



HUNTSVILLE CITY
SCHOOLS

Behavioral Learning Guide

2018-2019

A Framework of Progressive Supports for Student Behavior



HUNTSVILLE CITY SCHOOLS

Dear Students, Parents/Guardians, Staff, and Huntsville Community;

This year marks the third that Huntsville City Schools (HCS) will use the Behavioral Learning Guide (BLG) and the Behavioral Learning Matrices to help manage student behavior. Implementing these documents was a major shift in the District's student discipline practices, and each year the faculty, staff, and administrators of HCS have improved this process. Moreover, each year HCS receives considerable feedback from students, teachers, families, and community members about the implementation of the BLG and the Matrices. Every year HCS has taken that feedback to heart, and this year is no different. This year, my team has made improvements to the BLG and the Matrices based on that feedback.

I'd like to mention a couple of the major changes, but before doing so, I want to identify some things that will remain the same. First, this year, there will continue to be a single, shorter BLG instead of the previous lengthy Elementary and Secondary BLG's. As it did last year, the shorter BLG provides an overview of major student discipline initiatives and procedures, but it does so without using dense, technical language where possible. Additionally, HCS has kept the Matrices as close as possible to last year's Matrices. By minimizing the number of changes, it is my hope that it will be easier for teachers and administrators to implement the document this year. Additionally, as was the case last year, HCS will be providing paper copies of the BLG and Matrices to all teachers.

That said, there were a couple of noteworthy changes. First, there were a number of offenses; especially those regarding threats to school safety and harming other students, that received an increase in the Response Levels. This increase will give school leaders the ability to implement more severe disciplinary consequences for the most threatening behaviors. Second, there are a couple of new behaviors and definitions in the BLG and Matrices. These additions should better help administrators track and respond to student misbehavior. Lastly, the new documents give administrators more discretion when implementing responses to student behavior. We wanted to ensure that our administrators are able to exercise common sense when selecting appropriate disciplinary consequences, and we did not want the BLG or Matrices to hamper their efforts.

Creating a positive school climate requires two things. First, the BLG and Matrices must clearly define teacher and administrator responses to student misbehavior. Second, schools must be consistent in the implementation of those responses. I am committed to seeing that this is done.

I believe that HCS can be a model school system in our nation. A model school system maintains safe and orderly learning environments while giving students the ability to improve and progress academically and behaviorally. The BLG and Matrices do that. I believe the BLG and Matrices will help us reduce disparities in academics and student discipline. Nevertheless, the BLG and the Matrices must continue to adapt and improve, and as we have done each year, we welcome feedback from students, parents/guardians, staff, and the community. Your engagement remains critical to our success, and I thank you for it.

Best,


Christie Finley
Interim Superintendent

TABLE OF CONTENTS

Creating a Positive School Climate	3
Progressive Discipline	3
Who Implements Progressive Discipline?	4
What is Progressive Discipline?	4
Prohibited Student Behavior Sample Charts	5
Disciplinary Consequences, Interventions, and Response Strategies Chart	5
Response Levels Chart	6
Disciplinary Consequences Chart	7
When to Use Progressive Discipline	8
Where to Apply Progressive Discipline?	8
Why use Progressive Discipline?	8
How to Implement Progressive Discipline Using the Matrix?	9
How to Know When to Move Up a Level in the Matrix?	10
How to Handle When a Student Goes a Long Period Without Misbehaving?	11
Interventions: Supporting Our Teachers as They Support Our Students	11
HCS' Behavioral Support Programs: PBIS and Restorative Practices	11
The Main Elements of PBIS	12
Quick Summary of Restorative Practices	12
PBIS & Restorative Practices : Seeking the Same Result Chart	13
Acknowledging Mistakes: Surrender for Safety	14
Reducing Repeated Misbehavior: The Importance of Data	14
Problem Solving Team: Using Data to support Our Students	15
Multi-Tiered Support: The Pyramid	16
Academic & Behavioral Supports Chart	16
Glossary of Terms	17-18
Appendix A: Dress Code	19-20
Appendix B: Suspension Procedures	21-22
Appendix C: Expulsion Procedures (Secondary Only)	23-27
Appendix D: Office Disciplinary Referral Procedure	28

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the Huntsville Board of Education will not discriminate against qualified individuals. For more information, contact: Shirley.Wellington@hsv-k12.org.

In accordance with Title IX requirements, the Huntsville Board of Education does not discriminate on the basis of sex in the education programs or activities it operates. Questions regarding Title IX may be referred to the HCS Title IX coordinator, Shirley.Wellington@hsv-k12.org or the Office for Civil Rights (OCR).

Creating a Positive School Climate

During the last three school years, HCS has implemented many new strategies and programs including: Positive Behavior Interventions and Supports (called “PBIS”); Restorative Practices; discipline reporting software (called “BLOOM”); and the Behavioral Learning Guides (also called the “BLG”). These are all pieces of HCS’s Positive School Climate program. These programs, working together, can help foster a positive school climate:

- **The BLG** (this document) describes HCS’ progressive disciplinary system and explains how all of HCS’ behavioral tools work together.
- **The Elementary and Secondary Behavioral Matrices** describe prohibited behaviors and the recommended progressive disciplinary steps that school staff should use to correct behaviors. Now, they are shorter, standalone documents: one for Elementary and one for Secondary.
- **BLOOM** is the software that schools use to monitor student behaviors and school responses.
- **PBIS** gives teachers and administrators guidelines for setting common, school-wide behavioral expectations.
- **PBIS and Restorative Practices** work together to give teachers and administrators comprehensive techniques for helping students achieve behavioral expectations and to reduce misbehaviors.

Stated simply: The Matrices describe expected student behavior, prohibited student conduct, and appropriate responses to misbehavior. The BLG details the techniques for changing misbehaviors and reinforcing positive behavior, like PBIS and Restorative Practices, and BLOOM helps HCS monitor all of this. Studies have shown that using a comprehensive system like this leads to a school environment where students, parents/guardians, and staff work together respectfully to maintain a positive, orderly, and safe learning environment focused on both teacher and student led learning.

Progressive Discipline

Research shows that positive relationships and effective teaching practices help children learn. Students are more likely to succeed when they feel connected to their school and engaged in the classroom. For most students, positive relationships and engaging culturally-relevant instruction will address most behavioral issues. However, when those classroom management strategies are unable to address a student’s behavioral issues, schools should use a progressive approach to Interventions and Disciplinary Consequences.

So, what is progressive discipline? It is part of HCS’s Positive School Climate program, but what does that really mean? Take a look at the following table to see what progressive discipline does, and what it doesn’t do:

PROGRESSIVE DISCIPLINE:	PROGRESSIVE DISCIPLINE DOES NOT:
Requires clear and explicit prohibited student behavior.	Stop students from receiving Disciplinary Consequences.
Relies on consistent disciplinary consequences.	Remove teacher and administrator discretion.
Follows a step-by-step response to misbehavior.	Guarantee that students will always behave.
Tries to reduce disparities in discipline by treating similarly situated students alike.	Replace the need for building relationships with students.
Allows students an opportunity to learn from their misbehavior.	Use zero tolerance responses to student misbehavior.
Uses Interventions to help correct student misbehavior over time .	

The who, what, when, where, why, and how of progressive discipline is discussed in more detail below.

Who Implements Progressive Discipline?

Before defining progressive discipline, it is important to know who is responsible for implementing progressive discipline. The simple answer is that all the staff plays a role in its implementation. Teachers implement it in the classroom while Child Nutrition employees implement it in the lunchroom. The school administrators are responsible for ensuring that HCS' progressive discipline is implemented properly in their schools.

What is Progressive Discipline?

Progressive discipline is responding to student behavior with a set of steps that build in severity and intensity with each step. For most misbehaviors, Disciplinary Consequences that allow students to remain in school (like detention, loss of privileges, and In-School Learning Center) are used before consequences that remove the student from school (like out-of-school suspension or expulsion). In other words, a teacher or administrator should begin with the lowest level of Disciplinary Consequences and Interventions and if a student's behavior does not change with that level, the teacher or administrator should use the **next level of** Disciplinary Consequence and Intervention. Out-of-school suspension and expulsion are reserved for the most severe behaviors and are a last resort for repeated behaviors.

What does progressive discipline look like on paper? Below is a section of the Secondary Behavioral Matrix. Both the Elementary and Secondary Behavioral Matrices contain prohibited student behaviors. Each behavior is assigned to various **Response Levels**. The **Response Levels** are the progressive steps that schools should use to respond to misbehavior. The Elementary Behavioral Matrix has **four** Response Levels while the Secondary Behavioral Matrix has **five** Response Levels.

The Matrix also has a column, located on the left side of the Matrix, that lists the behaviors that the District expects of its students. These expected behaviors are located near a corresponding misbehavior. For example, below you will see the column from the Matrix containing expected behaviors related to Academic Dishonesty.

HCS EXPECTS ITS STUDENTS TO:
Academic Dishonesty
<ul style="list-style-type: none">• Act with honesty and integrity• Be prepared for class each day• Take pride in their work, efforts, and assignments

The Matrix also contains prohibited student behavior. In the example below, the misbehaviors are related to Academic Dishonesty. The Matrix also has separate columns, one for each **Response Level**. The **Response Levels** are: **Day-to-Day**; **Level 1**; **Level 2**; **Level 3**; and **Level 4 (Secondary Only)**.

WHEN STUDENTS FAIL TO MEET EXPECTATIONS BY:	TEACHER RESPONSES		ADMINISTRATOR RESPONSES		
	Day-to-Day	Level 1	Level 2	Level 3	Level 4
	Day-to-day in-class responses by the teacher	Classroom responses, consequences and interventions	Administrative responses and in-school consequences	Most intense in-school responses and out-of-school consequences	Long-term removal from school and recommendation for expulsion (Secondary Only)
Academic Dishonesty					
Plagiarizing, committing forgery, or cheating on a minor assignment (i.e. a classroom worksheet, a quiz, or other minor exam).	●	●			
Plagiarizing, committing forgery, or cheating on a major assignment (i.e. an end of semester exam or benchmark exam).			●	●	

Each response level has a set of corresponding **Disciplinary Consequences, Interventions, and Response Strategies**. Brief definitions of **Disciplinary Consequences, Interventions, and Response Strategies** are included in the table below:

Type of Action	Definition	Examples
<i>Response Strategy</i>	These are the steps that a school employee takes to end a student’s misbehavior or defuse a student conflict. These do not replace Disciplinary Consequences or Interventions.	<ul style="list-style-type: none"> • Redirection • Letting a student take a break to calm down • De-escalation techniques such as avoiding power struggles
<i>Disciplinary Consequence</i>	These are the consequences for a student’s misbehavior. Suspensions and expulsions must also be paired with an Intervention.	<ul style="list-style-type: none"> • Detention • Loss of privileges • Temporary confiscations • Parent/Guardian/Student conferences • Repairing the harm through Restorative Practices • Suspension • Expulsion
<i>Interventions</i>	These are the supports that are used to help struggling students. These supports can be designed to help a student with academics, attendance, or behavior. Interventions work best when they are customized for the student’s needs. For more information about selecting interventions, please see page 11.	<ul style="list-style-type: none"> • Behavior Contracts • Mentoring • Positive reinforcement with PBIS • Restorative conversations • Restorative circles • Counseling and mental health • Problem Solving Team Plan • Reintegration meetings after discipline

The previous table does not include all Disciplinary Consequences, Interventions, and Response Strategies. These are just a small sample. Parents/guardians/students who want to learn more should ask their teachers and administrators. The intensity of the Disciplinary Consequence and Intervention depends on the **Response Level**. To better understand the **Response Levels**, see the table below:

Response Level	Who Handles?	Record Keeping	Office Disciplinary Referral?	Example Disciplinary Consequences	Example Intervention
Day-to-Day	Teacher	Teacher Discretion	No	<ul style="list-style-type: none"> • Verbal warning • Call home 	<ul style="list-style-type: none"> • Behavior Contract
Level 1	Teacher	BLOOM	No	<ul style="list-style-type: none"> • Detention (secondary) • Silent Lunch • Parent/guardian conference 	<ul style="list-style-type: none"> • Teaching expected behaviors and replacement behaviors • PBIS Rewards
Level 2	Admin	BLOOM	Yes	<ul style="list-style-type: none"> • Repair harm • Restorative Circle • In-House Learning Center (ILC) 	<ul style="list-style-type: none"> • Problem Solving Team Plans • Behavior Plans
Level 3	Admin	BLOOM	Yes	<ul style="list-style-type: none"> • Repair harm • Restorative conferences • Out-of-School Suspension 	<ul style="list-style-type: none"> • Counseling and mental health • Intense, individualized support
Level 4	Admin	BLOOM	Yes	<ul style="list-style-type: none"> • Repair harm • Restorative conferences • Long-term suspension • Restorative Panel • Expulsion <p>NOTE: A Level 4 Response will often result in a referral for expulsion, but in extenuating circumstances, expulsion may not be appropriate.</p>	<ul style="list-style-type: none"> • Readmission supports and plans following expulsion

School staff are encouraged to limit the use of Disciplinary Consequences that result in the removal of students from instructional time. However, the Behavioral Matrices do allow for the use of exclusionary Disciplinary Consequences when appropriate. For more information about these Disciplinary Consequences, please see the table below:

Disciplinary Consequence	Definition	Limits	Response Level
In-School Learning Center (ILC)	ILC is an alternative classroom placement for students. A student is removed from the regular classroom environment. The student can make up any assignment missed while in ILC, and the student’s teacher must visit the student to ensure that he or she can complete the work and to answer questions.	Administrators should start with a small number of periods or days in ILC before slowly increasing the duration. The administrator should work with the student’s Problem-Solving Team to set a “Reset Period” for the student. See page __ for more information.	Level 2
Out-of-School Suspension (OSS)	<p>OSS results in a student being removed from the school environment for a designated period of time. The student can make up any assignment missed while on an OSS, and the student’s teachers must allow the student to meet with them to help the student complete the work and to answer questions, as schedules permit.</p> <p>This consequence may be limited by IDEA and/or state law.</p>	<p>When returning from OSS, the administrator will ensure that at least one Intervention plan is in place, such as Restorative Practices. For students with an IEP, an IEP team meeting may be necessary. If the student has frequent or repetitive behavior, the student will be referred to the PST to develop an appropriate Intervention plan.</p> <p>Administrators should start with a small number of days in OSS before slowly increasing the duration. The administrator should work with the student’s Problem-Solving Team to set a “Reset Period” for the student. See page __ for more information.</p> <p>OSS is not appropriate for students who are tardy, are absent, and skip school. Suspending a student out of school for not being in school is inconsistent with the District’s mission.</p>	Level 3
Restorative Panel Meeting	The student and his or her parents/guardians will have the opportunity to participate in a restorative conference with HCS’ Restorative Panel. If the student chooses to participate in an HCS Restorative Panel, the panel, the offending student(s), the school administrator, and other stakeholder(s), including the victim, when appropriate, will discuss the harm caused by the behavior, develop a behavioral plan for the student, and discuss access to possible Interventions (e.g. counseling, mental health services).	<p>HCS has identified several categories of behavior as appropriate for Restorative Panel Meeting, including:</p> <ul style="list-style-type: none"> • Drug and alcohol possession, usage, and being under the influence • Fights that disrupt climate (<i>for example</i>, brawls involving multiple students) • Violent assaults of another person • Recording, photographing, or videoing others who are nude or performing sexual acts, or voluntarily participating in such a recording. <p>Recommendation for Restorative Panel Meeting will often coincide with an OSS and will occur prior to a recommendation for expulsion (secondary only).</p>	Level 3 (Elementary) & Levels 3 & 4 (Secondary)

	Restorative Panel Meetings are often in lieu of expulsion, so for Secondary students, failing to participate in the Restorative Panel Meeting or to follow the Panel's plan will often result in a recommendation for expulsion.	For more severe behaviors (usually Level 4) the RPM will take place at the District office and be led by District personnel. For less severe behavior, school administrators should lead the Restorative Conferences/Conversations at their schools.	
Expulsion Secondary Only	Long-term removal from the normal school and classroom environment unless prohibited by the IDEA and/or state law. All recommendations for expulsion are reviewed by a District panel who determines whether or not to move forward with the expulsion. If approved, the case will go before the district hearing panel as described in Appendix C.	No student may be expelled without a due process hearing. While awaiting a due process hearing, the student will be assigned ILC or OSS for up to 10 days as appropriate.	Level 4

When to Use Progressive Discipline?

Most of the time. There are only a handful of student behaviors that immediately warrant an expulsion (usually offenses that physically endanger or significantly harm school personnel or other students). Schools should address all other misbehaviors using progressive Disciplinary Consequences and Interventions.

Where to Apply Progressive Discipline?

Usually, HCS will respond to and provide Disciplinary Consequences only for conduct occurring on school property or at school activities. The exception to this rule is that HCS may respond to a student's behavior where there is an identifiable serious threat of physical harm to HCS, HCS student(s) or HCS employee(s). This means that student behavior that begins off campus but manifests at school is covered by HCS' Behavioral Matrices. It also means that student behavior that threatens another student's ability to make it safely home from school is covered by the Behavioral Matrices.

Why use Progressive Discipline?

Research shows that the use of progressive Disciplinary Consequences results in better results for all students. When students can make mistakes and schools can support the students in learning from those mistakes, behavioral issues decrease, and academic performance improves. Research has shown that this only works when Disciplinary Consequences **are paired with appropriate supports and Interventions**, so whenever an HCS student receives an exclusionary consequence like in-school or out-of-school suspensions, **the administrator must ensure that it is paired with an appropriate intervention.**

How to Implement Progressive Discipline Using the Matrix?

When a student misbehaves, the teacher or administrator should find the student's behavior on the BLG Matrix. The behavior will have at least one dot under one of the Response Level columns (labeled as **Day-to-Day, Level 1, Level 2, Level 3, and Level 4 (Secondary Only)**). If the behavior is assigned to **two or more Response Levels**, the **lowest level is used first, unless marked otherwise**. This means that if a behavior is assigned to **Level 1 and Level 2**, the teacher must try to correct the behavior in class before referring the student to an administrator using an Office Disciplinary Referral. For each new school year, all students begin with a clean slate, so all responses to misbehavior should start with the lowest assigned **Response Level**.

The District has established the following guidelines for all schools:

1. **When determining the appropriate response to a student's behavior, the school should consider the following:**
 - a. Why is the behavior unacceptable and what harm did it cause?
 - b. Did the student take responsibility for their actions?
 - c. Do students understand what they could have done differently in the same situation? **If the student's behavior included possession of a prohibited item and the student voluntarily surrendered the item, Disciplinary Consequences may not be appropriate. See "Surrender for Safety" at page __ for more information.**
 - d. Are there social strategies and skills a student could learn to use in the future?
 - e. Has the student been made aware that there are more serious consequences if the behavior reoccurs?
2. **The answers to the above questions must be considered before moving up to another Response Level.** Often times, the answers to the above questions are crucial for identifying and implementing supports to help students correct their behavior.
3. **Before moving up to another Response Level, the school must show that it has attempted an appropriate Intervention.** To be clear, Disciplinary Consequences **are not** Interventions. This means that simply showing that a student has been previously punished for the same behavior is not sufficient for progressing between Response Levels.
 - a. **Example Interventions:** PBIS coupons, behavior contract, mentor, and access to mental health professionals.
 - b. **Not Interventions:** detention, suspension, and calls home to parents/guardians.
4. **Supports should also be considered for the victims of misbehavior.** In fact, when used properly, Restorative Practices focuses as much on supporting the harmed victims as it does correcting the misbehavior of the student who caused the harm.

How to Know When to Move Up a Level in the Matrix?

During the first year of the BLG’s implementation, one of the most asked questions from teachers, students, parents/guardians, and administrators about the BLGs was:

When a behavior is assigned to multiple levels, how do teachers and administrators know when to move up to the next level?

Levels	How to Document	Interventions	When to Progress?
Day-to-Day to Level 1	The teacher keeps informal records of her attempts to correct the student’s behavior. The teacher does not use BLOOM until the student’s behavior rises to Level 1 .	The teacher should use general classroom management techniques.	After the teacher has attempted to correct the specific behavior (e.g., for at least three days), he or she should document the behavior in BLOOM and move up to a Level 1 . <i>Also, the student’s parent/guardian should be called.</i>
Level 1 to Level 2 <i>For more details, see Appendix D.</i>	The teacher documents his or her Level 1 responses in BLOOM until the teacher makes an Office Disciplinary Referral .	If a student does not respond to general classroom management, the teacher should implement more intensive strategies like behavior contracts and Restorative Practices with the student.	After the teacher has attempted to correct the specific behavior, at least, three times , he or she may complete an Office Disciplinary Referral . <i>Also, the student’s parent/guardian should be called.</i>
Level 2 to Level 3	The school administrator should track all Interventions and Disciplinary Consequences in BLOOM.	If a student is being referred to the office, the administrator should ensure that the behavior warranted a referral. If the behavior does so, the administrator should implement an intervention, such as Restorative Practices. If the student has repeated Level 2 behavior, the administrator should ensure that the student has a PST and should work with the PST to develop an Intervention plan.	The administrator should not move to a Level 3 unless the student’s Intervention plan has been implemented with fidelity. If the plan proves unsuccessful and the administrator believes that no further Level 2 Intervention will help the student, he or she may move up to a Level 3 .
Level 3 to Level 4 <i>Secondary Only</i>	The school administrator should track all Interventions and Disciplinary Consequences in BLOOM.	For most Level 3 behaviors, the administrator should ensure that the student has a PST and should work with the PST to develop an Intervention plan. That plan should include the highest-level interventions at the school including the use of mental health resources or outside mentoring/counseling.	The administrator should not move up to a Level 4 unless the student’s Intervention plan has been implemented with fidelity. If the plan proves unsuccessful and the administrator believes that no further Level 3 Intervention will help the student, he or she may move up to a Level 4 , including recommendation for expulsion.
Level 3 without a dot under Level 4 <i>Secondary Only</i>	If the highest response level assigned to a behavior is Level 3 , the administrator should make every effort to respond to the student’s behavior using Level 3 Responses . If, however, a student repeats behaviors that require Level 3 Responses , the school administrator may consult with the Department of Behavioral Learning about the possibility of responding to the student’s behavior with a Level 4 Response .		
Multiple Level 3s for a Single Event <i>Secondary Only</i>	Although comprehensive, the Behavioral Learning Guide and Matrices do not contain descriptions for how to handle every possible set of student behaviors. When a student’s misbehavior for a single event covers offenses assigned to multiple Level 3 Responses, the administrator may respond with a Level 4 Response. The administrator must seek approval from the Superintendent, or designee, before proceeding with a Level 4 Response . This procedure should be used only in extenuating circumstances.		

How to Handle When a Student Goes a Long Period Without Misbehaving?

To most effectively use the BLG and the Matrices, administrators must understand which Disciplinary Consequence is appropriate for a student's misbehavior. For the different **Response Levels** to feel progressive, the Disciplinary Consequences **must slowly increase in severity** while the Interventions **slowly increase in intensity**. The goal of this process is to **help students change their behavior and not simply to exclude the students from the school**, so HCS has developed the concept of "Resetting."

Resetting allows students to have a way to restart the progressive discipline process when they show progress. For Resetting to work, the length of the "Reset Period" should be age appropriate. For **Day-to-Day** and **Level 1** behaviors, HCS caps the Reset Period at **4 weeks** (for Elementary) and **8 weeks** (for Secondary). For example:

- Assume a high school student progresses from a **Level 1** to a **Level 2** for disruptive behavior and is punished with ILC for 2 days. If the student does not repeat the disruptive behavior for 8 weeks, the next time the student is disruptive, the school should respond to the behavior with a **Level 1 Response and not a Level 2 Response**.

Due to the nature of the behaviors, the Reset Period for **Level 2, 3, and 4 (Secondary only)** behaviors will be determined by the PST process. The PST will consider the specific conduct, the responses of the student to Interventions, and the progress of the student in meeting school-wide expectations when setting the student's Reset Period.

Interventions: Supporting Our Teachers as They Support Our Students

HCS's progressive discipline system requires both consistent consequences and paired Interventions. These Interventions should be designed to help a student correct their behavior over time. Pairing Interventions with Disciplinary Consequences helps teachers ensure that responses to misbehavior are as much a part of the classroom as academic subjects.

Interventions are not merely a one-size-fits-all support program. In fact, it is critical that the following factors be considered prior to determining the appropriate Intervention:

1. Student's age, maturity and understanding of the impact of his or her behavior;
2. Student's willingness to repair the harm caused by the behavior;
3. Student's disciplinary record including the nature of prior behavior, the number of prior instances of behavior, the Interventions and consequences applied, etc.;
4. Nature, severity and scope of the behavior;
5. Circumstances and context in which the behavior occurred including the impact on the learning environment; and
6. Student's Individualized Education Plan (IEP) or 504 Plan, if applicable.

HCS' Behavioral Support Programs: PBIS and Restorative Practices

One of the BLG's purposes is to inform all stakeholders about HCS's different behavioral support programs. These programs:

- **support our teachers** by giving them classroom management techniques;
- **support our administrators** by giving them tools for helping students learn expected behaviors over time;
- **support our students** by giving them skills for improving their behavior.

The two main programs that HCS uses as behavioral support are **PBIS** and **Restorative Practices**, which are described below.

THE MAIN ELEMENTS OF PBIS

Behavior Expectations	Schools must provide students clear and consistent behavioral expectations such as: be responsible; be respectful; and be safe.
Teaching Expected Behaviors	Schools must actively teach expected behaviors to all students just like schools teach academic subjects. This requires schools to teach the behaviors at the start of school and throughout the year.
Celebrating Positive Behavior	Schools must shift the focus from emphasizing a student’s past misconduct to praising the student’s performance of the expected behaviors. This does not mean that students are never punished, but it does mean that students who behave well should be praised regardless of any past disciplinary issues.
Responding to Behavior	Schools must be consistent when responding to a student’s misbehavior. Schools may select an appropriate Disciplinary Consequence for a student’s misbehavior, but for repeat or severe misbehaviors, the school must implement an Intervention . Schools must evaluate the effectiveness of the Interventions over time and must alter the Interventions if they are not successful. When using exclusionary Disciplinary Consequences, like out-of-school suspension and expulsion, the school must pair it with an Intervention plan .
Use of Data	Schools must use HCS’s discipline software, BLOOM, to track student behavior data. This information should be used to: determine whether an Intervention is working for a given student; evaluate the school’s implementation of PBIS by checking for reductions in discipline over time; and identify students and teachers who are succeeding/struggling with PBIS. Correct use of data is critical for the success of PBIS.

QUICK SUMMARY OF RESTORATIVE PRACTICES

What?	Restorative Practices are a subgroup of practices called Restorative Justice. Restorative Practices repair the harm done to relationships and people when a student misbehaves instead of focusing on blame and punishment.
How?	Restorative Practices take many different forms depending on whether the school is reacting to behavior or being proactive. Reactive measures include: <ul style="list-style-type: none"> • Restorative Questions help students think about the effect of their actions by asking questions like: What happened? Who do you think you affected? What needs to happen to make things right? How can we prevent this from happening again? • Fair Process consists of treating students respectfully throughout the disciplinary process, so that students perceive the system as being fair even if they receive a punishment. • Restorative Conferences allow all stakeholders to contribute to the resolution of the harm. Proactive measures include: <ul style="list-style-type: none"> • Classroom Circles which teachers use to lead meaningful, structured classroom discussions to help build a classroom community. • Morning “Check In”/Restorative Practices which teachers use to check in with their class to ensure that he or she is aware of possible conflicts between the students.
Who?	When following a student’s misbehavior, it involves all of those harmed by the behavior including the teacher, the victim(s), other classmates, and, of course, the offending student. When done proactively, all students in a class should be a part of the community building process.
When?	Restorative Practices happen both before and after a student misbehaves. If after the behavior, the goal is to remedy the harm done for a given misbehavior and to help prevent the reoccurrence of the specific behavior. When implemented before misbehavior occurs, it helps teachers and students build trusting relationships.
Why?	If implemented correctly, Restorative Practices help schools build healthy relationships and communities. These relationships help resolve future conflict and misbehavior.

PBIS & RESTORATIVE PRACTICES: Seeking The Same Result

PBIS (Tier I)

- Teaches expected behavior as part of the classroom curriculum.
- Focuses on recognizing and identifying good behavior in students
- Rewards students who follow school rules with various tokens and celebrations.

PBIS & RESTORATIVE PRACTICES

- Both teach expected behaviors.
- Both hold students accountable.
- Both build positive school climates.

RESTORATIVE PRACTICES

- Teaches expected behavior through morning check in and circles.
- Focuses on building communities in the classroom.
- Corrects behavior by having students reflect on their behavior and work as a community to repair any harm caused.

Acknowledging Mistakes: Surrender for Safety

Sometimes students make mistakes and may unintentionally bring inappropriate items to school. HCS's desire is for students to learn from these mistakes. If a student voluntarily surrenders possession of a prohibited item to school personnel before being asked about the item, being discovered to be in possession of the item, and using the item, the student will not be subject to Disciplinary Consequences.

Prohibited items include any weapon, other than a firearm as defined by federal law, and any other inappropriate item, other than alcohol, controlled substance or illegal drug. Using an item includes, but is not limited to, threatening any other student and/or harming another student with a weapon.

Reducing Repeated Misbehavior: The Importance of Data

A common concern that is made to HCS is that there wasn't a way to address repeated behavioral problems. One of the most important goals of the BLG is clarifying that there are processes for addressing repeat student behavior issues. The main tool that HCS has at its disposal for addressing repeat misbehavior is **data**.

Data Trends in Huntsville

Recently, a federal judge stated the following about HCS:

- During the 2013-14 school year, African-American students tended to receive, on average, more serious consequences for similar behaviors to white students.
- During the same school year, African-American students were two times more likely to receive out-of-school suspension for similar behavior relative to white students who tended to receive a consequence such as in-school suspension, detention, or letter home.

This information is troublesome because studies have linked poor academic performance to a student's misbehavior and associated exclusionary discipline. The BLG is designed to help support students with behavioral struggles because correcting behavior leads to more instruction and academic success for **all students**.

Although the statistics listed above are cause for concern, data can also be used to identify and correct behavioral issues. HCS' focus is on using data to support our teachers and ensure fairness for our students.

Providing Targeted Supports: Using Data to Support Our Teachers

Periodically school leaders review their students' discipline data. While this data helps identify the needs of a student, it also helps school leaders identify the needs of their teachers. This information helps leaders identify areas for targeted support. Targeted support helps leaders improve their support of teachers by allowing them to select trainings that will be more impactful for their teachers.

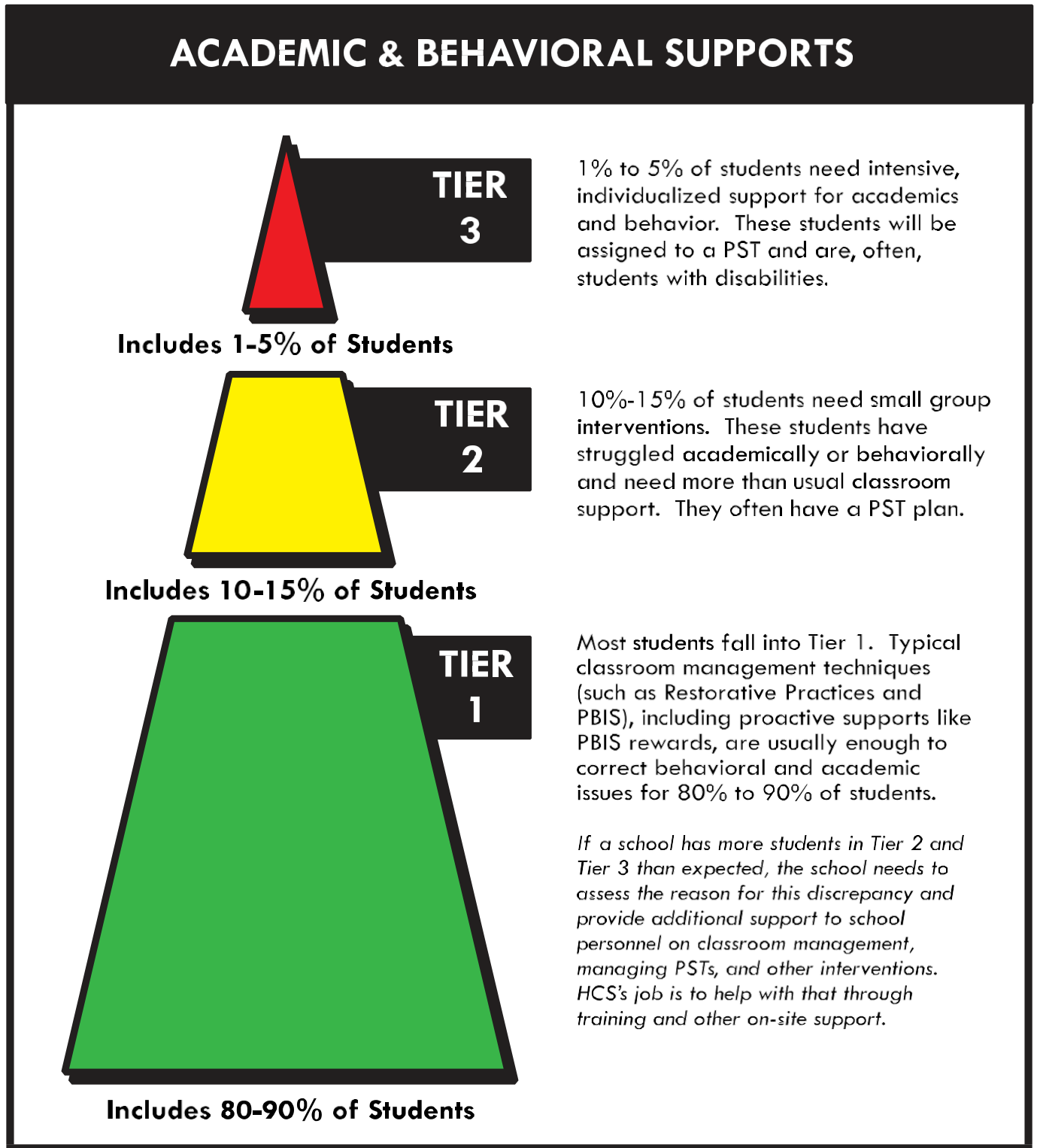
Problem Solving Teams: Using Data to Support Our Students

When a student repeatedly misbehaves or engages in a single severe instance of misbehavior, schools must examine the reason for the behavior. The same is true for students who struggle academically. When that occurs, schools try to identify the root of the problem. To do this, schools have teams of teachers who consider the student's academic, attendance, and behavior data and develop a set of responses and Interventions for the students. These teams are called **Problem Solving Teams** (also called PSTs).

THE PROBLEM SOLVING TEAM	
What?	A school-based team of educators who work to develop supports for students with academic and behavioral needs. Examples of PST plan templates can be obtained from your student's administrator or counselor.
Who?	The team consists of an administrator, a guidance counselor, a group of teachers, and the teacher of the student in need of support.
How?	The team reviews the student's data and, if necessary, administers other assessments to determine student's needs. With that information, the team defines supports and plans to help address the student's needs. Periodically, the team will review the student's progress, and if the plan isn't working, the PST will make changes to the plan.
When?	Most schools' PST meets once a month to review each pending case.
Why?	Many of our students have significant challenges that go beyond what we expect our teachers to be able to address alone. The PST process lets a team of educators use their collective knowledge and experience to resolve tough student issues.

Multi-Tiered Support: The Pyramid

It is important to understand that significant Interventions and supports like referrals to a Problem-Solving Team are likely to be more than most students will need while in school. In fact, most students will progress academically and behave with normal classroom management strategies. These different supports and Interventions are part of a system called **Multi-Tiered Support**, but for the sake of simplicity, it is best to think of this system as a three-tiered pyramid. For more information on this, see the diagram below:



Glossary of Terms

- **Assignment to Alternative School** – When a student is expelled, the District may offer the student an assignment to alternative school. Assignment to alternative school is a privilege for the student and is offered in lieu of expulsion. The alternative school environment should provide students with an opportunity to successfully return to their home school.
- **Disciplinary Consequence** – The consequence, usually involving a specific sanction, for a student’s failure to meet HCS’ expectations for student behavior.
- **Expulsion** – A long-term removal from the regular school environment. When expelled, students may not attend school or school activities. Federal law may limit the scope of the expulsion (e.g. IDEA, Section 504, etc.).
- **Gang-Affiliated** – of or related to gangs, gang culture, or gang signs. This may include certain combinations of colors, symbols, or any other insignia that pertains to a gang or gang activity.
- **Intervention** – A measure or series of measures taken by school staff to address a student’s unmet needs. The purpose of these measures is to remedy the cause of student’s academic and behavioral issues.
- **Intimate parts** – The body parts that are traditionally covered by a bathing suit, including the breasts, buttocks and genitals.
- **Lewd** – sexual, in a rude or offensive way.
- **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 videogame devices (e.g. PSP or Nintendo DS), electronic tablets, cameras and other image, voice, or video recording devices.
- **Positive Behavior Interventions and Supports (“PBIS”)** – PBIS is a nationally recognized approach designed to assist school personnel in creating a positive school climate for students. PBIS provides 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 on one’s person or in one’s backpack, locker, purse, vehicle (if on school property or at a school event), or any other storage container owned by the student.
- **Problem Solving Team (“PST”)** – An interdisciplinary team of school personnel that uses a student’s data and information to develop Interventions to respond to that student’s unmet academic or behavioral needs.
- **Over the Counter and Non-Prescription Medicine** – Includes all medicine that can be legally obtained without a prescription. Failing to follow HCS’s Medication Policy and Procedure regarding Over the Counter and Non-Prescription Medicine may result in Disciplinary Consequences.
- **Prohibited Drugs** – Any medication, drug, or narcotic, other than Over the Counter and Non-Prescription Medicine, that has not been approved to be on campus by an authorized school or HCS employee.
- **Drug Paraphernalia** – any item or device used to measure or consume any prohibited drug, including, but not limited to, a pipe, a bong, or scales.

- **Restorative Conference** – Unlike the less formal Restorative Conversation, a Restorative Conference is a structured meeting between offenders and, if appropriate, victims and other stakeholders, in which they discuss the consequences of a misbehavior and decide how best to repair the harm caused to the victim, the class, and the school. Restorative Conferences are usually led by a school administrator but can be held at the classroom level as appropriate.
- **Restorative Panel Meeting (RPMs)** – RPMs are opportunities for a student and his or her parents/guardians to participate in a Restorative Conference with HCS' Restorative Panel. If the student chooses to participate in an HCS Restorative Panel, the panel, the offending student(s), the school administrator, and other stakeholder(s), including the victim, when appropriate, will discuss the harm caused by the behavior, jointly develop a behavioral plan for the student, and discuss access to possible Interventions (e.g. counseling, mental health services). Restorative Panel Meetings are often in lieu of expulsion, so for Secondary students, failing to participate in the Restorative Panel Meeting or to follow the Panel's agreed upon plan may result in a recommendation for expulsion.
- **Response Strategy** – An immediate reaction from school personnel designed to calm a student, end a student's misbehavior, and help a student regain self-control in a dignified manner. Response Strategies may be coupled with a Disciplinary Consequence or Intervention as needed.
- **Restorative Practices** – A system designed to help students build better relationships with each other and with school personnel and, when there is a breakdown in those relationships, to help students repair the harm caused by their actions.
- **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** – Artificial or man-made drug including synthetic cannabinoids, commonly known as "synthetic marijuana," "K2," or "Spice," and sometimes labeled as "herbal incense" or "potpourri" and synthetic cathinones commonly known as "bath salts" or "jewelry cleaner".
- **Toy Weapons** – Plastic, wooden, or other similar material representation of a weapon, firearm, or gun that does not discharge any projectile other than water. Toy weapons do not include BB guns, AirSoft guns, or pellet gun.
- **Without Consent** – means by use of force, weapons, threats, coercion, or intimidation; when the recipient is incapable of consent; or where the recipient does not agree to the physical contact or sexual act.

Appendix A: Dress Code

We are committed to preparing our students for college and careers beyond high schools. To be successful in either arena, students must dress in a neat, clean and appropriate manner and in clothing that encourages an atmosphere conducive to learning, work and discipline. Students will not wear any article of clothing or display any insignia or sign that shows disrespect for any person, creed, race, color, sex, or nationality, or that may lead to a disruption of the learning environment. Our goal to prepare students for the future aligns with state educational authorities and court decisions which have determined that style of dress and hair should not disrupt classes, interfere with learning, prevent instruction, and should comply with state health and safety standards. Parents/guardians are expected to be our partners by monitoring students' dress, and the District will annually re-evaluate the dress code and survey parents and students about the dress code.

As teachers and administrators enforce this dress code, they should be aware of HCS' desire to keep students in the classroom to the maximum extent consistent with effective instruction. Therefore, if a student's dress is non-conforming to the dress code but not disruptive to the learning environment, the teacher or administrator should address this issue discreetly with the student in a way that minimizes lost instructional time.

The following is a non-exhaustive list of dress guidelines that apply to HCS students:

- Clothing that displays illegal behavior is not permitted. Any article of clothing, jewelry, or haircut depicting gangs, violence, sex, drugs, alcohol, mutilation or language that could be considered obscene or vulgar will not be permitted.
- Jewelry that could be used as a weapon is not allowed.
- All pants, shorts, skorts, skirts and dresses must fit securely around the waist and completely cover the student's hips, bottom, and undergarments. Slits in skirts and dresses must not be any higher than the tip of the students' fingers while their arms are resting at their side.
- Except for religious purposes, hats and head coverings may not be worn in school buildings. Sunglasses, gloves, bandanas, and house slippers may not be worn in school buildings. Scarves may be worn around the neck but may not be used as a head covering, except for medical or religious purposes.
- Students may not wear pajamas.
- Belts must be buckled.
- Pant legs must be uniform length and may not drag on the floor.
- Pants or jeans that have holes above the knee may only be worn if opaque tights, leggings, or shorts are worn beneath. Holes in pants may not reveal the student's hips, bottom, or undergarments.
- Undergarments must not be exposed.
- Private parts must be covered.
- Halter and spaghetti strap tops and dresses are not allowed. Sleeves must completely cover the student's undergarments (ex. bra and bra straps). Sleeveless shirts with revealing necklines or armholes (i.e. sleeveless tank tops meant to be worn as undershirts) are not permitted.

- Revealing tops, spandex, or other clinging garments (those garments that are overly tight and become more revealing when the student is moving) are not permitted, unless worn underneath clothing that complies with the Dress Code.
- Shirts that bare midriffs when arms are raised are not allowed.
- All yoga pants, tights, leggings, or jeggings must cover the student’s hips, bottom, and undergarments and must be covered by shorts, skirts, shirts or dresses that completely cover the student’s hips and bottom.
- Hoodies and sweatshirts must fit appropriately. Hoods should never be on in the building.

Please dress appropriately for school. If you think it may be inappropriate, it probably is. Use good judgment. Here are some simple guidelines:

- Wear clothes that fit properly.
Avoid wearing clothes that are too tight or too loose and are revealing.
- Dress for safety.
Avoid wearing anything that could cause you to hurt yourself or others, even by accident. **(i.e. wearing “slides” or flip flops during P.E.)**
- Dress positively.
Avoid wearing anything that may be offensive.

Think about what you are wearing and how it reflects on you. You will be seen by other students, teachers, staff, and the community. Put your best foot forward and show the world you respect yourself and your school. We encourage your individuality, but we also encourage you to dress for success.

Should you wear items that violate the dress code, you may be asked to change into clothing available at the school or wait in ILC while a parent or guardian brings a change of clothes. Disregard for the dress code will lead to disciplinary action, in accordance with the Behavioral Learning Matrices.

Appendix B: Suspension Procedures

In-House Learning Center

1. A student **may not be placed in ILC for more than five (5) school days** at any one time, except while awaiting an expulsion hearing, and **no more than 20 school days in the aggregate during any one (1) school year** (pay particular attention to the note below concerning students with disabilities). To determine the length of the assignment to ILC, the administrator should use the smallest amount of time necessary taking into account the nature, severity, and number of times the student repeated the behavior.
2. The principal will follow HCS policies with reference to student records.
3. Prior to placement in the ILC, the principal/delegate will advise the student of the reason(s) and the student shall have the opportunity to tell what occurred.
4. Prior to assigning a student to ILC, a reasonable effort will be made to notify the parent and to have a conference by phone or in person. If the parent cannot be reached, the student will be given notice and a copy will be mailed to the parent.
5. Principals will ensure that any student placed in ILC has a paired support and will communicate this support to the student's teachers.
6. If the offense has been identified as requiring Restorative Practices, the principal will ensure that this is done and documented.

Out-of-School Suspension

1. A student **may not be suspended for more than ten (10) school days** at any one time and **no more than twenty (20) school days in the aggregate during any one school year** (pay particular attention to the note below concerning students with disabilities). Unless the student's behavior has required multiple **Level 3 Responses** or a single **Level 4 Response**, the student must not receive a full 10-day suspension.
2. When first using Out-of-School Suspension as a **Disciplinary Consequence** for a student, the principal should start with a short-duration suspension (such as 1 to 3 days). If the student repeats the behavior, the principal should gradually increase the length of the suspension each time the student's behavior requires a **Level 3 Response**.
3. The principal will follow HCS policies with reference to student records.
4. The principal/delegate will advise the student of the reason(s) and the student shall have the opportunity to tell what occurred.
5. While on Out-of-School Suspension, the student will be permitted to complete work or tests missed during the suspension.
6. Prior to suspending a student from school, a reasonable effort will be made to notify the parent and to hold an informal conference.
7. If the parent cannot be reached prior to the end of the school day, the student will be given a Notice of Suspension stating the reason(s) in writing against the student and requesting a conference with the parent.

One copy will be sent to the parent, and the administrator will continue to try to contact the parent. The student shall remain in school, unless in an emergency situation, until the end of the school day or until released to the parent or designee.

8. Principals will ensure that any student placed in OSS has a paired support and will communicate this support to the student's teachers.
9. If the offense has been identified as requiring Restorative Practices or a Reintegration Form, the principal will ensure that this is done and documented.

Suspension Notice Filing and Distribution

The original is forwarded to the Department of Behavioral Learning (Superintendent's Office). One copy is distributed to the student, one copy to the parent, one copy to be placed in the student's cumulative record, and one copy to the principal. If the student is disabled, a copy should be given to the student's teacher of record.

NOTE: A manifestation determination conference by an IEP or Section 504 team must be provided to students with disabilities prior to such students incurring more than ten (10) cumulative school days of suspension in a school year. If the manifestation determination demonstrates that the student's conduct was a manifestation of his or her disability and in the absence of special circumstances, the IEP team will return the student to the educational placement from which the student was removed, unless the parent and the school otherwise agree to a change of placement. A student with a disability who is subject to a disciplinary change in placement exceeding 10 school days in a school year must continue to receive educational services. In-school suspensions would not be considered part of the days of suspension for students with disabilities so long as the students are afforded the opportunity to continue to be involved in and make progress in the general education curriculum, receive the instruction and services specified on their IEPs/Section 504 Plan, and participate with nondisabled children to the extent they would have in their current placement. Schools should closely monitor all disciplinary consequences of a student with disabilities to ensure that he or she continues to receive a free and appropriate public education in his or her least restrictive environment. All students, including students with disabilities, who are suspended will be permitted to complete work or tests missed during the suspension.

Appendix C: Expulsion Procedures (Secondary Only)

General

1. If a student is suspended pending an expulsion hearing, the school will follow the suspension policy and procedure, and on the suspension notice form will identify that the suspension is pending an expulsion hearing. See above *NOTE* under "Suspension" as to students with disabilities.
2. When a student's misbehavior warrants a **Level 4 Response**, the principal immediately must notify the Behavioral Learning Department and, if the student has a disability, Special Education Services department.
3. If a suspected controlled substance is involved, HPD must be notified.

Superintendent-Initiated Expulsion

The Superintendent may recommend that a student be expelled without prior recommendation from the principal. In such cases, the Superintendent will follow the Principal-Initiated Expulsion procedures below.

Principal-Initiated Expulsion

The principal/designee will review the allegations and evidence against a student, advise the student of the reason(s), and allow the student to tell what occurred. After doing so, the principal/designee is responsible initially for determining that the behavior warrants an expulsion and taking reasonable steps to notify the student's parent.

1. The principal will notify the Behavioral Learning Department by submitting a completed Due Process Packet **within five (5) school days** after the date of the commission of the offense.
2. This Due Process Packet shall consist of, at least, the following:
 - a) Copy of the completed Suspension Notice, stating the reasons in writing, printed from BLOOM.
 - b) Specific description of the student's behavior, including date, time, and place and supporting facts.
 - c) A written report giving the suspected student's version of what occurred. (accused student statement form)
 - d) Names, addresses, and telephone numbers of persons involved in the incident: suspect(s), victim(s), and witness(es).
 - e) Signed and dated statement(s) of persons involved in the incident, if possible. (Use Form HCS330-39.)
 - f) Xerox copy of any contraband.
 - g) List of special program(s), if any, in which student is enrolled or being considered for enrollment.
 - h) Verification of student's receipt of the Behavioral Learning Guide.
 - i) Past disciplinary record of student involved.
 - j) Academic record of student, including a copy of the current report card and a copy of the roll call card.
 - k) Details of extenuating circumstances, if any.
 - l) Date(s) of principal's conference(s) and names of those present.

Procedures for Hearings

Prior to expulsion, students are entitled to a hearing conducted by a hearing panel using the following procedures:

1. The parent shall be given verbal or written notice of the reason(s) against the student and the time, date, and place of the hearing at least 72 hours prior to a hearing. At the time that the notice of an expulsion is made, HCS will provide the student and the parent/guardian with the following: copies of evidence supporting the expulsion; the rules governing the hearing; and notice that the student may have a parent/guardian or family member and an advocate of his or her choosing present to participate in the expulsion hearing and that the student may present witnesses and cross examine live witnesses presented by HCS at the expulsion hearing.
2. The hearing panel normally conducts a hearing within 14 school days after the date of the commission of the **Level 4** behavior. However, it may be longer than 14 days if there are extenuating circumstances.
3. The principal or other person assigned by the Behavioral Learning Department shall present the case for expulsion of the student. Witnesses for the proponent of the expulsion will be notified to be present by the school or the Security Supervisor.
4. At the hearing, the hearing panel shall give the student an opportunity to admit or deny the reason(s).
5. If the student denies the reason(s), an explanation of the evidence will be provided, and the student will be given an opportunity to tell what occurred.
6. The case may be presented by statements made by the witness(es). The hearing panel may permit witness(es) by the proponent of the expulsion, but the hearing panel is not required to call or permit any accusers to be present. Additionally, student witnesses, including accusers, may provide evidence by written statement which may be redacted. The decision as to these issues shall rest in the discretion of the hearing panel. The student is permitted to present adult witnesses, but if a witness's testimony is redundant or not relevant the hearing panel can decide not to hear that witness.
7. Ordinarily, no attorney will be present in an advisory capacity for the expulsion hearing. If the student's parent chooses to have an attorney present, the principal/designee also may have an attorney present in an advisory capacity. The student's parent must give the hearing panel notice, 24 hours prior to the hearing, of the decision to have an attorney. Failure to do so may result in the rescheduling of the hearing, and, if the student's parent fails to provide notice after a hearing has been rescheduled, the hearing panel may deny the participation of the attorney in the hearing.
8. After following the above procedures, the hearing panel, on the basis of all facts presented, shall determine whether the student did or did not commit an offense, what offense, if any, was committed and whether the recommendation of the principal to expel is accepted or overruled. The hearing panel shall prepare a written decision, which shall include the reasons against the student; the time, date, and location of the hearing; a summary of the evidence presented at the hearing; the conclusions drawn from the evidence; and the disposition of the student. If extenuating or mitigating circumstances exist, the hearing panel shall document these circumstances.

9. In the event that a student with disabilities is alleged to have committed an offense expellable under the Behavioral Learning Guide and the Behavioral Learning Matrices, the hearing panel determines the guilt or innocence only. The decision regarding an appropriate placement is determined by the IEP Committee.
10. The following persons shall be notified of the hearing decision:
 - The student's parent (by certified mail);
 - The Behavioral Learning Department;
 - The Principal;
 - The Special Education Services Department (for students with disabilities); and
 - The Superintendent.
11. Any other administrator so designated by the Superintendent. A recording shall be made of the hearing and shall be kept for no less than six (6) months from the date of the hearing.
12. The written record of the hearing shall be kept for two (2) years.

Appeal of Hearing Decision for Expulsion

If the student's parent is dissatisfied with the decision of the hearing panel in cases in which the hearing panel upholds the recommendation for expulsion, the parent may file an appeal by using the following procedures:

1. The student's parent must file a written request for an appeal, but if a parent has questions about how to complete a request for an appeal, he or she should contact Behavioral Learning at (256) 428-6894
2. The written request for an appeal must be addressed to and mailed or given to the Superintendent.
3. The written request for an appeal must be postmarked or hand delivered on a date no more than **ten (10) calendar days** after the postmarked date or date of hand delivery of the written notification of the hearing panel's decision. If the written request for an appeal is not made on time, the hearing decision will be final.
4. The Superintendent, upon receipt of a timely filed written request for an appeal, will request the documented evidence of the case including the findings, the conclusions, the disposition, and the tape recording.
5. The Superintendent or designee shall review the case on the basis of the record. No new evidence shall be admissible.
6. Within **ten (10) working days after receipt of the appeal**, the Superintendent will make a written decision to adopt, modify, or disapprove all or any part of the hearing panel's findings, conclusions, or disposition.
7. A copy of the Superintendent's decision shall be sent to the following persons:
 - a) The student's parent (by certified mail)
 - b) The Behavioral Learning Department
 - c) The Principal
 - d) The Special Education Department (for disabled student)
 - e) The Superintendent's Office
 - f) The Security Supervisor

8. If the parent is dissatisfied with the Superintendent's decision to uphold the recommendation for expulsion, the parent may file an appeal to the Board of Education using procedures described below.

Appeal of Superintendent's Decision for Expulsion

If after the hearing before the hearing panel and an appeal to the Superintendent, a parent is dissatisfied with the Superintendent's decision for expulsion, the parent may file an appeal to the Board of Education using the following procedure:

1. The student's parent must file a written request for an appeal, but if a parent has questions about how to complete a request for an appeal, he or she should contact Behavioral Learning at (256) 428-6894.
2. The written request for an appeal must be addressed to and mailed or given to the Board of Education, with a copy to the Superintendent.
3. The written request for an appeal must be postmarked or hand delivered on a date no more than **ten (10)** calendar days after the postmarked date or date of hand delivery of the written notification of the Superintendent's decision. **If the written request for an appeal is not made on time, the Superintendent's decision will be final.**
4. Upon receipt of a timely filed written request for an appeal, the Board shall set a hearing date. In order to comply with applicable student privacy laws, the hearings will be closed to the public.
5. The student's parent must give the Board notice, at least 48 hours prior to the hearing, of the decision to have an attorney. Failure to do so may result in the rescheduling of the appeal hearing, and, if the student's parent fails to provide notice after a hearing has been rescheduled, the Board may deny the participation of the attorney in the hearing.
6. At the scheduled hearing, the Board will use the following procedures:
 - a) The Board will only consider evidence that was presented at the student's original hearing panel. No new evidence will be considered, unless the student, or his or her counsel, can show that the evidence should have been made available at the time of the original hearing.
 - b) A representative of the Superintendent, school and/or counsel for the Board will present to the Board the information supporting the recommendation for expulsion and may examine any witnesses provided by the student or his or her counsel.
 - c) The student, or his or her counsel, will be entitled to present evidence in support of his or her position and to examine any witnesses presented at the hearing.
 - d) The student, or his or her counsel, may make other arguments in support of their position.
 - e) At the conclusion of the evidentiary presentation, the Board may deliberate in executive session prior to voting whether to uphold the recommendation for expulsion.
7. The Board shall render a decision based upon the evidence presented.

8. The following persons shall be notified of the decision of the Board:

- The student's parent/guardian (by certified mail);
- The Department of Student Welfare and Social Services;
- The Security Supervisor;
- The Principal;
- The Behavioral Learning Department;
- The Superintendent;
- The Superintendent's Office; and
- ***If applicable***, the Special Education Department

Length of the Expulsion

If a student is found to have committed the behavior warranting an expulsion, the Board may either expel the student for a period of days, as seen below, or offer the student the opportunity to be assigned to the alternative school for the same number of days the student would have otherwise been expelled. The length of the student's expulsion will typically be **90 days**. For the following behaviors:

- Possession or use of a firearm;
- Violent assault of another person with injuries; and
- Forcible sexual assault,

or in extenuating circumstances, a student may be expelled for **up to 180 days**.

If a student is assigned to alternative school in lieu of expulsion, the student must begin attending the alternative school within **7 days of being assigned to alternative school**. **Failure to do so will result in the student being expelled**. While attending alternative school, the Board will count only those days the student attends the alternative school. If a student accepts alternative school in lieu of expulsion, the student must attend for the same number of days the student would have otherwise been expelled; however, the alternative school may create a plan for the student the successful completion of which will allow the student to complete his or her assignment early.

APPENDIX D: Office Disciplinary Referral Procedure

The BLOOM software helps school personnel track responses to student discipline electronically, and BLOOM also lets teachers complete Office Disciplinary Referrals using the procedures set out below. There are two different times that are appropriate for a teacher to complete an Office Disciplinary Referral: when a teacher responds to a student's behavior using multiple **Level 1 Responses** without success or when a **Level 2, 3, or 4 Response** is appropriate.

For Referrals Following Repeated Level 1 Responses

1. Behaviors assigned to the **Day-to-Day** and **Level 1 Responses** should be addressed by teachers in the classroom and should not result in an Office Disciplinary Referral upon the first occurrence of the behavior.
2. If a student repeats behaviors that are assigned **Day-to-Day** and **Level 1 Responses**, the teacher should respond with progressive **Disciplinary Consequences** and **Interventions** and should document each **Level 1 Response** in BLOOM.
 - If the student continues to repeat his or her behavior, the teacher or administrator should determine whether the prior **Level 1 Responses** to the student's behavior and/or the student's particular needs warrant involvement of the Problem-Solving Team. If so, then the teacher or administrator should begin the PST process for the student.
3. If the student's repeated behavior is assigned to a **Level 2 Response and the teacher believes that administrative support is necessary**, the teacher should complete an Office Disciplinary Referral using BLOOM.
4. When an administrator receives an Office Disciplinary Referral, the administrator will check the teacher's prior documentation.
5. If the teacher has properly documented his or her **Level 1 Responses** and an **Intervention**, the administrator must determine which **Level 2 Disciplinary Consequence** and **Intervention** are appropriate.

For Referrals for Level 2, 3, or 4 Responses

1. If the student's behavior has been assigned a **Level 2, 3, or 4 Response** as the lowest response level, the classroom teacher must determine whether the student's behavior creates a threat to school or class safety?
 - If the student's behavior does not create a threat to school safety, the teacher should complete an Office Disciplinary Referral using BLOOM and should contact the administrator for support.
 - ***If the student's behavior creates a threat to school safety***, the teacher should immediately contact the school administrator and the Campus Security Officer. If there is a threat to student safety, a teacher or the responding administrator and Campus Security Officer may also contact a School Resource Officer, if available at the school. The School Resource Officer ("SRO"), who is a sworn police officer, will refrain from being involved in the enforcement of disciplinary rules that do not constitute violations of law or involve issues of school safety. School principals will ensure that non-criminal and non-safety related student situations remain the responsibility of school staff and not the SRO. Once the threat to school safety is over, the teacher should complete an Office Disciplinary Referral using BLOOM.

