

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

Status: ADOPTED

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4.02.1 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. 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, 24.3 (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(q))]

4.02.2 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)]

4.02.3 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.

4.02.4 *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 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)]

4.02.5 *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).

- T1.14 Possession/use of disruptive items (electronic devices, etc.) on a bus. Circumstances arising from the unauthorized use of electronic devices may result in a Class II or Class III offense.
- T1.15 Any other offense, which an administrator may deem just and sufficient to fall within this category after consideration of extenuating, circumstances.

Disciplinary Options/Actions Minor Bus Offenses-Class 1

Administrative Intervention
 Parental Notification
 Verbal Reprimand
 Non-Corporal Punishments
 1-3 Day Bus Suspension

Intermediate Bus Offenses-Class 2

- T2.01 Insubordination – defiance or disrespect of a school board employee’s authority; any verbal or non-verbal refusal to comply with a lawful direction or order with a school board employee.
- T2.02 Vandalism-property damage-intentional damage to public property (i.e. desks, tables, and bus seats); or real property of others; in all cases students shall make monetary restitution for damages.
- T2.03 Theft of property.
- T2.04 Gambling – any form for the exchange of money or goods (including matching, flipping, dice and etc.).
- T2.05 Possession of stolen property with knowledge that it is stolen.
- T2.06 Threats or extortion.
- T2.07 Failure to move to a designated area of the school upon arrival on campus.
- T2.08 Cursing, swearing, obscene gestures or degrading comments made about another student or person and/or the possession of obscene (pornographic) literature or pictures.
- T2.11 Written or verbal proposition to engage in sexual acts.
- T2.12 Offensive touching or physical contact with another person (pushing, tripping, shoving, hitting, etc.).
- T2.13 Possession and/or use of tobacco products, matches or lighters.
- T2.16 Intentionally falsifying information to or about a bus driver, administrator or other personnel. Falsifying the signature of a parent/guardian/custodian, school personnel and/or other person.
- T2.17 Malicious mischief or graffiti on school property or buses.
- T2.18 Causing physical injury to another person through carelessness or rough play.
- T2.19 Causing emotional injury to another student by using racial or ethnic slurs, ridicule, name-calling, bullying, threatening, etc.
- T2.20 Buying, selling, or trading on school property items not approved by the principal and/or board.
- T2.21 Violation of Safety Procedures such as, but not limited to:
 -entering or exiting before the bus has come to a stop; or entering or exiting a bus through an emergency exit, window, or by any means other than the front door, except in the case of a *bona fide* emergency.
 -entering or exiting a bus at a stop not approved or assigned to the student.
 -failure to keep head and hands inside bus windows at all times.
 -entering or leaving the bus without the consent of the driver.
 -tampering with door handles and other safety equipment at any time unless directed to do so by the driver or an aide.
- T2.22 Any other offense, which an administrator may deem just and sufficient to fall within this category after consideration of extenuating, circumstances.
- T2.23 Multiple Class 1 bus offenses (4 or more) may be considered a Class 2 Offense

Disciplinary Options/Actions Intermediate Bus Offenses-Class 2

1-9 Day Bus Suspension

Major Bus Offenses-Class 3

- T3.21 Multiple Class 2 bus offenses (4 or more) may be considered a Class 3 Offense
 All Class 3 offenses as stated in the Pell City Student Code of Conduct/Rights & Responsibilities.

Disciplinary Options/Actions Major Bus Offenses-Class 3

Grades K-4. Based on age, maturity of child, and severity of offense, student may be disciplined based on a Class 2 Offense.
 Parental/legal guardian/custodian notification and conference
 Immediate suspension (not to exceed 10 days) pending hearing
 Initiation of Due Process procedures for an Administrative Hearing to consider a recommendation to the Superintendent for disciplinary action/alternative placement in ISS, New Directions, and/or Bus Suspension. The recommendation may be for up to a minimum of 20 days, to a recommendation for expulsion from school. Note: Students who are suspended or expelled from school may not be on school grounds for any reason during the period of expulsion
 Notification to Pell City Police Department or SRO and a report filed
 Referral to Juvenile Court/Early Warning

SCHOOL OPENING AND CLOSING TIMES

School personnel will not assume responsibility for such students that arrive at school before 7:15 am each morning and 15 minutes after the time set for closing the normal school day's classes. In all cases, responsibility shall be accepted and supervision provided for students who arrive at school via School System buses.

EMERGENCY CANCELLATIONS AND/OR CLOSING

The Board shall authorize the Superintendent or designee to announce the cancellation and/or closing of schools if prevailing or potential hazards threaten the safety and well-being of students and employees. The decision to cancel or close schools shall be made by the Superintendent or designee after conferring, when possible, with appropriate community emergency-management agencies responsible for the safety and well-being of the community. Public announcements and releases to news media shall be made by the Superintendent or designee.

SMOKING/USE OF TOBACCO PRODUCTS

The Pell City Board of Education prohibits the use of all tobacco products, including electronic type cigarettes (or e-cigarettes), on all school facilities, including but not limited to: school campuses, school buses, and school sponsored extra-curricular events. Electronic cigarettes (e-cigarettes or e-cigs) are battery-operated devices that deliver nicotine, flavor additives and other chemicals through a vapor that is inhaled by the user. The term "smoking" as used herein includes carrying or holding a lighted pipe, cigar, cigarettes, e-cigarettes of any kind, or any other smoking paraphernalia, as well as emitting or exhaling the smoke, or vapor, of a pipe, cigar, or cigarette of any kind. The regular school day is defined as the normal hours schools are open to students for instructional purposes. The regular school day begins for students at the time of arrival on the respective school premises (school owned property, school buses, parking lots, etc.,). A school activity is defined as any activity (play, athletic event, recital, etc.,) under the sponsorship and supervision of a school or the School System. This policy applies to all students and employees. All school facilities and properties are declared Tobacco Free Areas and signs should be posted at entrances to buildings, playing fields, and stadiums.

This policy also includes any visitors, outside agencies/entities that use facilities belonging to the Pell City School System

Penalties for Violations by Students

1. Students who violate the tobacco prohibition will be disciplined in accordance with the Board's Code of Conduct/Student's Rights and Responsibilities.
2. 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 Conduct/Student' Rights and Responsibilities.

Penalties for Violations by Other Persons

1. Other persons who violate the tobacco prohibition may be denied re-entry to school property

ASBESTOS MANAGEMENT PLANS UNDER AHERA

This is to notify all parents, teachers, and employees of the Pell City School District of St. Clair County that each school in the district has been inspected for the presence of asbestos-containing materials, and a management plan for each school building, as required by the Asbestos Hazard Emergency Response Act (AHERA) was developed and a copy submitted to the Alabama Department of Education. A copy of the management plan for each school is on file in the principal's office at each school, and the district office. The school or district office may charge a reasonable fee to cover the cost of any requested copies. This information is a requirement of the Federal Government to all parents and staff of the school system.

WORTHLESS CHECK POLICY

The Board authorizes the superintendent to charge a fee for worthless checks and to implement procedures for collection of worthless checks to the school system, including referring the matter to the district attorney for prosecution.

Uncollected fund balances in the Child Nutrition Program will not be carried over from one fiscal year to the next. Monies will be taken from non-public funds at the end of the fiscal year to cover the amount of the worthless checks. When worthless check fees are received, such funds will be deposited into the non-public fund account.

The Pell City School system in accordance with Alabama State Department of Education directives, the face value of a check returned for insufficient funds (NSF) may not be absorbed as a cost by any state, federal, or local public funds. An uncollected check is a bad