

3.45 -Tobacco Use in System Facilities

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TOBACCO USE IN SYSTEM FACILITIES

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The Alexander City Board of Education prohibits the use or possession of tobacco in any form by students, faculty, support personnel, or any other person on school property under the control of the Alexander City Board of Education. This includes a public school building, Alexander City Board of Education Building, bus maintenance building, bus, campus, recreational area, athletic field, parking area or other area under the control of the Alexander City Board of Education.

Parents/guardians and other persons are hereby notified that they are prohibited from use or possession of tobacco in any form on Alexander City School System property at any time.

School principals and other work site supervisors as may be designated are directed to post signs at the entrance of all school buildings and on the grounds of Alexander City School System property designating the school property as a tobacco free facility.

Alexander City Board of Education employees found in violation of this policy are subject to disciplinary actions not limited to: reprimand, suspension pending a hearing, and termination of employment.

REFERENCE(S):

CODE OF ALABAMA

16-11-9, 16-12-15, AAC §290-3-1-.02(1)(b)(2)

HISTORY:

ADOPTED: 2006

REVISED: JULY 13, 2010

FORMERLY: 3.41



- Conduct themselves in a safe and responsible manner,
- Are clean, neat, and appropriately dressed,
- Abide by the rules and regulations set forth by the school and the Board,
- Seek changes in an orderly and recognized manner, and
- Strive to use a variety of informal disciplinary and guidance methods, prior to, during, and after formal, disciplinary action including:

SUMMARY OF CIVIL LIABILITIES AND CRIMINAL PENALTIES

IT'S THE LAW!

The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees. Local boards of education are required to provide notice to parents, guardians, and students. Disciplinary action will be taken by the school regardless of whether or not criminal charges result.

Attendance and Conduct (Act 94-782) (Ala. Code § 16-28-12)

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

Teacher Assault (Act 94-794) (Ala. Code § 13A-6-21)

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

Drug Dealing (Act 94-783) (Ala. Code § 6-5-72)

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

Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (Act 94-784) (Ala. Code § 16-1-24.1)

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

Tobacco Possession (Alabama §28-11-13)

It is unlawful for any minor to purchase, use, possess, or transport tobacco or tobacco products within this state.

Weapons in Schools (Act 94-817) (Ala. Code § 13A-11-72)

No person shall knowingly with intent to do bodily harm carry or possess a weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felony. (Note: The term "deadly weapon" means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury, and such term includes, but is not limited to, a bazooka, hand grenade, missile, or explosive or incendiary device; a pistol, rifle, or shotgun, or a switch-blade knife, gravity knife, stiletto, sword, or dagger; or any club, baton, billy, blackjack, bludgeon, or metal knuckles.)

Possession of Firearms—Expulsion Recommendation (Al Code 16-1-24)



- 1.11. Minor disruption on school bus
- 1.12. Failure to obey directions in hallways, assemblies, etc.
- 1.13. Displaying unsportsmanlike conduct at school events
- 1.14. Unauthorized use of school property or personal property
- 1.15. Any other offense which the principal may deem reasonable to fall within this category after consideration of extenuating circumstances.

Teachers will attempt to address Class I Violations as a part of their individual classroom management plans before referring students to school administration.

CLASS I – DISCIPLINARY ACTION MATRIX
K – 6

FIRST OFFENSE:	1-2 days of After School Detention (ASD) or 1 day of In School Suspension (ISS)
SECOND OFFENSE:	2-3 days of ASD or 1-2 days of ISS
THIRD OFFENSE:	Saturday School or 3-5 days of ASD or 1-3 days of ISS
FOURTH OFFENSE:	Corporal Punishment or 3-5 days of ASD or 2-4 days of ISS
FIFTH OFFENSE:	See Class II 1 st Offense

CLASS I – DISCIPLINARY ACTION MATRIX
7– 12

FIRST OFFENSE:	1-3 days ASD or 1 day of ISS
SECOND OFFENSE:	3-5 days ASD or 2 days of ISS
THIRD OFFENSE:	3 days of ISS or Saturday School
FOURTH OFFENSE:	Corporal Punishment or 3-5 days of ISS or 1 day Out of School Suspension or Saturday School
FIFTH OFFENSE:	See Class II 1 st Offense

Class II Violations:

- 2.1. Repeated and/or excessive Class I offenses
- 2.2. Use of obscene or profane communication (verbal and/or written gestures) directed toward another person
- 2.3. Unauthorized absence from class (skipping)
- 2.4. Intentionally touching or striking another student against his/her will
- 2.5. Horseplay, which may lead to a physical/verbal altercation
- 2.6. Attempting to incite a fight or confrontation
- 2.7. Stealing – Larceny - Petty Theft
- 2.8. Possession of fireworks or other pyrotechnic devices
- 2.9. Vandalism or the intentional damage to property
- 2.10. Offensive touching of another student
- 2.11. Cheating
- 2.12. Trespassing
- 2.13. Insubordination to or disrespect toward a school employee
- 2.14. Providing false information to a Board of Education employee



- 2.15. Intimidation, harassment, or bullying
- 2.16. Possession of stolen property with the knowledge that it is stolen
- 2.17. Possession and/or use of matches or lighter
- 2.18. Possession of inappropriate objects, materials or replicas (i.e., water gun, gun magazine, etc.)
- 2.19. Improperly restricting or inhibiting other users from using electronic communication devices
- 2.20. Participating in games of chance for money or other objects (gambling)
- 2.21. Violation of the "Acceptable Use" policy regarding technology
- 2.22. Creating/publishing an unauthorized recording of a student, Board of Education employee or authorized guest
- 2.23. Inappropriate or unauthorized use of any electronic resources
- 2.24. Willful disobedience
- 2.25. Fleeing a School Board employee
- 2.26. Possession of vape pen or tobacco products
 Note: *Any additional offenses after the 1st offense will result in a Class III referral. The first offense for simple possession of a vape without any other factors will result in a vape education program to be completed at Phoenix Academy (grades 7-12) or In-School Suspension classroom (grades K-6). Upon completion, the student will present a final project to an administrator at their assigned school before returning to classes.
- 2.27. Any other offense which the principal may deem reasonable to fall within this category after consideration of extenuating circumstances

CLASS II – DISCIPLINARY ACTION MATRIX
K – 6

FIRST OFFENSE:	Corporal Punishment (accumulation of Class I only) or Saturday School or 3-5 days of ASD or 1-3 days of ISS
SECOND OFFENSE:	Corporal Punishment or Saturday School or 3-5 days of ISS or 1-2 days of Out of School Suspension (OSS)
THIRD OFFENSE:	Corporal Punishment or Saturday School or 5 days of ISS or 1-3 days of OSS
FOURTH OFFENSE:	5 days of ISS or 3-5 days of OSS
FIFTH OFFENSE:	3-5 days of OSS
SIXTH OFFENSE:	5 days of OSS
SEVENTH OFFENSE:	Suspended pending DRC Hearing

CLASS II – DISCIPLINARY ACTION MATRIX
7– 12

FIRST OFFENSE:	Corporal Punishment (accumulation of Class I offenses) or Saturday School or 2 -5 days of ISS or 1-3 days Out of School Suspension (OSS)
SECOND OFFENSE:	Corporal Punishment or 5 days of ISS or 1-3 days OSS