- document each intervention implemented to prevent additional school conduct violations.
- schedule and conduct conferences and/or other prevention/intervention strategies.
- report violations of conduct which result in out-of-school suspension to the local superintendent of education or his/her designee in a timely manner.

## JUVENILE COURT

### The Juvenile Court should:

- assist local boards of education, the district attorney, and other appropriate agencies and organizations to develop the School Conduct Intervention Program.
- Be cognizant of the efforts of local school systems to establish standards of behavior for all students and to require parents to be responsible for their child's behavior in school.

## REPORTING PROCEDURES FOR OUT-OF-SCHOOL SUSPENSION

### PROCEDURES

### PERSON/AGENCY RESPONSIBLE

#### FIRST OUT-OF-SCHOOL SUSPENSION

- |   |           |
|---|-----------|
| • Notify the parents in writing of the suspension, the parents' responsibilities for the proper conduct of the child enrolled, and procedures and/or sanctions for future suspensions. Included in this correspondence should be instructions for securing a duplicate copy of the following: (a) the Code of Student Conduct, (b) Procedures for the School Conduct Intervention Program, and (c) <i>It's the Law!</i> | Principal |
| • Notify the local superintendent of education of the suspension. (special colored form)  | Principal |

**PROCEDURES**

**PERSON/AGENCY RESPONSIBLE**

- Parents or guardians may be referred to the District Attorney’s Office on the first or second suspension if, in the opinion of the principal, the offense committed by their child warrants such action.

Superintendent or designee

**SECOND OUT-OF-SCHOOL SUSPENSION**

- Notify the parents in writing of the suspension and the necessity of attending a school conference.

Principal

- Schedule and conduct a school conference.

Principal or designee

- Notify the local superintendent of education of the suspension. (special colored form)

Principal

- Parents or guardians may be referred to the District Attorney’s Office on the first or second suspension if, in the opinion of the principal, the offense committed by their child warrants such action.

Superintendent or designee

**THIRD OUT-OF-SCHOOL SUSPENSION**

- Notify the parents in writing of the suspension including the requirement to attend the School Conduct Intervention Program.

Principal

- Send to parents a “Notice to Attend” School Conduct Intervention Program.

Juvenile Court

The School Conduct Intervention Program is designed to assist parents by informing them of the provisions of the law and identifying resources. Those who should attend the program include students, parents, attendance officers, and/or other designated representatives from the school system, the juvenile court, probation officers or other appropriate personnel, and representatives from various agencies such as the Department of Human Resources, the Department of Public Health, and the Department of Mental Health. Parents are informed that they should sign an “incurable petition” if they are unable to control the child and if other attempts to correct the pupil’s behavior have been unsuccessful.

- Notify the local superintendent of education of the suspension. (special colored form)

Principal

- Notify the district attorney of the suspension.

Superintendent or designee

- File a complaint.

Principal

The principal or other appropriate person shall file a complaint against the child with the juvenile court intake officer located at the Cullman County Court House. The telephone number is 734-3540.

**PROCEDURES**

**PERSON/AGENCY  
RESPONSIBLE**

**FOURTH SUSPENSION**

- Notify the parents in writing of the suspension and future procedures or possible sanctions. Principal
- Notify the local superintendent of education of the suspension and include documentation of all previous intervention strategies and parental contacts. Principal
- Notify the district attorney of the suspensions and send documentation of all previous intervention strategies and parental contacts. Superintendent or designee
- File a complaint in the circuit clerk’s office. The principal or other appropriate person shall file a complaint against the parent with the juvenile court intake officer. Principal
- Issue a summons or warrant. It is recommended that a summons be issued. Circuit Clerk
- Notify the district attorney of the issuance of a summons or warrant. The circuit clerk shall notify the district attorney of the issuance of the summons or warrant. Circuit Clerk

**EXCEPTIONS**

- Special situations may warrant immediate referral to the court. These situations may include, but are not limited to, the following: serious violations which warrant the immediate attention of the courts; violations which establish a pattern of behavior evidenced by conduct during previous school years.

Failure of the parents to cooperate (attempts to assist the parents) should be documented to establish the fact that the parents are not amenable to such assistance.

**EARLY WARNING  
TRUANCY PREVENTION PROGRAM**

**The following procedures shall be followed to address attendance:**

**FIRST TRUANCY**

- The parent, guardian, or person having control or custody of the child shall be notified by the school attendance clerk of the student’s truancy and of the date of the truancy.
- The parent, guardian, or person having control or custody of the child shall be provided a copy of Alabama’s compulsory school attendance laws and advised of the penalties which may be applied and the procedures which shall be followed in the event that other unexcused absences occur.

## **SECOND TRUANCY**

- The parent, guardian, or person having control of said child shall (1) participate in a conference with the attendance officer and principal and/or (2) attend the Early Warning Truancy Prevention Program provided by the juvenile court.
- Participation at one of these conferences shall be mandatory except where prior arrangements have been made or an emergency.
- Failure to appear at the school conference and/or to appear at the Early Warning Truancy Prevention Program shall result in the filing of a complaint/petition for truancy against the child and/or parent/guardian, if appropriate.

## **THIRD TRUANCY**

- A complaint/petition will be filed against the child and/or parent/guardian, if appropriate.

### **SCHOOL CONDUCT INTERVENTION PROGRAM ACKNOWLEDGEMENT**

I, \_\_\_\_\_

enrolled in \_\_\_\_\_ School and my parents or guardian have received and read or had read to us the School Conduct Intervention Programs. We understand this form will be filed in the student's permanent school record folder.

Signed \_\_\_\_\_ (Student)

Signed \_\_\_\_\_ (Parent/Guardian)

Date \_\_\_\_\_

**This acknowledgement will be placed in the student's permanent school record folder.**

**Please Complete The Above Form & Return It To School**

### **PARENTAL NOTIFICATION LETTER**

Dear Parents/Guardians:

During the special legislative session of 1994, the Alabama Legislature passed Ala. Code Section 16-28-12 (1975) which amended Act 93-672 as codified in Ala. Code Section 16-28-12 (1975). This legislation has important implications for parents. The purpose of this letter is to inform you of the statutory requirements of Ala. Code Section 16-28-12 (1975) and the procedures to be followed.

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

- to enroll children between the ages of 7 and 16 in school (public school, private school, church school, or be instructed by a private tutor).
- to require any child enrolled to regularly attend school or to be regularly instructed by a tutor.
- to compel the child properly conduct himself or herself as a pupil.

**Parents should be aware of the following:**

- inappropriate student conduct or behavior may result in suspension from school.
- out-of-school suspensions shall be reported to the superintendent of education and the district attorney.
- parents, guardians, or other persons having control or custody of the student are subject to prosecution for violations of the law.
- the Early Warning Truancy Prevention Program and the School Conduct Intervention Program shall be followed to implement this legislation. *Read these procedures carefully.*

In an effort to assure that parents are informed of their school-related responsibilities, the State Board of Education has mandated that you receive notification which addresses civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees. ***It's the Law*** is provided to advise you of these school-related civil liabilities and criminal penalties. You are encouraged to read this document carefully and retain it for future reference.

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

***IT'S THE LAW!***  
**PARENTAL NOTIFICATION OF CIVIL  
LIABILITIES AND CRIMINAL PENALTIES**

The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees:

**Attendance and Conduct (Act 94-792)**

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

### **Teacher Assault (Act 94-794)**

A person commits the crime of assault in the second degree (Class C felon) if the person assaults with intent to cause serious physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his or her duty.

### **Drug Dealing (Act 94-783)**

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

### **Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (Act 94-784)**

The school principal shall notify appropriate law enforcement officials when a person violates local board of education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If any criminal charge is warranted, the principal is authorized to sign the appropriate warrant. If that person is a student, the local school system shall immediately suspend that person from attending regular classes and schedule a hearing within 5 school days.

If a person is found to have violated a local board of education policy concerning drugs, alcohol, weapons, physical harm to a person or threatened physical harm to a person, the person may not be re-admitted to the public schools until the person has satisfied all requirements imposed by the local board of education as a condition for re-admission.

### **Weapons in Schools (Act 94-817)**

No person shall knowingly with intent to do bodily harm carry or possess a deadly weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony.

(Note: The term “deadly weapon” means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury, and such term includes, but is not limited to, a bazooka, hand grenade, missile, or explosive or incendiary device; a pistol, rifle, or shotgun; or a switch-blade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, black jack, bludgeon, or metal knuckles.)

### **Vandalism (Act 94-819)**

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

### **Pistol Possession / Driver’s License (Act 94-820)**

Any person over the age of 14 who is convicted of the crime or possession of a pistol on the premises of a public school, or a public school bus, shall be denied issuance of a driver’s permit

or license to operate a motor vehicle for 180 days from the date the person is eligible and applies for a permit or license. If a person over age 14 possesses a driver's license on the date of conviction, the driver's license will be suspended for 180 days.

**Drop-Out / Driver's License (Act 94-820 which amended Act 93-368 as codified in - 16-28-40, Ala. Code, 1975)**

The Department of Public Safety shall deny a driver's license or learner's permit to any person under 19 who is not enrolled or has not received a diploma or certificate of graduation.

Exceptions are students who are enrolled in a GED program, are enrolled in a secondary school, are participating in an approved job training program, are gainfully employed, are a parent of a minor or unborn child, or are the sole source of transportation for the parent.

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