

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.

4.02.4 Tobacco – The use of tobacco products and the illegal possession, distribution, and sale of tobacco products on school property is prohibited. For the purposes of this policy, “tobacco product” is defined to include cigarettes, 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, cigars, blunts, bidis, pipes, chewing tobacco, snuff and other items containing or reasonably resembling tobacco or tobacco products. “Tobacco use” includes smoking, vaping, chewing, dipping, or any other use of tobacco products.

a. *Penalties for Violation*

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

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

4.02.5 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)]

4.02.6 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)]

4.02.7 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).

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## **GUNS AND OTHER WEAPONS**

Possession of a gun in a school zone is a violation of federal law and conviction of the Gun-Free School Zones Act of 1990 could result in a \$5,000 fine and/or five years in prison. It is, therefore, the policy of the Board that students in the Morgan County School System shall not have in their possession guns or any type description-real, fake, homemade, starter, blank, B.B., pellet, water, etc... or any item that could be used to injure or threaten anyone. Moreover, guns or other dangerous items shall not be in the possession of any Morgan County student, actual or constructive, whether on their person, in their automobiles, lockers, or elsewhere by whatever arrangements, at any place on campus of any school in the Morgan County School System, or in any bus operated by the Morgan County Board of Education, or at any site of any school-sponsored event, including athletic contest, dances, theatrical events, field trips, or any other events conducted or sponsored in part or in whole by the Morgan County School System, or any school in the system, whether such events occur during or after school hours. The principal will make a determination on a case-by-case basis about dangerous weapons-what is used, how it is used, any injuries involved, and the total circumstances involved in the situation. Whenever a charge is received by a principal that a student may have violated this policy, a hearing shall be held at which the following will occur:

- The student will be advised of the policy violation charge, and
- The student will be given an opportunity to explain the situation or dispute the charge.

If, following such hearing the principal finds probable cause does not exist to believe that the charge is true, the matter will be at an end; if, however, following such a hearing the Principal finds that probable cause does exist to believe that the charge is true, the student will be suspended immediately, and the due process procedure provided in Board Policy File 4.07.2 will be followed pending a Board hearing to consider expulsion from school. The Morgan County Board will operate in compliance with State Law and the Gun-Free Schools Act of 1994. Any student found in violation by possession of a firearm as defined in Section 921 of Title 18, United States Code must be expelled for not less than one calendar year. Alternative educational services may be provided as determined by the Board on a case-by-case basis. Additionally, referral to the criminal justice or juvenile delinquency system will be mandatory. (*Board Policy File 4.02.1 and 4.2.2*)

## **USE OF TOBACCO**

All Morgan County Schools are smoke-free facilities. This applies to ALL school functions and activities (including field trips). Students in Morgan County School System shall not be permitted to smoke, vape, use tobacco, or have tobacco in any form in their possession on the school grounds or in the school building during the school day or when riding the school bus. Furthermore, students shall not be permitted to smoke or use tobacco in any form at school functions or activities while under the supervision of school personnel. Parental permission to possess, smoke, or otherwise use tobacco does not exempt a student from this policy. School personnel shall organize and maintain programs of education designed to make pupils fully aware of the hazards of smoking and using other forms of tobacco. Students who violate this policy will be subject to appropriate disciplinary action. *Board Policy File 4.02.4*

### **Electronic Cigarettes, Vapes, Etc. - Class II 2.06 - Board Policy file 4.02.04**

1st offense: 3-days of out of school suspension

2nd offense: 5-days of out of schools suspension

3rd offense: Recommendation for alternative placement (Alternative school)

**\*\*All offenses will have charges filed with the Morgan County Circuit clerks office\*\***