

## **CHAPTER 3.0 – SCHOOL ADMINISTRATION**

### **3.45 PROHIBITION OF TOBACCO USE IN SYSTEM FACILITIES**

The Saraland City Board of Education prohibits the use or possession of tobacco in any form (cigarettes, cigars, pipes, vapes or e-cigarettes, chewing tobacco, snuff, or any other form of tobacco or nicotine) by students, faculty, support personnel, or any other person on school property under the control of the Saraland City Board of Education. This includes, but is not limited to, a public school building, Saraland City Board of Education central office, bus maintenance building, bus; campus, recreational area, athletic field, parking, or other area.

Parents/guardians and other persons are hereby notified that they are prohibited from use or possession of tobacco in any form on Saraland City School System property at any time.

School principals and other work site supervisors as may be designated are directed to post signs at the entrance of all school buildings and on the grounds of Saraland City School System property designating the school property as a tobacco free facility.

Saraland City Board of Education employees found in violation of this policy are subject to disciplinary actions not limited to reprimand, suspension pending a hearing, and termination of employment.

*Reference(s): Code of Alabama 16-11-9, 16-12-15, Alabama Administrative Code §290-3-1-.02(1)(B)(2)*

## **SMOKING/USE OF TOBACCO PRODUCTS/VAPING**

Students will not be permitted to possess, smoke, use, or transfer tobacco products or nicotine delivery devices, or related items, in any form while in school buildings, on school property, in school buses, during any school sponsored activities, or on the way to and from school sponsored activities. For purposes of this policy, the phrase "tobacco products" also includes related items, and is not limited to lighters, matches, cigarettes, e-cigarettes, chewing tobacco, cigars, cigarillos, pipes, vapes/JUUL, pods, and/or any electronic device that can be used to deliver nicotine or any other substance to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo, or pipe. Students found in possession are subject to disciplinary actions, and in accordance with Alabama law, authorities will be notified. Confiscated tobacco and nicotine delivery devices will not be returned and will be turned over to the Saraland Police Department.

## **ALCOHOL/DRUG ABUSE**

Students will not be permitted to possess, smoke, vape, or use alcohol or illicit drugs in any form, to include paraphernalia, while in school buildings, on school property, in school buses, during any school sponsored activities, or on the way to and from school sponsored activities. For purposes of this policy, the phrase "alcohol or illicit drugs" includes, but is not limited to controlled substances, narcotics, hallucinogenics, amphetamines, barbiturates, marijuana (CBD products), opiates, alcoholic beverages, intoxicants, mind altering substances, etc. Additionally, "alcoholic beverages" include, but are not limited to, any drinks, beverages, powders, or substances that are or can be used to deliver intoxicating alcohol to a person consuming or using the same.

Principals and school officials will cooperate fully with law enforcement agencies. Law enforcement agencies are permitted to make periodic visits to all schools to detect the presence of illegal drugs and use any lawful means at their disposal to detect the presence of such substances. The visits will be unannounced.

The Board may, upon the recommendation of the Superintendent, expel a student found to be in violation of Board policy and/or the law regarding illegal substances brought before them. Before the student can return to school, he or she must produce a negative urinalysis test. The urinalysis test must be conducted by a Board approved agency and funded by the parent or guardian.

## **USE AND POSSESSION**

Students will not be allowed to appear upon the campus, or at any school sponsored activity, function, or event not on campus, during the day or evening of that same day after having, on that said day, consumed or used or possessed any controlled substances. Controlled substances include but are not limited to narcotics, hallucinogenics, amphetamines, barbiturates, marijuana (CBD products), opiates, alcoholic beverages, intoxicants, or mind-altering substances, of any kind. Violators will be subjected to the penalties and punishments herein defined to include a forty-five (45) day assignment to the Saraland Alternative Learning Center (SALC), indefinite suspension of on-campus driving privileges as well as recommendation for expulsion.

Use and/or possession of alcohol or illicit drugs, as previously defined, is a Class III Major Offense. The Superintendent may recommend for expulsion from Saraland City Schools any student who uses or possesses, or attempts to use or possess controlled substances which may include but are not limited to narcotics, hallucinogenics, amphetamines, barbiturates, marijuana (CBD products), opiates, alcoholic beverages, mind altering substances, or intoxicants of any kind.

Any person who uses and/or possesses, or attempts to use and/or possess alcohol or illicit drugs of any kind on school property or during a school related activity shall be subjected to criminal prosecution.

## **SALE AND TRANSFER**

The sale, transfer, and/or attempt to sell and/or transfer, or purchase controlled substances, narcotics, hallucinogenics, amphetamines, barbiturates, marijuana (CBD products), opiates, alcoholic beverages, intoxicants, or mind-altering substances, of any kind is prohibited on the school campus, or at any school sponsored activity, function, or event not on campus. Violators will be subjected to the penalties and punishments herein defined.

The sale, transfer, and/or attempt to sell and/or transfer alcohol or illicit drugs, as previously defined, is a Class III Major Offense.

for students with chronic discipline infractions (see Procedures for the Administration of Formal Disciplinary Action), grades 6-12

- Expulsion for students with chronic discipline infractions (see Procedures for the Administration of Formal Disciplinary Action)
- Items **not allowed** at school include but are not limited to the following: fireworks, permanent markers, aerosol cans, electronic toys, trading cards, playing cards, games, liquid paper, video games, and water guns. Possession of prohibited items may constitute a Class I violation.

Unauthorized use of personal communication mobile devices and accessories will be confiscated and result in the following:

First offense: warning/return item to student at end of school day

Second offense: ISS, parent/guardian will retrieve device on day/time scheduled with administration

Third offense: one (1) day suspension, parent will retrieve device

To promote attendance and subsequent opportunity to master course of study standards, unauthorized absence (**skipping**) will not be tolerated and will result in the following:

First offense: 3-day in-school suspension (ISS)

Second offense: 5-day in-school suspension (ISS)

Third offense: 45-day minimum placement in the Saraland Alternative School (grades 7-12)

## **INTERMEDIATE OFFENSES: CLASS II**

- 2.01 Defiance of Board Employee's Authority:** Any verbal or non-verbal refusal to comply with lawful and reasonable direction or order of a Board employee.
- 2.02 Possession, Control, Transfer, or Use of Tobacco Products:** The use of any tobacco product or nicotine delivery device (includes vaping devices) while under school jurisdiction.
- 2.03 Simple Assault on a School Board Employee:** The intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and the performance of some act that creates a well-founded fear in the other person that such violence is imminent.
- 2.04 Fighting:** Intentionally touching or striking another student against his/her will, or intentionally causing bodily harm to an individual.
- 2.05 Vandalism:** Intentional and deliberate action resulting in injury or damages of less than \$200.00 to public property or the real or personal property of another. *Parent/guardian may be held responsible for student damage to digital devices (i.e., iPads, Chromebooks, etc.)*
- 2.06 Stealing – Larceny – Petty Theft:** The intentional, unlawful taking and/or carrying away of public, real, or personal property valued at less than \$100.00 belonging to or in the lawful possession or custody of another.
- 2.07 Gambling:** The intentional, unlawful participation in gambling activities involving amounts less than \$100.00.
- 2.08 Possession of Stolen Property** (with the knowledge that it is stolen)
- 2.09 Threats – Extortion:** The verbal, written, electronic or printed communication including malicious threatening of injury to the person, property, or reputation of another with the intent to extort money or any pecuniary advantage whatsoever, or with the intent to compel the person so threatened or any person to do any act or refrain from doing any act against his/her will. **NOTE:** Completion of the threat, either by the victim's complying with demands or carrying out of the threats against the victim, constitutes a Class III offense.
- 2.10 Trespassing:** The willful entering or remaining in any structure or property without being authorized, licensed, or invited; or having been authorized, licensed, or invited, is warned by an authorized person to depart, and refuses to do so.
- 2.11 Use of Obscene Manifestations** (verbal, written, or gestures directed toward another person)
- 2.12 Directing Obscene or Profane Language to a School Board Employee**
- 2.13 Leaving Class or Campus without Permission**
- 2.14 Unsolicited Written, Electronic or Verbal Proposition to Engage in Sexual Acts**
- 2.15 Possessing of Fireworks, Firecrackers, or Smoke Bombs**
- 2.16 Cheating (serious or repeated violations)**
- 2.17 Intentionally Defaming the Character of Another Person:** To knowingly spread personal information about another student(s) or Board employee(s) that tends to damage character and reputation; to openly harass another student(s) or a Board employee(s) regarding issues generally

considered personal.

**2.18 Any other violation that the principal deems reasonable to be included in this category**

**ADMINISTRATIVE RESPONSES: CLASS II**

Administrative responses for Class II violations include but are not limited to the following:

- Parent/guardian contact/conference
- Out-of-school suspension
- Assignment to alternative setting
- Assignment to in-school suspension
- Assignment for a minimum of forty-five days (45) to the Saraland Alternative Learning Center (SALC) for students with chronic discipline infractions (see Procedures for the Administration of Formal Disciplinary Action), grades 6-12
- Expulsion for students with chronic discipline infractions (see Procedures for the Administration of Formal Disciplinary Action)

Confiscated tobacco and nicotine delivery devices will not be returned and will be turned over to the Saraland Police Department. The following disciplinary actions will be used to enforce no smoking or use of tobacco on campuses in Saraland City Schools:

First offense: 3-day out-of-school suspension

Second offense: 5-day out-of-school suspension

Third offense: 45-day minimum placement in the Saraland Alternative School (grades 6-12)

Subsequent offenses may result in long term alternative placement and/or expulsion. Discipline for tobacco-related offenses is **cumulative** beginning in grade 7 and does not start over each school year.

**MAJOR OFFENSES: CLASS III**

- 3.01 Drugs and Alcohol:** Unauthorized possession, transfer, use, or sale of drugs, drug paraphernalia, or alcoholic beverages. In accordance with Legislative Act 94-783, a person/student who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage or both.
- 3.02 Arson:** The willful and malicious burning of any part of a building or its contents. In accordance with Legislative Act 94-819, parent/guardian is liable for damages to school property caused by their children.
- 3.03 Battery Upon Board Employee:** The threatening by word or act or the unlawful and intentional touching or striking of a Board employee against his or her will, or the intentional causing of bodily harm to a Board employee. In accordance with Legislative Act 94-794, it is a felony to assault teachers or employees of the Board.
- 3.04 Robbery:** The taking of money or other property from the person which may be the subject of larceny from the person or custody of another by force, violence, assault or putting in fear of same.
- 3.05 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.
- 3.06 Burglary of School Property:** The breaking into or remaining in a structure with the intent to commit an offense therein during the hours the premises are closed to the public.
- 3.07 Criminal Mischief:** Willful and malicious injury or damages at or more than \$200.00 to public property or real property belonging to another.
- 3.08 Possession of Firearms:** 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; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device. In accordance with Legislative Act 94-817, the possession of a deadly weapon on school premises with intent to do bodily harm is a Class C felony.
- 3.09 Possession of Weapons:** Any knife, metallic knuckles, tear gas gun, chemical weapon or device, or any other weapon, instrument, or other object capable of causing bodily harm, or with the intent to be armed. In accordance with Legislative Act 94-817, the possession of a deadly weapon on school premises with intent to do bodily harm is a Class C felony.
- 3.10 Bomb Threats:** Any such communication(s) directed to a Board employee that has the effect of interrupting the educational environment.
- 3.11 Explosives:** Preparing, possessing, or igniting on Board property explosives likely to cause serious bodily injury or property damage.

after conviction for a violation of any federal or state criminal drug statute where such violation occurred on School Board property. A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a judge or jury in any federal or state court. An employee who is convicted of violating any criminal drug statute while in the workplace will be subject to disciplinary action, including termination of employment. Alternatively, the Board may require the employee to finish successfully, a drug abuse program sponsored by an approved private or governmental institution.

#### **TOBACCO FREE WORKPLACE (Policy 3.45)**

The Saraland Board of Education prohibits the use or possession of tobacco in any form by students, faculty, support personnel, or any other person on school property under the control of the Saraland Board of Education. This includes a public school building, central office building, bus maintenance building, bus, campus, recreational area, athletic field, parking area or other area under the control of the Saraland Board of Education. Saraland Board of Education employees found in violation of this policy are subject to disciplinary actions not limited to reprimand, suspension pending a hearing, and termination of employment.

#### **DRUG/ALCOHOL TESTING FOR DESIGNATED EMPLOYEES (Policy 6.72.1)**

In accordance with the Federal Transportation Employee Testing Act of 1993, certain employees involved in the operating of Saraland City School System-owned vehicles on a regular basis are required to submit to drug and alcohol testing. All employees of the school system, including substitutes, who are required to hold a commercial driver's license (CDL) as a precondition to employment or to continue employment and employees who drive system-owned vehicles, are subject to drug and alcohol testing. Such employees will be prohibited from performing assigned duties while under the influence of any prohibited drug or alcohol. Random drug and alcohol testing of designated employees, post-accident testing, pre-employment testing and reasonable cause testing are conducted according to rules of the Federal Transportation Employee Testing Act of 1993 and Saraland City School System policies.

#### **EMPLOYEE POSSESSION OF DEADLY WEAPONS (Policy 6.30.1)**

Possession of a deadly weapon on Saraland City School System property or on a school bus with the intention to do bodily harm is a Class C felony. The Saraland Board of Education authorizes the Superintendent or designee to immediately and automatically suspend, terminate, or separate from service in accordance with Board policy any employee found in possession of a deadly weapon. A deadly weapon shall be defined as anything manifestly designed, made or adapted for the purpose of inflicting death or serious physical injury. Deadly weapons are not to be carried by any employee on school grounds, on school buses and/or at any school-sponsored event, during or after regular school hours.

#### **EMPLOYEE-STUDENT RELATIONSHIPS**

All certified and classified school system personnel are to maintain a professional and ethical relationship with students. Employees are to refrain from improper fraternization or undue familiarity with students. Appropriate, ethical employee-student contact extends to written communication, electronic communication, and the use of social media. Dating between employees and students is strictly prohibited.

#### **EMPLOYEE DRESS CODE**

It is the intent of the Saraland Board of Education, through its employee dress code, to ensure all employees present themselves to students, parents, and the general public in a manner which enhances their professional position. It is also the intent of the Saraland Board of Education to ensure all employees model attire appropriate to success. Clothing should be neat, clean, in good repair, and appropriate for on the job appearances at all times. Employees shall not wear on the outside of their clothing any jewelry or similar artifacts that are obscene, distracting, or may cause disruptions to the educational environment.