

Parent's Responsibility for their child's conduct

The Board hereby advises parents/guardians of their responsibility for the conduct of their child(ren) based on Legislative Act No. 93-672 that amends Section 16-28-12 of The Code of Alabama. The Act has important implications for parents/guardians and the students of the School District. Applicable section of The Code of Alabama now reads as follows:

Section 16-28-12--Title 16, The Code of Alabama, 1975, is amended to read as follows:

"(A) Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or who fails to send the child to school, or to have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, denominational school, or parochial school or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with a written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100) and may also be sentenced to hard labor for the county for not more than 90 days. The absence of a child without the consent of the principal teacher of the school he or she attends or should attend, or the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.

(B) Any parent, guardian, or other person having control or custody of any child enrolled in public school who fails to require the child to regularly attend the school or tutor, or fails to compel to properly conduct himself or herself as a pupil in accordance with a written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the Superintendent of education of the School District in which the suspected violation occurred. The Superintendent of Schools or designee shall report such suspected violations to the district attorney within 10 days. Any principal or Superintendent of education or his or her designee intentionally failing to report such a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and required attendance by any child enrolled in the public schools."

In an effort to implement and communicate the basic principles of the Act, the board endorses the following operational procedures:

1. Parents/ guardians and students shall be informed of the intent of Act 93-672 and Title 16-28-12 of The Code of Alabama through the printing of the basic principles in student handbooks and/ or in school newsletters. Such information should be communicated at the beginning of each school year.

The basic principles are as follows:

Parents/guardians must enroll their children, i.e. all children between the ages of 7 and 16 shall be required to attend school.

Parents/guardians are responsible for the regular attendance of their children.

Parents/guardians are to compel their children to properly conduct himself/herself in accordance with the policies of the Board related to student behavior.

Parents/guardians should be informed that inappropriate conduct or behavior on the part of their child(ren) may result in suspension from school and such suspensions will be reported to the Superintendent of Schools and District Attorney by school administrators.

Parents/guardians will be subject to prosecution by the District Attorney's Office on the first or second suspension if, in the opinion of the principal, the offense committed by child warrants such action.

2. School principals and/or the Superintendent of Schools are responsible for reporting violations of this Act to the District Attorney's Office. School principals and/or the Superintendent of Schools are hereby informed that if the intentional failing to report a suspected violation of this Act could result in being declared guilty of a Class C misdemeanor. Such reports shall be made on the School District's Notification of Suspension Form filed JCDAR.