

4.2.4 Tobacco – The use of tobacco products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited. These prohibitions also apply to electronic cigarettes, vape pens, hookah pens, e-hookahs, vape pipes and any similar type of device designed to deliver nicotine, flavor, and other chemicals via inhalation.

a. *Penalties for Violation*

1. **Students** – Students who violate the tobacco prohibition will be disciplined in accordance with the Board's Code of Student Conduct.

2. **Employees** – Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.

3. **Other Persons** – Other persons who violate the tobacco prohibition may be denied re-entry to school property.

b. *Parental Notification* – Parents and guardians may be notified of actual or suspected violations of the tobacco prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

[Reference: ALA. CODE §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

4.2.5 Searches – Law enforcement agencies are permitted to make periodic visits to all schools to detect the presence of illegal drugs or weapons and may use any lawful means at their disposal to detect the presence of such substances. The visits will be unannounced to anyone except the Superintendent and principal.

[Reference: ALA. CODE §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

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Policy 4.02: Safe Schools Policy (Drugs, Alcohol, Tobacco and Weapons)

Status: ADOPTED

Original Adopted Date: 01/28/2019

4.2.1 Prohibition on the Possession of Firearms - The possession of a firearm in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel and as provided by law. For purposes of this policy, the term "firearm" has the same definition as is found in 18 U.S.C. §921.

a. Penalties for violations - In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of firearms:

- 1. Students - Students will be expelled for a period of one year. The expulsion requirement may be modified in writing by the Board upon recommendation of the Superintendent on a case-by-case basis. Students who are expelled for firearm possession may not attend regular school classes, but may be permitted to attend alternative schools or education programs established by the Board. Discipline of students with disabilities who violate the firearm possession policy will be determined on a case-by-case basis in accordance with federal and state law. Parents of students who violate this policy will also be notified by the principal of violations.
2. Employees - Employees will be subject to adverse personnel action, which may include termination.
3. Other Persons - Other persons may be denied re-entry to school property.

b. Notification of Law Enforcement - The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

[Reference: Ala. Code §16-1-24.1, 24.2 (1975); Ala. Admin. Code 290-3-1-.02; Federal Gun Free Schools Act, 20 U.S.C. 7151; Federal Gun Free School Zone Act of 1995 (18 U.S.C. §922(a))]

4.2.2 Prohibition on the Possession of Weapons - The possession of a deadly weapon or dangerous instrument in a school building, on school grounds, on school property, on school buses, or at school-sponsored functions is prohibited except for authorized law enforcement personnel. For purposes of this policy, the terms "deadly weapon" and "dangerous instruments" include but are not limited to explosives, incendiary devices, projectiles, knives with a blade length of more than two (2) inches, archery equipment, devices designed to expel projectiles at a high rate of speed, any device so classified under state or federal law, and any device either used or intended to be used in such manner as to inflict bodily harm, provided that the terms "deadly weapon" and "dangerous instruments" will exclude, to the extent permitted by law, devices and equipment that are used for the purpose of and in connection with school or Board sanctioned educational, team, or competitive activities.

a. Penalties for Violations - In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of deadly weapons or dangerous instruments:

- 1. Students - Students will be disciplined in accordance with the Board's Code of Student Conduct.
2. Employees - Employees will be subject to adverse personnel action, which may include termination.
3. Other Persons - Other persons may be denied re-entry to school property.

b. Notification of Law Enforcement - The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

[Reference: Ala. Code §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

4.2.3 Illegal Drugs and Alcohol - The use, possession, distribution, and sale of alcohol and the illegal use, possession, distribution, and sale of drugs in a school building, on school grounds, on Board property, on school buses, or at school-sponsored functions is prohibited.

a. Penalties for Violations - In addition to any criminal penalties that may be imposed, the following penalties will be imposed for unauthorized possession of illegal drugs or alcohol:

- 1. Students - Students will be disciplined in accordance with the Board's Code of Student Conduct.
2. Employees - Employees will be subject to adverse personnel action, which may include termination.
3. Other Persons - Other persons may be denied re-entry to school property.

b. Notification of Law Enforcement - The appropriate law enforcement authority, which may include the city police, county sheriff, and the local district attorney, will be notified by the principal of violations of this policy.

4.2.4 Tobacco - The use of tobacco products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited. These prohibitions also apply to electronic cigarettes, vape pens, hookah pens, e-hookahs, vape pipes and any similar type of device designed to deliver nicotine, flavor, and other chemicals via inhalation.

a. Penalties for Violation

- 1. Students - Students who violate the tobacco prohibition will be disciplined in accordance with the Board's Code of Student Conduct.
2. Employees - Employees who violate the tobacco prohibition will be subject to adverse personnel action, which may include termination.
3. Other Persons - Other persons who violate the tobacco prohibition may be denied re-entry to school property.

b. Parental Notification - Parents and guardians may be notified of actual or suspected violations of the tobacco prohibition whether or not the student is charged with a violation of Board policy, which includes the Code of Student Conduct.

[Reference: Ala. Code §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

4.2.5 Searches - Law enforcement agencies are permitted to make periodic visits to all schools to detect the presence of illegal drugs or weapons and may use any lawful means at their disposal to detect the presence of such substances. The visits will be unannounced to anyone except the Superintendent and principal.

[Reference: Ala. Code §16-1-24.1 (1975); Ala. Admin. Code 290-3-1-.02(1)(b)]

4.2.6 Drug and Alcohol-Free Environment - All students, employees, volunteers, parents, visitors, and other persons are prohibited from possessing, using, consuming, manufacturing, or distributing illegal controlled substances and alcohol while on Board property or while attending any Board sponsored or sanctioned event, program, activity, or function. Persons who are intoxicated or impaired by the use, consumption, or ingestion of any illegal controlled substance or alcohol are not permitted to be on school property, or to attend or participate in any Board sponsored or sanctioned event, program, activity, or function.

[Reference: Ala. Code §16-1-24.1, 25-5-330 (1975)]

4.2.7 Adoption of Statutory Penalties and Consequences - Persons who violate the Board's prohibition of firearms, weapons, illegal drugs, or alcohol will be subject to all notification, referral, suspension, placement, re-admission, and other provisions set forth in Ala. Code §16-1-24.1 and 24.3 (1975).

**Policy 4.04: Use of Board Property**

Status: ADOPTED

Original Adopted Date: 01/28/2019

**4.4.1 Equipment, Supplies, Materials, Vehicles** – Equipment, supplies, materials, vehicles, and other movable or consumable property owned by or under lease to the Board may not be used by or made available to persons or entities for private or personal use, benefit, or consumption, or for any non-Board related use or purpose. Such property may not be removed from Board premises except as necessary to serve a school or Board-related function or purpose, and with the knowledge and approval of the appropriate supervisor, administrator, or the Superintendent.

**4.4.2 Public Use of Board Facilities** – The Board authorizes the use of school buildings, facilities and grounds for educational, civic, community and cultural purposes. When school facilities are not in use by the school for required school operations and functions, they may be made available for other uses consistent with this policy, provided that no use shall be made that interferes with school operations.

The principal of the school or his or her designee shall be responsible for ensuring that facilities are used in a proper manner and that all uses of school facilities are properly supervised.

Any outside individual, group or organization (i.e., those not affiliated with the school system, including school board employees acting in their capacity as individuals) using school property shall be liable for any loss, damage, injury, or expense caused by or arising from such use. Facility use will be denied unless the group or organization assumes responsibility by written agreement, as authorized by the superintendent. Outside groups will be charged a rental fee as well as additional fees to provide for supervision, operation, and cleaning but said fees will not be assessed to school affiliated groups.

Any outside individual or organization (i.e., those not affiliated with the school system) using school property to conduct youth activities such as ballgames, sporting events, sports practices, cheerleading, and other related or similar activities must provide proof of accident insurance coverage for each participant, with minimum coverage limits as determined by the Superintendent. Proof of catastrophic insurance coverage for participants may be required, as deemed appropriate by the Superintendent and school principal. Groups that use school facilities for organized and/or profit-making ballgames, sporting events, and similar activities to which the public will be invited must also provide proof of general liability insurance coverage with minimum coverage limits as determined by the Superintendent.

Any group or organization using school property must adhere to all reasonable safety standards and regulations and must leave facilities in a clean, orderly, and secure condition after each use. School facilities shall not be used for any unlawful purpose. Gambling, use of tobacco products, and use of alcoholic beverages are prohibited.

The school board retains discretion to deny use of school facilities for any lawful reason and when such denial is in the best interest of the school system.

**4.4.3 Advertising** – Board property will not be used for commercial advertising except upon such terms and conditions as may be expressly approved by the Board.

## Type II Violations:

- 2.1 Use of obscene or profane communication (verbal, written, gesture) directed toward another person
- 2.2 Possession or use of tobacco products, which includes all forms of tobacco, and also includes herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, including but not limited to e-cigarettes, vapor sticks, "vapes," cloves, bidis, and kreteks
- 2.3 Bullying, intimidation, violence, and threats of violence (see page 19)
- 2.4 Harassment of another person (may constitute sexual harassment, see page 22)
- 2.5 Theft of property or money in an amount of \$300 or less
- 2.6 Possession of stolen property with the knowledge that it is stolen
- 2.7 Possession of fireworks
- 2.8 Use of fire
- 2.9 Possession of laser light, pepper spray, or other such item which may be dangerous to other students
- 2.10 Vandalism resulting in damages of \$300 or less to public or personal property
- 2.11 Offensive touching of another person (may constitute sexual harassment, see page 22)
- 2.12 Cheating
- 2.13 Vehicular violations
- 2.14 Unauthorized video of teachers or students
- 2.15 Disrespect for authority
- 2.16 Defiance – failure to comply with reasonable directions
- 2.17 Deception toward school personnel or others in authority
- 2.18 Viewing, using, or possessing obscene, profane, or sexually-oriented material
- 2.19 Written or verbal propositions to engage in sexual acts (may constitute sexual harassment, see page 22)
- 2.20 Participation in gambling for money and/or other things of value
- 2.21 Using verbal or written communication threatening injury to the person, property, or reputation of another with the intention of extorting money or any other item (extortion)
- 2.22 Forgery of parent's or school official's name; falsifying of information
- 2.23 Unauthorized possession/use of medication for the specific student or possession or use of an over-the-counter medication