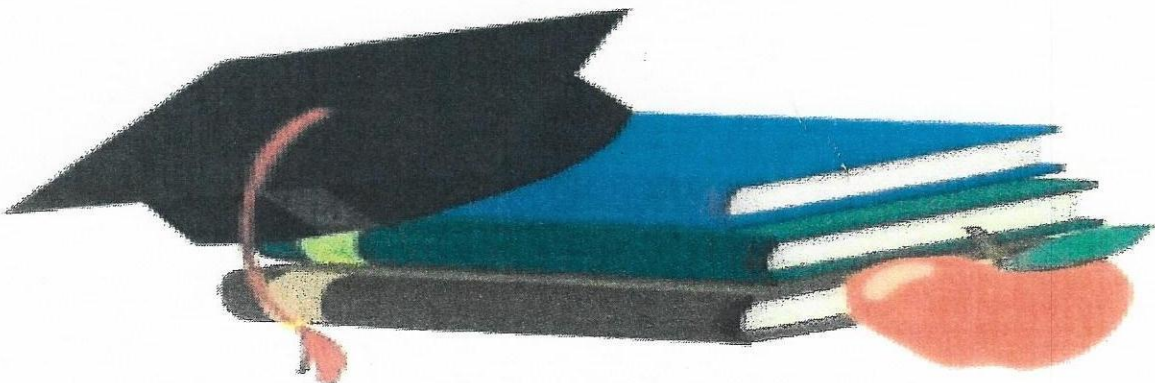


***NEW HORIZON
ALTERNATIVE SCHOOL***



STUDENT HANDBOOK



SOARING EAGLES
“My Attitude Is My Life”

MISSION STATEMENT

The mission of the New Horizon Alternative School is to become an inclusive, community – based setting that promotes children's strength, while developing their social responsiveness.

We will accomplish this mission by providing a safe and disciplined learning environment. New Horizon Alternative School shall facilitate student growth in academics and foster positive changes in attitude and behavior within a structured learning environment.

The Goals of New Horizon are:

1. To provide a safe, orderly and disciplined learning environment.
2. To provide educational experiences within the curriculum to encourage students to graduate from High School.
3. To foster positive changes in attitude and in behavior.
4. To develop the students decision – making skills.
5. To assist local school administrators by providing additional options for handling school discipline problems.

The Beliefs of New Horizon Alternative School

1. All students are capable of attaining the instructional goals of New Horizon Alternative School.
2. A positive self – concept can positively influence learning and behavior.
3. All students are capable of learning.

PROGRAM REFERRALS

New Horizon Alternative School (Interim Alternative Educational Setting)

PLACEMENT

1. BY THE COURT

- a. When the court finds that a juvenile is delinquent and commits the juvenile to a juvenile detention facility, boot camp, or to the Department of Youth Services. But the facility is unable to accept the juvenile due to a lack of space and the juvenile is enrolled in public school, unless good cause is shown that the juvenile should not attend an alternative school, the court shall order that the juvenile attend an alternative school if an alternative school is available pending availability of space at the facility.

Authority: Ala. Code (1976) 12-15-71

- b. When a court orders a juvenile case to be transmitted to the Circuit Court for criminal prosecution and the juvenile is enrolled in public school, unless good cause is shown that the juvenile should not attend an alternative school, the court shall order that the juvenile attend an alternative school if an alternative school is available until disposition of the criminal charges in the Circuit Court.

Authority: Ala. Code(1975) 12-15-71

- c. If the criminal charges result in conviction and the juvenile is sentenced to a term of imprisonment in a penal facility, then the juvenile shall remain in an alternative school pending the serving of the sentence.

Authority: Ala. Code (1975) 12 – 15-71

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- a. Any city, county, or other local public school board shall consistent with, 16-28-12, prescribe rules and regulations with respect to behavior and discipline of pupils enrolled in the school under its jurisdiction and, in order to enforce such rules and regulations, may remove, isolate, or separate pupils whose presence in the class may be determined to the best interest and welfare of the pupils of such class as a whole.

Authority: Ala. Code (1975) 16-1-14

- b. A local Board of Education may prescribe special courses in citizenship, health, morals, or any other subject it may consider necessary to meet the needs of special groups of pupils and may prescribe individual tutoring, counseling, or group instruction and may assign special teachers and special classrooms or other places for such purposes and may schedule such courses either during or after regular school hours or at any time administratively feasible.

Authority Ala. Code (1975) 16 -1-16

- c. A student who is age 16 or over and charged with a crime pursuant to Alabama Code (1975) 12-15-34.1, or is charged with distribution of a controlled substance, then upon notice or knowledge of the charge, the local public school system shall assign the juvenile to an alternative school, if an alternative school is available, unless good cause is shown that the juvenile should not attend an alternative school.

Authority: Ala. Code (1975) 12 - 15 -71

STUDENT RESPONSIBILITIES & EXPECTATIONS

1. You are responsible for treating yourself and others, both staff and students with courtesy, respect and dignity.
2. You are responsible for learning and following New Horizon Alternative School Rules, Policies and Procedures.
3. You are responsible for conducting yourself like a gentleman and young lady.
4. You are responsible for maintaining good personal hygiene and grooming.
5. You are responsible for the cleanliness of your class work area and the campus.
6. You are responsible for your own property and to respect the rights and property of others.
7. You are responsible for being on time.
8. You are responsible for performing assignments and tasks to the best of your ability.
9. You are responsible for your own personal safety and the safety of others in situations over which you have control.
10. You are responsible for physical fitness and for remaining drug free.

11. You are responsible for seeking the assistance of staff when needed.
12. You are responsible for making parents / guardians aware of your needs, including medical and dental needs.
13. You are responsible for utilizing grievance procedures when necessary.
14. You are responsible for reporting and infringement of your rights to the teacher or to the administrator.
15. You are responsible for your progress in the alternative school and for applying what you have learned when you return to your base school.

SECTION 1.

GENERAL INFORMATION

SCHOOL DAY:

School hours are from 8:00 am – 2:30 pm. The building will open at 7:45 am to receive students. Students should not arrive before 7:45 am. Since there will be no one to supervise them. Students will be dismissed at 2:30 pm and should be picked up no later than 2: 45pm. A student is considered in school once he or she is on school grounds.

LENGTH OF DAY

A students placement at the New Horizon Alternative School is set up to be only temporary. The maximum time is 45 days. However, students who show no improvement in their behavior or academic studies after a review by the Building Based Student Support team and or the IEP team, may be required to stay longer.

TELEPHONE

All school telephones are for transacting the necessary school business. Telephones are not for student use. However, if there is an emergency the school secretary will make the phone call for the student(s). There is absolutely no exception to this rule.

Naturally, there are emergencies that may arise from time – to – time which necessitates a message to or from a parent or the delivery of an item to a student. The school is happy to co-operate with the delivery of an item to a student.

VISITORS

All Visitors must report to the office and sign –in before entering any part of the school building. The secretary will notify the appropriate staff member of the visitor. Unauthorized persons on the New Horizon Alternative School campus may be subject to the Alabama trespass law.

MEDICAL AND DENTAL APPOINTMENTS

Parents are encouraged to make medical and dental appointments for students either after school hours or on those days when school is not in session.

MEDICATION

Members of the school staff may not administer medication to students except as it is prescribed and requested in writing by the parent, guardian, or family physician. Parents are required to notify the principal in writing in the event a student must bring medication to school. Any student having in his / her possession medication other than the special daily dosage and who gives away, sells, or attempts to give away and or sell medication, nonprescription or prescription, may be subject to disciplinary actions.

Source: Policies JGC and JGCA

SEARCH AND SEIZURE

All students enrolled in the New Horizon Alternative School will go through a process of search and seizure on a daily basis. This process is vitally important because it will help to alleviate the act of students bringing weapons or other objects that will cause the learning environment to be un-safe and unsecured.

Our aim at New Horizon Alternative School is to do everything possible to make sure both students and staff are cohabitating in a secured environment. Furthermore, we will confiscate any item or object that we deem disruptive to the learning process. These objects will be turned over to the security officer of the Bessemer City School System.

TRESPASSING

No student is to ever trespass on any school campus while he / she is in attendance at the New Horizon Alternative School. If this occurs, the Bessemer Police Department or the security officer for the Bessemer City School System may pick up a student.

READMISSION TO SCHOOL

1. AFTER COMPLETION OF SENTENCE

After completion of the sentence or a form of commitment with the Department of Youth Services when the juvenile is admitted back into school, the juvenile shall remain in an alternative school until he or she meets the local board of education requirements.

Authority: Ala. Code (1975) 12-15-71

2. AFTER CONVICTION, BUT NOT SENTENCED TO IMPRISONMENT

If the juvenile is convicted but not sentenced to a term of imprisonment in a penal facility, when the juvenile is admitted back into school, the juvenile shall remain in an alternative school until he or she meets the local Board of Education requirements.

Authority: Ala. Code (1975) 12-15-71

3. SPECIAL EDUCATION STUDENTS

The decision to assign a student to an alternative school shall include a review and consideration of the exceptional status pursuant to Chapter 39 of Title 16, Code of Alabama 1975. If applicable, and any appropriate federal and state statutory and case law.

Authority. Ala. Code (1975) 12 -15 -71

4. HOME BOUND SERVICES

The Superintendent, upon approval by the Board, may provide home bound instructional services for regular students based on criteria supplied by board policy. For special education students, home bound services will be provided according to the students IEP.

Bessemer City Schools Source, Policy IDDC

ACCIDENTS

In all school accidents, school officials will immediately notify parents. If the accident is of such in nature as to require immediate medical attention, or the service of a doctor when the parent cannot be reached, school officials, shall act in oco of parents, and do whatever the situation demands. School officials shall make every

effort to contact the family physician in the event of an accident. At all times, however, every effort shall be made to contact the parents.

Source: Policy JGC

Note: Every accident in the school building , on school Parents and / or guardian shall be responsible for their children's grounds, or at any event sponsored by the school must be reported immediately to the person in charge and to the school office.

AUTHORITY OVER STUDENTS regular attendance at school and for their arrival on time, properly dressed, and in a condition of physical health and mental alertness to benefit from instruction. Teachers shall have authority over the conduct of students while in their classes, on or near school property, including but not limited to school buses, or in situations where the students behavior has a negative impact on the school. Teachers shall also have authority over students in their charge when supervising activities of students.

Source: FILE : JBAC

INSURANCE

Student insurance is offered at a reasonable cost. Participation in the program is recommended.

LOST and FOUND

All students should safeguard their books, articles of clothing, etc., at all times. All removable items of clothing, notebooks, workbooks, and other supplies should be clearly labeled with the students name. the school lost and found area is in the office. Students are to check with the secretary before searching for items in the lost and found. Any items that are found should be turned in to the office immediately.

SCHOOL SUPPLIES

The parent must provide supplies needed at the school other than course notebooks. This includes paper, pencils, notebooks, workbooks, and other supplies as designated by the teacher. Students should always come to each class with the textbooks and supplies necessary to do all class work as assigned.

HALL PASSES

Students must be in their assigned places unless they have their teacher or administrator permission to be in another place. Students must not leave any class or place of assignment without permission. Students must not leave the school grounds for any purpose without the permission from the administrator. Students who are outside of class during class time must be accompanied by a teacher or have an appropriate hall pass from an authorized staff person.

ANNOUNCEMENTS & PLEDGE

Announcements will be made over the intercom as needed. Please remain quiet so that all students can hear the information. If the Pledge of Allegiance is included in the announcements, students should stand, face the flag, and recite the pledge. Students who have an objection to participating in the pledge should stand quietly. Talking or movement will not be allowed during the pledge.

FIELD TRIP

Field Trips are designed to enrich student learning, provide opportunities for participation in curriculum – related activities, and assist students in teaching educational goals. Field trips will be monitored and may be disallowed for individual students based on their attendance, grades, and behavior. Also, parents may request that a student not accompany a group. In this case, the student will follow their normal schedule and complete assignments for the class that is on the field trip. During such trips, students represent the Bessemer City Schools and will act accordingly. Students will follow school rules and the directions of the teachers/chaperones. The dress code applies.

SCHOOL CLOSING

When weather is severe or questionable, please listen to your local radio and TV stations to find out whether or not New Horizon Alternative School will be in session.

Dress Code

The Board has the responsibility to maintain an appropriate atmosphere conducive to learning. Therefore, any student wearing an article of clothing or a manner of hairstyle or makeup determined by the teachers and principals to be disruptive of the learning environment or hazardous to the health and safety of the student and/or teacher shall not be allowed.

The primary guide in determining what is not appropriate is the extent to which such dress code or grooming attracts undue attention in the classroom or school.

If the principal determines that the student's dress or grooming is unacceptable, adequate time shall be allowed the student in order to make proper adjustments. However, when a student continues to ignore the required changes, he/she shall be subject to disciplinary action.

The Board requires that specific dress code rules and regulations be developed at the elementary, middle and high school levels.

The specific dress code rules and regulations for elementary and middle school grades K-8, shall be as follows:

Boys, Grades K- 8:

- Navy slacks (No jeans).
- Navy shorts (knee length) for grades K-3 only.
- Plain white oxford shirts or white polo style shirts with long or short sleeves.
- Shirts must be worn on the inside of pants.
- Solid black or navy belt; navy or white suspenders.
- Navy, black or white socks.
- Navy or white sweater (pull over V-neck, cardigan, or crew neck).
- Only white undershirts without emblems or insignias may be worn under the uniform shirts.
- Predominately black or predominately white athletic shoes (high-priced, brand named shoes are not recommended and should not be worn).
- Black or brown dress or casual shoes with black, brown, or white shoelaces.
- No earrings, necklaces, chains or body-piercing jewelry.
- No more than two rings may be worn.
- Hair must be neat and well-kept.
- No designs or patterns in the eyebrows or hair.
- No hats, caps, scarves, headbands, or bandannas.

Girls, Grade K-8:

- Navy slacks (No jeans).
- Navy A-line or pleated skirt; navy jumper (knee length or below).
- Navy split skirts (knee length or below).
- Navy shorts (knee length) for grades K-3 only.
- Black or navy belt; navy or white suspenders.
- Navy, black or white socks.
- Plain white oxford shirts or white polo style shirts with 3 buttons.
- Shirts must be worn on the inside of the pants or skirt.
- No hats, caps, scarves, headbands, or bandannas.

- Plain navy, white or natural color hose; navy or white tights. Only white undershirts without emblems or insignias may be worn under the uniform shirts.
- Navy or white sweater (pull over V-neck, cardigan, or crew neck). Only white undershirts without emblems or insignias may be worn under the uniform shirts.
- Predominately black or predominately white athletic shoes (high-priced, brand named shoes are not recommended and should not be worn).
- Black or brown dress or casual shoes with black, brown or white shoelaces.
- No necklaces, chains, or body-piercing jewelry.
- No more than two rings or one pair of earrings may be worn.
- Hair must be neat and well-kept.
- No designs or patterns in the eyebrows or hair.

The Board has adopted the following dress code for high school students effective on the first day of school 2005-2006. The dress code is as follows:

Boys, Grades 9-12:

- Khaki or black pants. (No jeans) (Must reach the top of the shoes.)
- No shorts, rolled up pants legs, overalls, etc.
- Pants must be worn around the waist and with a belt.
- Plain black or brown belts with standard buckles. No large buckles.
- Plain white oxford shirts or white polo style shirts with two or three buttons, **Grades 9-11** (No insignias or logos except the official school logo).
- Plain white or powder blue oxford shirts or white or powder blue polo style shirts with two or three buttons, **Grade 12 ONLY** (No insignias or logos except the official school logo).
- Shirts must be tucked in.
- Only white undershirts without emblems or insignias may be worn under the uniform shirts.
- Predominately black or predominately white athletic shoes with black or white shoelaces.
- Black or brown dress or casual shoes with black, brown, or white shoelaces. (No house slippers, beach sandals, sandals, or flip-flops).
- Black, brown, or white socks.
- No earrings, necklaces, chains, or other body-piecing jewelry.
- No more than two rings may be worn.
- No hats, caps, scarves, headbands, or bandannas.
- Hair must be neat and well-kept.
- Plain black, khaki, or white cardigan style jackets or sweaters.
- Jackets and sweaters must have a zippered or button front. No pullovers. No emblems or insignias except the official school logo.
- No designs or patterns in the eyebrows or hair.
- All students must wear current and official student ID's.

Girls, Grades 9-12:

- Plain white oxford shirts or white polo style shirts with two or three buttons with sleeves and collars – **Grades 9-11**. (No low-cut, revealing blouses or shirts). No logos or insignias except the official school logo.
- Plain white or powder blue oxford shirts or white or powder blue polo style shirts with two or three buttons with sleeves and collars – **Grade 12 ONLY**. (No low-cut, revealing blouses or shirts). No logos or insignias except the official school logo.
- Shirts must be worn on the inside of pants or skirt. Only white undershirts without emblems or insignias may be worn under the uniform shirts.

- Standard khaki or black pants. (No capri pants, jeans, spandex pants, shorts, jumpers, overalls, etc.). Pants must reach the top of the shoes.
- Pants must be worn around the waist and with a belt.
- Khaki or black skirts. (Must be worn below the knee.) Splits in the skirt may not rise above the knee and shall only be on the back of the skirt.
- Plain black or brown belts with standard buckles. No large buckles.
- Predominately black or predominately white athletic shoes with black or white shoelaces.
- Black or brown dress or casual shoes with black, brown, or white shoelaces. (No house slippers, beach sandals, sandals, or flip-flops.)
- Black, white, or brown socks or hose.
- Only white undershirts or camisoles without emblems or insignias may be worn under the uniform blouse or shirt.
- No hats, caps, scarves, headbands, or bandannas.
- Plain black, khaki, or white cardigan style jackets or sweaters.
- Jackets and sweaters must have a zippered or button front. No pullovers. No emblems or insignias except the official school logo.
- No necklaces, chains, or body-piercing jewelry.
- No more than two rings and one pair of earrings may be worn.
- Hair must be neat and well-kept.
- No designs or patterns in the eyebrows or hair.
- All students must wear current and official student ID's.

Source: Bessemer City Board of Education, Bessemer, AL.

Adopted: October 18, 2004 Revised: August 25, 2006

Legal Ref.: Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986).

Bessemer City Schools
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New Horizon Alternative School
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Soaring Eagles
"My Attitude Is My Life"

Copy of State Gang Legislation & Bessemer City School Policy

Bessemer City Schools Policy

- 3.16 Behaviors that threaten the orderly operation of the school, school bus, or school-sponsored activity.
- 3.17 Any major disruption of the educational process caused by the wearing of apparel, possession of writing or drawings, or the performance of gestures or signals which indicate affiliation with a gang (organized or unorganized), secret organization, or other social group whose presence on school grounds pose a threat to the educational environment.

Consequences:

Disciplinary Actions for Class III Violations:

Commission of a Class III offense shall be reported immediately by the principal/designee to the following individuals:

- I Bessemer Police Department
- II Student's parent/guardian
- III Superintendent of Schools or Designee

If bodily injury, property damage, drugs and/or firearms are involved, the principal/designee will immediately contact the Bessemer Police Department at 425-2411 or 911 for assistance. All drugs and/or firearms found or confiscated on Bessemer City Schools property will be turned in or over immediately to the Bessemer Police Department. Other unauthorized objects found in the possession of students may be returned to the parent/guardian upon a written request to the principal by the parent/guardian.

The normal disciplinary punishment for the commission of a Class III offense is removal from school for the remainder of the school year, or if the offense occurs within the last 20 school days of the school year, removal from school for the rest of the school year and the next school year. In any event, expulsion shall not be for less than one semester. The principal/designee, after reviewing the allegations and evidence against a student and giving the student the opportunity to respond to the allegations, is initially responsible for deciding that a Class III offense has been committed and what the appropriate consequences should be. Once that determination has been made by the principal/designee to recommend expulsion, the

Once that determination has been made by the principal/designee to recommend expulsion, the principal/designee will give the student a suspension notice containing a written statement of the charges (and a statement of mitigating or extenuating circumstances, if any) and shall suspend the student to the Superintendent of Schools or Designee.

The principal/designee shall also mail a suspension notice to the parent/guardian and notify the Superintendent of Schools or Designee.

If the hearing officer decides, based on facts developed at the hearing, that the student committed a Class III offense, the student shall be subject to expulsion. If, however, there are mitigating or extenuating circumstances, the hearing officer shall separately state those circumstances and may consider them in deciding appropriate disciplinary action. Mitigating or extenuating circumstances include, but are not limited to, the absence of severe personal injury, the absence of extensive property damage, handicapping conditions, interventions at the local school level, and no prior record of a Class II offense.

The hearing officer has the option to allow the student to attend the alternative program under the conditions set forth by the Bessemer Board of Education in order to earn admittance to the local school. Should the parent/guardian be offered this opportunity and decline it, the hearing officer may recommend to the superintendent that the student be expelled from all Bessemer city schools.

Disciplinary Actions for Exceptional Students for Class III Offenses:

When a special education student commits a Class III offense, the principal/designee shall initiate procedures to have the student's Individualized Educational Plan (IEP) Committee address the behavior problem. The IEP Committee will decide if the offense was related to the area of disability and will decide the appropriate action to be taken. The IEP Committee will also conduct a functional behavior assessment if one has not been previously conducted and will consult or construct a behavior intervention plan. All revisions to the student's IEP must be documented within the current IEP. If the disciplinary actions decided by the IEP Committee are still not effective, the principal/designee may refer the student to the director of Special Education for further action. However, in no instance may a referral to the director of Special Education result in the exclusion from school of a special education student for more than ten (10) cumulative days, which are allowable by law or state regulations. Only the IEP Committee may change a special education student's placement. Consideration must also be given to the protections and rights afforded to 504 students under both federal and state law. *Source: Policy JDEA*

As previously outlined in the Board Policy's System Code of Conduct, the recommended disciplinary consequences include:

- Before or After School Detention
- Saturday School
- Supervised In School Suspension
- Out of School Suspension (Short or Long Term)
- Probation
- Assignment of Academic Research
- Work Assignments
- Administrator/Student Conference
- Referral to the Board's Hearing Officer for Due Process Hearing
- Reporting Behavior to the Police Department
- Notifying the Board Superintendent
- Recommendation for Expulsion

Other effective disciplinary consequences may also include the following:

- Time Out
- Telephone Call to Parent
- Letter to Parent
- Parent/Teacher/Student Conference

- Shadowing Program in which parents are required to come to school to observe/assist with their child.
- Behavior Intervention Plan
- Behavior Contract
- Parent Pick Up of Student
- Referral to Principal
- Parent/Teacher/Student/Principal Conference

STATE GANG LEGISLATION

ALABAMA

GANG-RELATED DEFINITIONS

ALABAMA SECTION 13A-6-26. COMPELLING STREETGANG MEMBERSHIP

- For purpose of this section, the term "street gang" means any combination, confederation, alliance, network, conspiracy, understanding, or other similar arrangement in law or in fact, of three or more persons that, through its membership or through the agency of any member, engages in a course or pattern of criminal activity.
- A person who expressly or by implication threatens to do bodily harm or does bodily harm to a person, a family member or a friend of the person, or any other person, or uses any other unlawful criminal means to solicit or cause any person to join or remain in a streetgang is guilty of the crime of compelling streetgang membership.
- The crime of compelling streetgang membership is a Class C felony.
- Notwithstanding subsection (c), the crime of compelling streetgang membership is a Class a felony if the defendant is over the age of 18 years and the other person is under the age of 18 years.
- This section shall not be construed to repeal other criminal laws. Whenever conduct proscribed by this section is also proscribed by any other provision of law, the provision which carries the more serious penalty shall apply.

Anti-Harassment, Anti-Intimidation or
Anti-Bullying Policy

1. The Bessemer Board of Education is committed to a safe and civil educational environment for all students from harassment, intimidation or bullying. Harassment, Intimidation or bullying means any intentional written, verbal, or physical act, when the intentional written, verbal or physical act:

1. Physically harms a student or damages the student's property; or
2. Has the effect of substantially interfering with a student's education, duties and responsibilities; or
3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational or work environment; or
4. Has the effect of substantially disrupting the orderly operation of the school. Harassment, intimidation or bullying can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawing cartoons, pranks, gestures, physical attacks, threats, or other written, oral or physical actions. An intentional act refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

Counseling, intervention, and/or appropriate disciplinary action, which may include, but not be limited to, referral to law enforcement and/or suspension, will be used to correct the behavior of the perpetrator, relieve the impact on the victim, restore a positive school and/or work climate, and support for victims and others impacted by the violation. False reports or retaliation for harassment, intimidation or bullying also constitutes violations of this policy.

OTHER DISCIPLINARY PROCEDURES MAY BE FOLLOWED IN CORRECTING THE BEHAVIOR OF THE PERPETRATOR.

- 1.1 Students who have been determined to have engaged in prohibited behaviors are subject to disciplinary action, which may include suspension or expulsion from school. The district's commitment to addressing such prohibited behaviors, however, involves a multifaceted approach, which includes education and the promotion of a school atmosphere in which harassment, intimidation or bullying will not be tolerated by students, faculty or school personnel.
- 1.2 It is imperative that harassment, intimidation or bullying be identified only when the specific elements of the definition are met because the designation of such prohibited incidents carry special statutory obligations. However, misconduct by one student against another student, whether or not appropriately defined or not, will result in appropriate disciplinary consequences for the perpetrator.

2. Definition of Terms

2.1 *"Harassment, intimidation or bullying" means any intentional written, verbal, graphic, or physical act that a student or group of students exhibited toward another particular student more than once and the behavior both:

2.1.1. *Causes mental or physical harm to the other student; and

2.1.2. *Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student.

2.2 Harassment, Intimidation or Bullying also means electronically transmitted acts i.e., Internet, cell phone, personal digital assistance (PDA) or wireless hand-held device that a student has exhibited toward another particular student more than once and the behavior both:

2.2.1. Causes mental or physical harm to the other student/school personnel; and

2.2.2 Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student/school personnel.

2.3. In evaluating whether conduct constitutes harassment, intimidation or bullying, special attention should be paid to the words chosen or the actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred.

2.4. A school-sponsored activity shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Bessemer Board of Education.

3. Types of Conduct

3.1. Harassment, intimidation or bullying can include many different behaviors including overt intent to ridicule, humiliate or intimidate another student or school personnel. Examples of conduct that could constitute prohibited behaviors include:

3.1.1. Physical violence and/or attacks;

3.1.2. Threats, taunts and intimidation through words and/or gestures;

3.1.3. Extortion, damage or stealing of money and/or possessions;

3.1.4. Exclusion from the peer group or spreading rumors; and

3.1.5. Repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other methods.

(also known as "cyber bullying") such as the following:

- 3.1.5.1. Posting slurs on Web sites where students congregate or on Web logs (personal online journals or diaries);
- 3.1.5.2. Sending abusive or threatening instant messages;
- 3.1.5.3. Using camera phones to take embarrassing photographs of students and posting them online; and
- 3.1.5.4. Using Web sites to circulate gossip and rumors to other students;
- 3.1.5.5. Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

4. Complaint Processes

4.1. Publication of the prohibition against harassment, intimidation and bullying and related procedures.

- 4.1.1 The prohibition against harassment, intimidation or bullying shall be publicized in any student handbooks and in any of the publications that set forth the comprehensive rules, procedures and standards of conduct for schools and students in the district. In addition, information regarding the policy shall be incorporated into employee training materials. The following statement shall be included:
- 4.1.2. Harassment, intimidation, or bullying behavior by any student/school personnel in the Bessemer City Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. "Harassment, intimidation, or bullying, in accordance with House Bill 276, mean any intentional written, verbal, graphic or physical acts including electronically transmitted acts i.e., Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device, either overt or covert, by a student or group of students toward other students/school personnel with the intent to harass, intimidate, injure, threaten, ridicule or humiliate. Such behaviors are prohibited on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop that a reasonable person under the circumstances should know will have the effect of:

- 4.1.2.1. Causing mental or physical harm to the other student/school personnel including placing an individual in reasonable fear of physical harm and/or damaging of students'/personal property; and
- 4.1.2.2. Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student/school personnel

5. Complaints

5.1. Formal Complaints

5.1.1. Students and/or their parents or guardians may file reports regarding suspected harassment, intimidation or bullying. Such written reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the building principal for review and action in accordance with Section 6.

5.2. Informal Complaints

5.2.1. Students, parents or guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher, school administrator, or other school personnel. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s), and the names of any potential student or staff witness. A school staff member or administrator who receives an informal complaint shall promptly document the complaint in writing, including the above information. This written report by the school staff member and/or administrator shall be promptly forwarded to the building principal for review and action in accordance with Section 6.

5.3. Anonymous Complaints

5.3.1. Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation and/or bullying.

6. School Personnel Responsibilities and Intervention Strategies

6.1. Teachers and Other School Staff

6.1.1. Teachers and other school staff, who witness acts of harassment, intimidation or bullying, as defined above, shall promptly notify the building principal and/or his/her designee of the event observed, and shall promptly file a written, incident report concerning the events witnessed. Teachers and other school staff who receive student or parent reports of suspected harassment, intimidation, and bullying shall promptly notify the building principal and /or his/her designee of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the building principal or his/her designee. If the report is an informal complaint by a student that is received by a teacher or other professional employee, he or she shall prepare a written report of the informal complaint which shall be promptly forwarded (no later than the next school day) to the building principal or his/her designee.

6.2. Administrator Responsibilities

6.2.1. Investigation

6.2.1.1. The principal and or his/her designee shall be promptly notified of any formal or informal complaint of suspected harassment, intimidation or bullying. Under the direction of the building principal or his/her designee, all such complaints shall be investigated promptly. A written report of the investigation shall be prepared when the investigation is complete. Such report shall include findings of fact, a determination of whether acts of harassment, intimidation or bullying were verified, and when prohibited acts are verified, a recommendation for intervention, including disciplinary action shall be included in the report. Where appropriate, written witness statements shall be attached to the report.

6.2.1.2. Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

6.2.2. Remedial Actions

6.2.2.1. Verified acts of harassment, intimidation, or bullying shall result in an intervention by the building principal or his/her designee that is intended to ensure that the prohibition against harassment, intimidation or bullying is

prohibited behavior will cease.

6.2.2.2. Harassment, intimidation and bullying behavior can take many forms and can vary dramatically in seriousness and impact on the targeted individual and other students. Accordingly, there is no one prescribed response to verified acts of harassment, intimidation and bullying. While conduct that rises to the level of "harassment, intimidation or bullying," as defined above will generally warrant disciplinary action against the perpetrator of such prohibited behaviors whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension; or expulsion: is a matter for the professional discretion of the building principal. The following sets forth possible interventions for building principals to enforce the Board's prohibition against "harassment, intimidation or bullying."

6.2.2.2.1. Non-disciplinary Interventions

6.2.2.2.1.1. When verified acts of harassment, intimidation or bullying are identified early and/or when such verified acts do not reasonably require a disciplinary response, students may be counseled as to the definition of harassment, intimidation or bullying, its prohibition and their duty to avoid any conduct that could be considered harassing, intimidating or bullying.

6.2.2.2.1.2. If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim's communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

6.2.2.2.2. Disciplinary Interventions

6.2.2.2.2.1. When acts of harassment, intimidation and

warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

6.2.2.2.2. In and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation.

6.2.2.2.3. Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

6.3. Intervention Strategies

6.3.1. General

6.3.1.1. In addition to the prompt investigation of complaints of harassment, intimidation or bullying and direct intervention when such prohibited acts are verified, other district actions may ameliorate any potential problem with harassment, intimidation or bullying in school or at school-sponsored activities. While no specific action is required and school needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators and school personnel:

6.3.1.1.1. Respectful responses to harassment, intimidation or bullying concerns raised by student, parents or school personnel;

6.3.1.1.2. Planned professional development programs addressing targeted individuals' problems; including what is safe and acceptable Internet use;

6.3.1.1.3. Data collection to document victim problems to determine the nature and scope of the problem;

- include them in group activities;
- 6.3.1.1.5. Avoidance of sex-role stereotyping (e.g., males need to be strong and tough);
- 6.3.1.1.6. Awareness and involvement on the part of all school personnel and parents with regard to victim problems;
- 6.3.1.1.7. An attitude that promotes communication, friendship, assertiveness skills and character education;
- 6.3.1.1.8. Modeling by school personnel of positive, respectful and supportive behavior toward students;
- 6.3.1.1.9. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others
- 6.3.1.1.10. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and
- 6.3.1.1.11. Form harassment, intimidation and bullying task forces, programs and other initiatives involving volunteers, parents, law enforcement and community members.

6.3.2. Intervention Strategies for Protecting Victims

- 6.3.2.1. Supervise and discipline offending students fairly and consistently;
- 6.3.2.2. Provide adult supervision during recess, lunch time, bathroom breaks and in the hallways during times of transition;
- 6.3.2.3. Maintain contact with parents and guardians of all involved parties;
- 6.3.2.4. Provide counseling for the victim if assessed that it is needed;
- 6.3.2.5. Inform school personnel of the incident and instruct them to monitor the victim and the offending party for indication of harassing, intimidating and bullying behavior. Personnel are to intervene when prohibited behaviors are witnessed;
- 6.3.2.6. Check with the victim daily to ensure that there has been no incidents of harassment/intimidation/bullying or retaliation from the offender or other parties.

7.1. Report to the Parent or Guardian of the Perpetrator

7.1.1. If after investigation, acts of harassment, intimidation and bullying by a specific student are verified, the building principal or his/her designee shall notify in writing the parent or guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification.

7.2. Reports to the victim and his/her parent of guardian

7.2.1. If after investigation, acts of bullying against a specific student are verified, the building principal or his/her designee shall notify the parent or guardian of the victim of such finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation and bullying.

7.3. List of verified acts of harassment, intimidation or bullying

7.3.1. A requirement that the district administrators semiannually provide the president of the district board a written summary of all reported incidents and post the summary on the district Web site, if one exists. The list shall be limited to the number of verified acts of harassment, intimidation and bullying, whether in the classroom, on school property, to and from school, or at school-sponsored events.

7.3.2. This policy shall not be interpreted to prohibit a reasonable and civil exchange of opinions or debate that is protected by state or federal law such as the nondiscrimination, suspension and expulsion/due process, violent and aggressive behavior, hazing, discipline/punishment, sexual harassment, peer sexual harassment and equal education opportunity acts.

8. Police and Child Protective Services

8.1. Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse must be reported to Child Protective Services, per required timelines. Bessemer School District must also investigate for the purpose of determining whether there has been a violation of Bessemer School District Policy or Procedure, even if law enforcement or CPS is also investigating. All Bessemer School District personnel must cooperate with investigations by outside agencies.

8.2. In addition to , or instead of, filing a bullying/harassment/intimidation complaint through this policy, a complainant may choose to exercise other options

including but not limited to filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeking redress under any other provision of the Revised Code or common law that may apply.

9. Training

- 9.1. Orientation sessions for students shall introduce the elements of this policy and procedure. Students will be provided with age-appropriate information on the recognition and prevention of harassment, intimidation or bullying, and their rights and responsibilities under this and other district policies, procedures and rules, at student orientation sessions and on other appropriate occasions. Parents will be provided with information about this policy and procedure, as well as information about other district and school rules and disciplinary policies. This policy and procedure shall be reproduced in student, staff, volunteer and parent handbooks.
- 9.2. Information regarding the policy on harassment/intimidation/bullying behavior shall be incorporated into employee training materials and volunteers with direct contact with students. Time spent by school employees in the training, workshops or courses shall apply toward any state or district mandated continuing education requirements.
- 9.3. School personnel members are encouraged to address the issue of harassment/intimidation/bullying in other interaction with students. School personnel may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/school personnel, even if such conduct does not meet the formal definition of "harassment/intimidation/bullying."

SOURCE: Bessemer City Board of Education, Bessemer, Alabama

ADOPTED: April 15, 2008

LEGAL REF: Section 16-11-9 Code of Alabama

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