
Topic 3.24: Tobacco

Status ADOPTED

Original Adopted Date: 06/01/2023 | Last Reviewed Date: 06/01/2023

Reference Policy 4.2.4(<https://simbli.eboardsolutions.com/SU/tqfOpluscAIHXISZA809uI7XA==>)

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.

Topic 5.06: Standard 5: Alcohol, Drug and Tobacco Use or Possession

Status: ADOPTED

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Standard 5 - Alcohol, Drug and Tobacco Use or Possession: An educator should refrain from the use of alcohol and/or tobacco during the course of professional practice and should never use illegal or unauthorized drugs.

Ethical conduct includes, but is not limited to, the following:

- Factually representing the dangers of alcohol, tobacco and illegal drug use and abuse to students during the course of professional practice.

Unethical conduct includes, but is not limited to, the following:

- Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs.
 - Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages or using tobacco. A school-related activity includes, but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc., where students are involved.
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decision to suspend and/or take additional action will include a review of the student's exceptional status, if any, and applicable federal law. (See Board Policies 6.18 and 6.19).

- C. Readmittance. A student expelled from school for causing or threatening physical harm in violation of this CoC may not be readmitted to the public schools of the State of Alabama until:
1. Criminal charges or offenses arising from the conduct, if any, have been disposed of by appropriate authorities, and
 2. The student has satisfied all other requirements of the local Board of Education (Scottsboro City or other) as a condition for readmission.
- D. Reporting. Any person with knowledge of the potential for harm or violence in the schools is encouraged to submit a report to the Central Office at 256-218-2100, or to the School Principal. Confidential reports may be submitted.

XIX. PROHIBITED SUBSTANCES AND DEVICES

The Board prohibits certain items from being in school, on school premises or at school-sponsored activities away from the school, or on a school bus traveling to or from school or any school activity, function or event, or any other school sanctioned or authorized vehicle for transportation. It shall be a violation of this CoC for any student to possess any prohibited item. The following paragraphs list items and the action taken against those who possess them. The paragraphs do not reflect a complete listing of items prohibited in school but contain the items most dangerous and most notable in society that should not be in schools. Other items may be prohibited at the discretion of the Principal and according to other stipulations in the CoC.

- A. Generally. Students are not to have in their personal possession, in their personal belongings (including book bags, lockers, vehicles, etc.), in school buildings, on school grounds, on school buses, or at any school-sponsored activity any of the items listed in paragraphs C or D below, or prohibited under paragraph E below. Prohibited items are grouped according to the class violation committed by possession of the item (See XXII, Classification of Violations and Consequences, below).
- B. Reporting. Any person with knowledge of the potential for introduction or presence in the schools of items listed below is encouraged to submit a report to the Central Office at 256-218-2100, or to the Principal. Confidential reports may be submitted.
- C. Items, Possession of which constitutes a Class II Offense.
1. Matches or lighters
 2. Laser devices
- D. Items, Possession of Which Constitutes a Class III Offense.
1. Controlled substances (See also Medications, Section XX, below.)

2. Illegal drugs, drug seeds, or drug paraphernalia
3. Alcoholic beverages
4. Any substance containing any amount of THC, including, without limitation, Delta 8, Delta 9, Delta 10, and any other similar substances
5. Guns, knives, or other weapons (See F, below.)
6. Incendiary devices, explosive material, electronic timing/fusing devices, poison or poison gas, or other materials or substances which may be used to make explosives or incendiary devices or to deliver poison or poison gas, in the absence of legitimate education-related reasons for possession of such materials and the permission of school staff for such possession.
7. Correspondence, notes, reference material, or other documentation deemed an active or potential threat to school safety including but not limited to materials relating to construction, manufacture, placement, detonation, or activation of explosive, incendiary, or booby-trap devices or outlining or suggesting other threats or plans for violence
8. Electronic cigarettes, vapes, tobacco or tobacco products

E. Other Items Prohibited at the Discretion of the Principal. Other items may be prohibited at the discretion of the Principal and according to other stipulations in the CoC. Possession of items prohibited at the discretion of the Principal may constitute a Class II or Class III violation as reasonably recommended by the Principal based on the severity of the violation. The Superintendent, or designee, will be responsible for ensuring comparability of consequences for these prohibited items to ensure fair consequences across the District.

F. Gun, Knife, Weapon Defined. For purposes of this CoC, the following terms shall have the meaning ascribed to them in this section.

1. Gun. Any firearm (including a starter gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive; any portion of a firearm which, when combined with other parts, could constitute a firearm; any firearm muffler or firearm silencer; ammunition, blanks, or active shells for any firearm, or any similar destructive device.
2. Knife. Pocket knives, hunting knives, box cutters, utility knives, other knives commonly used as weapons, such as lockblade, Bowie, switchblade, hawkbill, or butterfly knives, or other honed or sharpened blade or instrument capable of inflicting harm or injury.
3. Weapon. Any item, instrument, or object used, or threatened or suggested to be used in violence, or possessed with the intent to be armed; and any item, instrument, or object made, designed, or adapted for the purpose of inflicting harm or injury.

- G. Disciplinary Action. Disciplinary action for possession of a prohibited substance or device will be in accordance with the consequences for Class II and Class III disciplinary violations outlined in XXII.

However, students who violate provisions of this CoC related to possession of items constituting a Class III offense described in D.1-8 above shall be suspended immediately from attending regular classes pending a hearing to determine the appropriate disciplinary action which will be scheduled to convene not later than the fifth school day after the commission of the violation. Expulsion may result. Depending on the violation, the Principal or designee may have the student removed from the school grounds and released to law enforcement authorities and/or parent(s).

In addition, students found to be guilty of having brought to school or having possession of a gun or firearm as described in Section F.1 above shall be expelled for not less than one calendar year, unless upon review of the circumstances on a case-by-case basis the Superintendent finds mitigating or extenuating circumstances which justify modification of the one-year expulsion period. Modification may include assignment to alternative school in appropriate cases.

Notwithstanding the foregoing, discipline of students with disabilities shall be determined on a case-by-case basis as required by the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act. (See Board Policies 6.18 and 6.19)

XX. MEDICATIONS

Students are not to have prescription or non-prescription medication in their possession during school hours, on school premises or school buses, or at school-sponsored events and field trips away from school. Instead, the Principal of each school shall prepare procedures in cooperation with the school system nurse and as approved by the Superintendent for administering medication to students in the schools and on school-sponsored field trips and other activities away from school in accordance with the following guidelines:

- A. Prescription Medications. Prescription medications will be administered by authorized school personnel or taken by a student in the presence of authorized school personnel only if a properly completed Medication Release Form (School Medication Prescriber/Parent Authorization Form) is on file in the school's office and signed by the doctor prescribing the medication. Exceptions to the administration of the medication may be granted in unique situations based on a written order from a doctor and as included on the Medication Release Form (School Medication Prescriber/Parent Authorization Form). Students with acute conditions must have an Emergency Action Plan or Health Care Plan on file at the school's office.
- B. Non-Prescription Medications. Non-prescription medications will be administered by school system personnel only with parent permission (signed within the last seven days) and in accordance with the recommended daily dosages as indicated on the Medication Release Form (School Medication Prescriber/Parent Authorization Form). Forms indicating administration of pediatrician-approved Acetaminophen (Tylenol), Ibuprofen (Motrin/Advil), Diphenhydramine (Benadryl), and Dimenhydrinate (Dramamine) may be standing for the school year and do not require a signature within the last seven days.

1. Temporary removal from class
2. Detention
3. In-school suspension
4. Corporal Punishment
5. Other consequences determined to be reasonable and appropriate by the school Principal

F. Class III Violations.

1. Alcohol Possession
2. Alcohol Sale
3. Alcohol Use
Selling, purchasing, furnishing, giving, possessing, using, and/or being under the influence of alcoholic beverages.
4. Arson
5. Assault, Violence
Violence against another student as defined in Policy 6.24.
6. Bomb Threat
7. Burglary or Breaking and Entry of School Property
8. Criminal Mischief (Vandalism)
9. Defiance of Authority
10. Disobedience – Persistent, Willful
11. Disorderly Conduct
12. Disruptive Demonstrations
13. Drugs, Possession
14. Drugs, Sale
15. Drugs, Use
Selling, purchasing, furnishing, giving, possessing, using and/or being under the influence of illegal drugs, to include seeds and/or drug residue or drug paraphernalia. Electronic Cigarettes and other such devices will be considered drug paraphernalia. These offenses also include: Any substance containing any amount of THC, including, without limitation, Delta 8, Delta 9, Delta 10, and any other similar substances.
16. Disruptive use of one- or two-way audible/text/pictures devices such as electronic pagers, cellular telephone, or other portable communication devices (Ala. Code § 16-1-27)
Including but not limited to: photographing, texting, and videoing of testing material, student misconduct, violation of others' privacy, and displaying inappropriate pictures.
17. Fighting
18. Fire Alarm, Tampering with or Setting off
Unjustified activation of fire alarm system or fire extinguisher.
19. Gambling
20. Harassment, Bullying and Cyberbullying
Harassment, bullying or cyberbullying as defined in Board Policy 6.24. Note: Some behaviors may be subject to discipline whether or not they occur on or near school grounds. See Policy 6.24.
21. Homicide
22. Inciting Other Students to Create a Disturbance *Inciting or participating in major student disorder.*
23. Kidnapping
24. Larceny/Theft
Theft of property valued at \$100 or more.

25. Motor Vehicle Theft
26. Profanity or Vulgar Language
27. Robbery
28. Sexual Battery

Sexual battery to include exposure of private body parts or compromising or abetting in the compromise of the modesty of another individual.

This violation is committed whether or not there is mutual consent. If there is obvious mutual consent (as indicated by the absence of resistance, failure to avoid, or admission of consent), both/all parties involved have committed the violation and will be punished similarly.

29. Sexual Harassment

Sexual harassment of a student or a school system employee of an abusive nature at school, on school grounds, or at a school sponsored activity elsewhere, or of any other person at or from any other location if the conduct is disruptive or potentially disruptive to the educational environment in the schools or on school grounds and may consist of verbal or non-verbal communications or written communications delivered by any means.

*For any sexual harassment that meets the definition of prohibited conduct as defined by the applicable Title IX regulations, the Principal should notify the Title IX Coordinator. The Title IX Coordinator will ensure that the applicable Title IX procedures are followed **BEFORE** any consequence is assigned to a student for sexual harassment.*

30. Sexual Offenses

Sexual offense to include exposure of private body parts or compromising or abetting in the compromise of the modesty of another individual.

This violation is committed whether or not there is mutual consent. If there is obvious mutual consent (as indicated by the absence of resistance, failure to avoid, or admission of consent), both/all parties involved have committed the violation and are dealt with accordingly. The Board, in consonance with the Preamble to this CSC, does not tolerate the exhibition of behavior that, in a workplace environment, might result in charges of sexual harassment or be cause for discharge.

31. Threats/Intimidation
32. Tobacco, Possession
33. Tobacco, Sale
34. Tobacco, Use
35. Trespassing
36. Truancy/Unauthorized Absence
37. Handgun, Possession
38. Handgun, Sale
39. Handgun, Use
40. Rifle/Shotgun, Possession
41. Rifle/Shotgun, Sale
42. Rifle/Shotgun, Use
43. Firearm, Possession
44. Firearm, Sale
45. Firearm, Use
46. Explosive/incendiary or Poison Gas, Possession
47. Explosive/incendiary or Poison Gas, Sale
48. Explosive/incendiary or Poison Gas, Use

49. Other Weapon, Possession
50. Other Weapon, Sale
51. Other Weapon, Use
52. Knife, Possession
53. Knife, Sale
54. Knife, Use
55. Other/Unknown Weapon, Possession
56. Other/Unknown Weapon, Sale
57. Other/Unknown Weapon, Use
58. Other Incidents

Any other violation which the Principal may reasonably deem to fall within this category after investigation and consideration of extenuating circumstances, for example: Repeated Class I & II Violations or unauthorized accessing of or changing information in school computers; Endangering or causing harm to another individual's or to the school's computers, data, and files stored thereon, or setting to include the intentional introduction of a computer virus, or an unintentional introduction of a computer virus arising out of failure to comply with school computer procedures; Interfering with a bus driver during any phase of school bus operation; or, Bypassing, disabling, attempting to bypass or disable, or cooperating in an attempt to bypass or disable any security device, person, or procedure in a school or established for a school activity, to include participation requirements established by principals, teachers, board employees, and chaperones at or away from school.

G. Class III Consequences.

1. Out-of-school suspension
2. Transfer
3. Alternative education program
4. Referral to outside agency, including the criminal justice system
5. Expulsion
6. Restitution of property and damages and/or undoing of computer actions where appropriate
7. Other consequences determined to be reasonable and appropriate by the school Principal

H. Disciplinary Hearing. If the proposed consequence for a violation is expulsion or placement in an alternative education program, then a disciplinary hearing will be scheduled to convene no later than the fifth school day after the commission of the violation initiating expulsion consideration. Expulsion may result. The decision to suspend and/or take additional action will include a review of the student's exceptional status, if any, and applicable federal law. (See Board Policies 6.18 and 6.19).

I. Readmittance. Students who have violated Board policy concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person may not be readmitted to any public school of this state until:

1. Criminal charges or offenses arising from the conduct, if any, have been disposed of by appropriate authorities, and

ATTACHMENT III

DON'T LOSE YOUR RIDING PRIVILEGE!!

1. While riding the bus, students shall be under the supervision of the driver and shall obey the driver at ALL times.
2. Students who are transported shall abide by the *Code of Student Conduct* while on the bus.
3. A student may be assigned a seat which he/she is expected to use at all times unless permission to change is given by the driver.
4. Outside of ordinary conversation, classroom conduct is to be observed.
5. Students will not be allowed to bring sharp objects, glass containers, balloons, living animals or anything deemed dangerous by the driver and school administration on the bus.
6. Horseplay will not be allowed.
7. No student shall at any time extend any part of his/her body out the windows, whether the bus is in motion or stopped.
8. Book bags and band instruments will be kept out of the isles.
9. Students will not be allowed to eat on the bus, except on extracurricular trips when teachers/chaperones are present. ANY mess made MUST be cleaned up!
10. Cursing, swearing, loud talking, obscene gestures or degrading comments about another person will not be allowed.
11. Students are responsible for ANY damages they make to the bus.
12. No standing while the bus is in motion.
13. No picture taking/video taking on the bus.
14. No throwing objects/paper IN or OUT of the bus.
15. No spraying (hair, make-up, perfume; etc.) any spray or aerosol on the bus.
16. No aerosol cans of any type allowed on the bus.
17. No talking at railroad crossing.
18. No smoking, vaping, tobacco products or drugs of any kind allowed on the bus.
19. Face the front, feet on the floor at all times.
20. A student who is willfully disobedient, who fights, or who destroys property while on a school bus may lose transportation privileges. Such loss of privilege can range from one day to permanent removal. For repeated misconduct, the length of the loss of privilege will increase. Serious misbehavior may result in suspension or expulsion from school.
21. Students shall leave the bus in an orderly fashion and only cross the highway in front of the bus.

Student transportation is a privilege and a convenience and is conditioned upon good behavior and strict obedience to the rules of the Board of Education. Any driver having difficulty with a student which he/she feels is beyond their capability to remedy or for which they feel assistance is needed, shall report the condition and situation to the principal. After consultation, the principal may suspend the riding privileges of the student.