

4.3.3 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.

4.3.4 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, ehookahs, vape pipes and any similar type of device designed to deliver nicotine, flavor, and other chemicals via inhalation.

- a. *Penalties for Violations*
 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)]

- 4.3.5 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)]

- 4.3.6 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)]

- 4.3.7 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).

4.4 *Accreditation*

The Board will implement and adhere to such accreditation policies, principles, standards, and procedures as may be established or required by AdvancED as a condition to receiving or maintaining accreditation.

4.5 *Use of Board Property*

- 4.5.1 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.

- 4.5.2 Use of Board Facilities – Schools and other Board owned or controlled facilities may be made available for use by sanctioned or generally recognized school support

CODE OF ALABAMA

16-1-24.1 (1975)

Automobile Search: Any automobile entering any Dothan City School property or any off-campus event(s) sponsored by the school system is subject to a search of the entire vehicle.

Technology: The use of the Internet and e-mail through the DCS network is a privilege; thus, Dothan City Schools reserves the right to read and retain any electronic information transmitted via the DCS-network.

Tobacco-Free Environment

The Board of Education is dedicated to providing a healthful, comfortable, and productive work environment for its employees.

The United States Surgeon General, in a 1986 report *The Health Effects of Involuntary Smoking*; concluded that:

- Involuntary smoking is a cause of disease, including lung cancer, in healthy non-smokers.
- The simple separation of smokers and non-smokers within the same air space may reduce, but does not eliminate the exposure of non-smokers to environmental tobacco smoke.

In light of these findings, Board of Education facilities shall be entirely tobacco-free, effective July 1, 1995.

The use of any tobacco products will be strictly prohibited within all schools and other buildings owned by the Board of Education including: offices, hallways, waiting rooms, restrooms, lunchrooms, elevators, meeting rooms, and all community areas. In addition, the use of tobacco products is prohibited on camera during virtual instruction. This policy applies to all employees, students, salespersons, and visitors. Copies of this policy shall be distributed to all employees. "No Smoking" signs shall be posted at all building entrances and throughout each building.

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and non-smokers. All employees share in the responsibility for adhering to and enforcing the policy. Any problems should be brought to the attention of the principal or superintendent and handled through the normal chain of command. Employees who violate this policy will be subject to the same disciplinary actions that accompany infractions of other Board of Education policies.

Fines for unlawful possession of contraband

Any tobacco or tobacco product found in the possession of a minor is contraband and subject to seizure by law enforcement. Any minor violating Section 28-11-13 shall be issued a citation similar to a uniform non-traffic citation and shall be fined not less than ten dollars (\$10) nor more than fifty dollars (\$50) for each violation. The minor shall not be required to pay any other court costs or fees. Any statute or law to the contrary notwithstanding, disposition of any violation shall be within the jurisdiction of the district or municipal court and not the juvenile court. Violations shall not be considered criminal offenses and shall be administratively adjudicated by the district or Municipal Court. (Acts 1997, No. 97-423, p. 721, 14)

Pending Criminal Charges

Any student charged with violating a local, state, and/or federal law which constitutes a felony offense, or that involves any violent crime or use of any type of weapon, shall not be allowed to return to school until the superintendent approves the return. The Superintendent may require a psychological evaluation and / or a threat assessment before determining whether return to school is appropriate. Any work missed shall then be classified as excused and the student given an opportunity to make up work following the policies set for the Dothan City Board of Education.

IDEA students who violate this policy shall be dealt with in accordance with the disciplinary methods outlined in the IDEA and Alabama Administrative Code 290-8-9-09 (1).

LAW ENFORCEMENT

Law Enforcement officers have the right to come on campus to interview students as suspects or witnesses.

The Board of Education authorizes building administrators to release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest. The student may be removed from school premises if the officer or school administrator has reason to believe that the student has violated the law.

DISCIPLINARY ACTIONS FOR SECONDARY SCHOOLS
CLASS II OFFENSES

NOTE: All infractions in BLUE, will require the principal and/or designee to notify the DCS Title IX Director- for possible investigation and consequences.

NOTE: Principal or designee will assign interventions, as needed, to students that repeat infractions of Class II Offenses.

Parent/Guardian contact will be made for each offense.

1* Offense – Up to 2 Days ISS

2* Offense – Up to 3 Days ISS

3* Offense – Up to 4 Days OSS

4* Offense – Refer to Code 300

Secondary Class II Offenses	
200	Multiple Class I Offenses - students that have accumulated four (4) Class I referrals on a yearly basis.
201	Failure to follow specific instructions (disobedience).
202	Possession and/or use of lighters or matches.
203	Use of obscene behavior or language (written, verbal, E-mail, gesture, texting) toward another person.
204	Intimidation, harassment and/or bullying of students -- the intentional, unlawful threat by verbal, written, or physical communication to do violence to another student.
205	Refusal to give name, forgery or intentionally giving false information to an authorized person.
206	The unauthorized recording and/or transmission of any virtual school session, employee or student (Virtual)
208	Use or possession of obscene and/or pornographic materials. If incident is returned to base school administration - follow the progression of offenses listed under Class II Offenses.
209	Use of racial slurs and/or derogatory statements.
210	Stealing, larceny, theft – the intentional, unlawful taking or carrying away of property valued less than \$100.00 belonging to, or in the possession or custody of another.
211	Intentional defacement of school property
212	Sexual misconduct – statements or profane connotation or harassment; or any inappropriate touching of another person. If incident is returned to base school administration - follow the progression of offenses listed under Class II Offenses.
213	Theft of Intellectual Property, Plagiarism, and Cheating/Academic Fraud – The unauthorized intentional or reckless removal or alteration of any computer or digital device program or other information contained in the computer system, digital device or computer network, copying of copyrighted software, taking the ideas or writings of others and using them as your own. This includes excuses and tests.
214	Unauthorized use of a password or an account owned or assigned by another user.
218	Possession of and/or use of a Laser Device.
219	Gambling – participation in games of chance for money and/or other things of value.
220	Minor physical conflicts (ex. Kicking, slapping, spitting) which stops when directed to do so (It should be understood that the principal or his/her designee shall investigate all fights and make appropriate decisions concerning the rules of each participant).

222	Vandalism – intentional and deliberate action resulting in injury or damages of less than \$100 to public property, or the real or personal property of another. Restitution may be required for damages.
275	Leaving class, not attending class, or campus without written permission.
280	Possession of a toy gun or water gun that is not used in the commission of an aggressive act toward another person.
299	Any other violation which in discretion of the principal may deem reasonable to fall within this category after consideration of extenuating circumstances – principal must specify on the referral the exact violation.
SIR 32	The possession of tobacco products on school grounds, at school-sponsored events, and on transportation to and from school or other school-sponsored transportation.
SIR 34	The use of tobacco products on school grounds, at school-sponsored events, and on transportation to and from school or other school-sponsored transportation.
SIR 60	Possession of a device (ex. Vape) used to inhale or exhale vapor containing nicotine and/or flavoring or other substance.
SIR 61	Using a device (ex. Vape) used to inhale or exhale vapor containing nicotine and/or flavoring or other substance.
SIR 63	Possession of a device (ex. E-Cigarettes, IQOS Heat Stick-pen/stick-like device) used to produce an aerosol by heating a liquid that usually contains nicotine and/or flavoring or other substance.
SIR 64	Using a device (ex. E-Cigarettes, IQOS Heat Stick-pen/stick-like device) used to produce an aerosol by heating a liquid that usually contains nicotine and/or flavoring or other substance.

Note: SIR Codes to be recorded as applicable.

NO STUDENT WILL BE SUBJECT TO DISCIPLINARY CONSEQUENCES WITHOUT BEING AFFORDED DUE PROCESS BY HAVING AN OPPORTUNITY TO ADMIT, DENY, OR EXPLAIN THE CHARGES.

SIR 20	<p>Harassment/Bullying A person commits the act of harassment if, with intent to injure, or disturb persistently (pattern) another person, he/she:</p> <ul style="list-style-type: none"> • Strikes, shoves, kicks, or otherwise touches a person or subjects him to physical contact. <p>A person commits the crime of harassing communication if, with intent to injure or disturb persistently another person he/she:</p> <ul style="list-style-type: none"> • Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written or electronic communication in a manner likely to disturb presently. • Makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication. • Telephones another person and addresses to or about such other person any lewd or obscene words or language.
SIR 22	Inciting or participating in a major student disorder – leading, encouraging or assisting in major disruptions which result in destruction or damage of private or public property or personal injury to participants or others; including but not limited to videoing or taking pictures, using school logo and/or school name to create a social media presence.
SIR 24	Stealing, larceny, grand theft – the intentional unlawful taking and or carrying away of property valued at \$100.00 or more belonging to or in the lawful possession or custody of another.
SIR 26	Profanity or Vulgarity – Use of obscene behavior (verbal, written, gesture) toward another person. The intentional directing of obscene or profane language to a School Board employee.
SIR 31	Intimidation of students – The intentional or unlawful threat by verbal, written or physical communication to do violence intended to endanger the life or health of another student.
SIR 33	The sale/transfer of tobacco products on school grounds, at school-sponsored events, and on transportation to and from school or other school-sponsored transportation.
SIR 58	Other incidents – Any other violation which in the discretion of the principal may deem reasonable to fall within this category after consideration of extenuating circumstances - principal must specify on the referral the exact violation.
SIR 58	Unauthorized Activities – Unauthorized activities/organizations – any attempt to use the school day for activities or organizational meetings that are not school-related, school-sponsored, and approved by the school administrator.
SIR 58	Vandalism/Property Damage – (Act 94-819) Destruction of and or defacing of staff, student, or district property and equipment.
SIR 59	Unauthorized use of a Computer or Digital Device System – the breaking into or otherwise entering a computer system or digital device to steal, delete files, corrupt data or other unauthorized or illegal purpose which damages computer or digital device hardware, software, records or programs belonging to the school. Including but not limited to entering or attempting to enter into any system, any information, data or command which would damage the system.
SIR 62	Selling of a device (ex. Vape) used to inhale and exhale vapor containing nicotine and/or flavoring or other substance.
SIR 65	Selling a device (ex. E-Cigarettes, IQQS Heat Stick-pen/stick-like device) used to produce an aerosol by heating a liquid that usually contains nicotine and/or flavoring or other substance.
NOTE: All infractions in BLUE, will require the principal and/or designee to notify the DCS Title IX Director for possible investigation and consequences.	
SIR 28	Sexual Battery, Sexual Harassment, Sexual Offenses – including, but not limited to harassment, inappropriate touching, intercourse, attempted rape or rape, written, E-mail, or verbal proposition or gesture to engage in sexual acts (see sexual harassment pages 32-34). If incident is returned to base school administration - follow the progression of offenses listed under Class III Offenses.