

Board Policy Manual  
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Status: ADOPTED

Policy 4.05: Safe Schools Policy (Drugs, Alcohol, Tobacco and Weapons)

Original Adopted Date: 08/18/2016 | Last Reviewed Date: 08/18/2016

4.05.1 **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, 24.3 (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))]

4.05.2 **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 blade length of more than two (2) inches, archery equipment, devices designed to propel 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)]

4.05.3 **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:

- a. **Students** - Students will be disciplined in accordance with the Board's Code of Student Conduct.
- b. **Employees** - Employees will be subject to adverse personnel action, which may include termination.
- c. **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.

4.05.4 **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)]

4.05.5 **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)]

4.05.6 **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)]

4.05.7 **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).

## **TOBACCO RELATED VIOLATIONS**

### **First Offense:**

- For all activities and students with parking privileges, the student will be required to complete the tobacco cessation and education program recommended by TCS. This course will take place at school.\*
- Suspension of driving privileges for 30 calendar days, if applicable.

### **Second Offense:**

- The student shall be suspended from participation in extracurricular activities for a minimum of 10% of any current or future events. Students with driving privileges shall be suspended for 18 days, which is 10% of the school year. The student will be required to complete the stage 2 tobacco cessation and education program recommended by TCS. This course will take place at school.\*
- Suspension of driving privileges for 45 calendar days., if applicable.

### **Third Offense:**

- Upon the third violation, the student shall be suspended from participation in extracurricular activities for a minimum of 35% of any current or future events. Students with driving privileges shall be suspended for 63 days, which is 35% of the school year. The student will be required to re-enroll in a tobacco cessation program. The student will be required to complete the stage 3 tobacco cessation and education program recommended by TCS. This course will take place at school.\*
- Suspension of driving privileges for 90 calendar days. if applicable.

### **Fourth Offense:**

- Upon the fourth violation, the student will be suspended from participating in any extracurricular activity or parking privileges for a period extending for a full calendar year. The student will be required to re-enroll in a tobacco cessation program. The student will be required to complete the stage 4 tobacco cessation and education program recommended by TCS. This course will take place at school.\*
- Driving suspension for the remainder of the school year, if applicable.

\*For tobacco based offenses- upon completion of the tobacco cessation and education program, monthly testing will occur for a calendar year. Students may exit monthly testing after one calendar year of negative tests.

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## **BEHAVIOR EXPECTATIONS AND RULES**

TCS School officials will impose specific rules and regulations for students to follow while riding school buses. The following rules apply as a part of, and in addition to, any bus conduct rules and regulations adopted by individual schools and the Transportation Department:

1. Ride to and from school on the bus assigned unless approved by the principal.
2. Stay off roadways while waiting on the bus to arrive.
3. Wait for the bus to come to a complete stop before attempting to get on or off the bus.
4. Keep the seat belt fastened until the bus has come to a complete stop at its final destination.
5. Once exited from the bus, never cross behind the bus.
6. Upon signal from the bus driver, look right and left before crossing the road in front of the bus after exiting the bus.
7. Do not eat, drink, or chew gum on the bus.
8. Do not smoke, vape, strike matches or lighters on the bus.
9. Do not bring fireworks, weapons, of any kind, replicas or anything that may endanger the lives of others on the bus.
10. Always sit in the assigned bus seat and stay seated at all times.
11. Keep feet, arms, and belongings out of the aisle of the bus.
12. Keep feet off the bus seats.
13. Do not block and/or place objects on stairs or emergency exit areas.
14. Keep hands, head, and objects inside the bus at all times.
15. Do not fight, quarrel, yell or use profanity at any time while on the bus.
16. Secure all personal items while riding the bus (bookbags, cases, purses, glasses, etc.).
17. Pickup any personal trash before exiting the bus and place it in a trash receptacle.
18. Do not shove, trip, or participate in any other aggressive physical contact with another student or employee.
19. Only use emergency doors when appropriate or directed to open them.

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20. Do not throw or drop objects inside the bus or out of the windows of the bus at any time while on the bus.

21. Do not deface any part of the bus by writing, scratching, tearing, smearing food, placing chewed gum on the interior of the bus, etc.

22. Unless directed by school personnel, no tampering with the bus doors or safety equipment.

23. Do not make verbal or written threats of any kind regarding fellow students, school personnel or school property.

24. No harassment, bullying, intimidation, hazing or any other acts of violence to fellow students or school personnel.

25. Illegal drugs, alcohol or any related paraphernalia are prohibited on the bus.

26. No stealing items that belong to the bus, school personnel or fellow students.

27. No sexual misconduct, harassment or lewd behavior.

28. No sexting, possession, creation, and/or distribution of pornographic or sexually explicit material.

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## MAJOR OFFENSES -CLASS III

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### **3.01 *Any other offense***

The principal or designee may deem reasonable to fall within this category after consideration of extenuating circumstances.

### **3.02 *Bullying/intimidation/harassment.***

*Severe or repeated* harassment, intimidation or bullying. Verbal, non-verbal, or written/printed communication maliciously threatening injury to another student, property or reputation of another; intent to extort money or any pecuniary advantage with the intent to compel the student so threatened, or any other student to do any act or refrain from doing any act against his/her will; threatening words or actions, coupled with an apparent ability to carry out the threat, creating a fear in the other student. This also includes any instigation of a fight as defined in the code of conduct.

### **3.03 *Bomb Threat***

Any such communication which has the effect of disrupting the educational environment.

### **3.04 *Criminal Mischief/ Vandalism***

Willful and malicious injury or damages at or in excess of \$200.00 to public property or to real or personal property belonging to another.

*(Ala. Code §16-5-380)* The parents, guardian, or other person having control of any minor under the age of 18 with whom the minor is living and who have custody of the minor shall be liable for the actual damages sustained to school property, plus the court costs, caused by intentional, willful, or malicious act of the minor.

**NOTE:** Principal (or Designees), in consultation with the Assistant Superintendent for Student Services, must complete a property damage report and submit it to the Student Services Department.

### **3.05 *Direct Threats. ( May be upgraded to Class IV)***

The direct, intentional threat by word or act to do violence to another student, coupled with an apparent ability to do so, or the doing of some act which creates a well-founded fear in the person that such violence is imminent.

### **3.06 *Inciting, promoting, publicizing, or participating in major student disorder.***

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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.

**3.07 *Hate Speech.***

Multiple occurrences of speech or other expression intended to insult or stigmatize others on the basis of their sex, race, color, handicap, religion, sexual orientation, or national or ethnic origin.

**3.08 *Hazing.***

Willful action taken or situation created which recklessly or intentionally endangers the mental or physical health of any student. Willful act by any person alone or acting with others in striking, beating, bruising, or maiming; threatening, or attempting to strike, beat, bruise, or maim or to do or threaten or attempt to do physical violence to any student of any educational institution or any assault upon any student made for the purpose of committing any of the acts or producing any of the results to such student as defined.

**3.09 *Igniting fireworks, firecrackers, or activating stink bombs.***

Preparing, possessing, or igniting on school property any firework, firecracker, stink bomb or similar objects.

**3.10 *Imitation of controlled substances.***

Unauthorized possession, transfer, use or sale of a substance other than a drug, which by dosage unit, appearance (including color, size, shape and/or markings), and/or by representations made, would lead a reasonable person to believe that the substance is controlled.

**3.11 *Multiple Class II infractions.***

**3.12 *Possession of over the counter medications***

More than a single dose based on product directions of over-the-counter medications, and over-the-counter medications that must be released for purchase by a pharmacist or the sale of which is restricted based on the purchaser's age. Possession of any other substance which might create a hazard to the user's health or safety or the health or safety of another is prohibited.

NOTE: If a student needs medication - including an over the counter medication - while at school, even on a temporary basis, the parent should contact the school to obtain the necessary permission form for use of medication at school.

**3.13 *Possession of prohibited objects.***

Including, but not limited to, any knife, dagger, sword, box cutter, metallic knuckles, laser pointer, tear gas gun, BB gun, stun gun; cell phone gun; paintball gun, pellet gun, chemical weapon or device, including mace or pepper spray, or any other object which could be used in a threatening manner (includes replicas)

**3.14 Possession of firearm facsimiles.**

Discharge, possession, transfer, or sale of any facsimile or toy-type replica of a firearm or any other item resembling a firearm

**3.15 Sabotage of a computer or computer system.**

Unauthorized access resulting in data modification, disclosure of restricted information or tampering of the computer or computer system of any kind. Any other computer violations outlined in the TCS Acceptable Use Policy.

**3.16 Sexual Acts.**

Acts of a sexual nature including, but not limited to, battery, intercourse and indecent exposure.

**3.17 Sexual Harassment.**

The request for sexual favors, use of vulgar or sexually explicit comments, gestures or conduct, obscene or sexually explicit pictures; sexually oriented contact, "kidding", teasing, or practical jokes directed toward another individual or offensive to a third party observer.

**3.18 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.

**3.19 Terrorist Threat.**

A person commits the crime of making a terrorist threat when he/she threatens by any means to commit any crime of violence or damage to property.

**3.20 Trespassing.**

Entering or remaining in any structure, conveyance, or property without being authorizing, licensed, or invited; or having been authorized or licensed, is warned by an authorized person to depart and refuses to do so.

**3.21 Unjustified activation of a fire alarm system or life safety device**

**3.22 Leaving the school campus without permission.**

Leaving the school campus during the student's scheduled class time.

**3.23 Possession and/or use of nicotine products/alternatives**

Having and/or using tobacco products. This includes lighters, matches, vapes, or paraphernalia.

**3.24 Possession of obscene pornographic or sexually explicit material.**

Electronic or hard copy evidence of material that is sexually explicit and/or obscene.

**STUDENTS (GRADES K-12)**

**DISCIPLINARY ACTIONS CLASS III (INCLUDING BUS)**

*The commission of a Class III offense may also involve the interventions and/or prosecution by law enforcement authorities where necessary and/or appropriate.*

The disciplinary action for such offenses will be suspension and/or recommendation for expulsion by the principal as authorized in the procedures previously stated.

*Administrative Options:*

1. Parent or guardian contact and disciplinary action
2. In-school suspension
3. Out-of-school suspension for one to five days
4. Out-of-school suspension for up to ten (10) days with the approval of the Assistant Superintendent and/or recommendation for expulsion with parent contact and conference.
5. Recommendation for referral to alternative school of no less than 5 days and a maximum of 10 with approval of the Assistant Superintendent. This option may only be granted twice in a semester.
6. Referral for a hearing with the Disciplinary Hearing Committee.
6. Recommendation for expulsion
7. Restitution of property damages
9. Any actions included in Class I Other disciplinary action and deemed appropriate by the principal or designee.
10. Suspension and/ or removal from the bus as deemed by the administrator.

1 of a Class III:



Students and parents should be aware that the Hearing Committee may recommend a longer term of suspension, alternative placement including virtual school, community service, work detail, restitution, or referral to the Superintendent for possible expulsion from the Trussville City School System for a Class III offense.

*Students with disabilities (Special Education) will be disciplined according to applicable Federal and State laws for students with disabilities (IDEA 2004, Rules of Alabama State Board of Education, Special Education Services). For additional information contact the Special Education Coordinator.*