

10-3-24

To: All Fayette County School District Employees
From: Jim Burkhalter, Superintendent
Re: Alcohol, Drug, Tobacco, Mental Health Awareness & Violence Prevention and Awareness

Red Ribbon Week is part of a drug awareness and prevention campaign held each October to affirm our commitment to live drug free. This year's theme is:

"LIFE IS A MOVIE, FILM DRUG FREE"

**Fayette County Schools will officially celebrate *Red Ribbon Week*
October 28th - November 1st.**

Administrators, counselors, and teachers will carry out many educational activities during October for our students as part of this campaign. These activities include: **alcohol abuse** (awareness & prevention - unlawful possession and use are wrong and it has harmful effects); **drug abuse** (awareness & prevention - unlawful possession & illicit drug use is wrong and has harmful effects); **suicide prevention** (age-appropriate activities); **tobacco abuse** (awareness & prevention - has harmful effects); and **violence prevention** (promotes a school environment that is free of harassment/bullying, intimidation, violence, and threats of violence).

I also wanted to share related local board policies for students and employees pertaining to Alcohol, Drugs, Tobacco, and Sexual Harassment and provide you resources for each area. Please review each board policy listed below. After each board policy, you will find a link (in blue) with supplemental information. In addition to our board policies, I wanted to share our *Bullying of Students* policy adopted by the board in July 2022. A complete copy of the Fayette County **BULLYING POLICY** and the Fayette County **BULLYING COMPLAINT FORM** may be accessed on this link (<https://www.fayette.k12.al.us - Bullying>) or found on our district website under Departments - Support Services - Bullying tab. Please take time to look at each of the links included in this memo in the next few days. Our board of education also emphasizes **Mental Health Awareness** by providing activities to our students throughout the school year. Links to support employees are provided at the end of this memo. To obtain a complete copy of the *Fayette County Board of Education Policy Manual* please go to our website at: <https://www.fayette.k12.al.us>

BOARD POLICIES

4.2.3 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.
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.

[National Institute on Alcohol Abuse](#)

[National Institute on Drug Abuse](#)

4.2.4 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 any other items containing or reasonably resembling tobacco or tobacco products. “Tobacco use” includes smoking, vaping, chewing, dipping, or any other use of tobacco products.

4.2.6 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.

5.18 Drug and Alcohol Testing of Safety Sensitive Employees

5.18.1 Scope – The Board will conduct employee drug and alcohol testing for employees in safety sensitive positions as required by and in accordance with federal law. Testing will be required for all employees holding a commercial drivers’ license (CDL) or who occupy a safety sensitive position as designated by the Board (“covered employees”).

5.18.2 Prohibited Alcohol and Controlled Substance-Related Conduct – In addition to activities identified in other policies, rules, and procedures, covered employees are prohibited from the following:

- a. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the Federal Highway Administration (FHWA);
- b. Being on duty or operating a vehicle while using or possessing alcohol
- c. Consuming alcohol while performing safety-sensitive functions;

- d. Consuming alcohol within eight (8) hours following an accident for which a post-accident alcohol test is required, or prior to undergoing a post-accident alcohol test, whichever comes first;
- e. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements;
- f. Consuming alcohol or being under the influence of alcohol within eight (8) hours of going on duty, operating, or having physical control of a vehicle;
- g. Reporting for duty or remaining on duty when using any controlled substance, except when instructed by a physician who has advised the driver and the Board that the substance does not adversely impact the performance of any safety-sensitive duty;
- h. Reporting for duty, remaining on duty, or performing safety sensitive functions with controlled substances in the employee's system.

In the event of a violation of this policy, the employee shall be removed immediately from safety-sensitive duties and shall be subject to such further actions, including disciplinary action up to and including termination, as deemed appropriate by the Superintendent and the Board.

5.18.3 Testing Program Authorized – All covered employees will be tested for the presence of alcohol and controlled substances in accordance with applicable law.

- a. Pre-employment Testing – Prior to the first time a covered employee performs a safety-sensitive function for the Board, the must undergo testing for [OPTIONAL: alcohol and] controlled substances.
- b. Post-accident Testing – Each surviving driver who is involved in an accident involving a school bus shall submit to alcohol and controlled substance testing as soon as practicable following such accident if such driver:
 - (1) Was performing a safety-sensitive function with respect to such vehicle and the accident involved the loss of human life, or
 - (2) Such driver receives a citation within eight (8) hours of the occurrence under state or local law for a moving traffic violation arising from the accident and the accident involved either:
 - (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or
 - (ii) One or more motor vehicles incurs disabling damage requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Each such driver shall remain readily available for such testing and if he does not remain so readily available, may be deemed to have refused to submit to testing. Transportation supervisors shall provide drivers with necessary post-accident information, procedures and instructions, prior to the driver operating the school bus, so that drivers will be able to comply with the requirements of this policy.

The tests required by this subsection shall be administered as soon as practicable following the accident. If the alcohol test is not administered within two hours following the accident, the supervisor will prepare and maintain a record stating the reasons. If the alcohol test is not administered within eight hours, and the controlled substances test within 32 hours, the same record shall be made and further efforts to administer such tests shall cease.

5.1 Sexual Harassment Prohibited – Sexual harassment in any form that is directed toward employees is prohibited. Persons who violate the policy will be subject to the full range of disciplinary consequences up to and including termination as dictated by the nature and severity of the violation and other relevant considerations. If appropriate, the circumstances constituting the violation may be reported to law enforcement agencies for further investigation and action.

5.11 Definition of Sexual Harassment – Title IX regulations define sexual harassment to include one or more of the following:

- a. An employee conditioning the provision of an aid, benefit, or service of the school/school district on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school/ school district's education program or activity; or
- c. Sexual assault, dating violence, domestic violence, or stalking, as each of those terms is defined by federal statutes enumerated in the Title IX regulations, 34 C.F.R. § 106.30(a).

5.15.3 Examples of Prohibited Conduct – The following are examples of conduct that may constitute sexual harassment, depending on individual circumstances:

- a. Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or pictures, and sexual propositions;
- b. Repeated unwelcome solicitation of sexual activity or sexual contact;
- c. Unwelcome, inappropriate sexual touching;
- d. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to an individual's employment status.

5.15.4 Sexual Harassment Complaint Procedures Authorized – The Superintendent is authorized and directed to establish, implement and revise more detailed sexual harassment complaint procedures in compliance with Title IX that are designed to provide employees who believe that they are victims of unlawful sexual harassment with a thorough, discreet, and prompt internal procedure for investigating and resolving sexual harassment complaints. The process and procedures will be drafted so as to provide supportive measures, facilitate the gathering of relevant facts and evidence, permit timely assessment of the merits of the complaint, provide an opportunity for informal resolution of complaint where appropriate, eliminate any harassment that is established by the investigation, and prevent any retaliation based upon the filing of the complaint. The procedures will reflect due regard for the legal rights and interests of all persons involved in the complaint, and will be drafted, explained, and implemented so as to comply with federal regulations, and to be understandable and accessible to all employee population groups.

FAYETTE COUNTY - CODE OF STUDENT CONDUCT

BULLYING OF STUDENTS (revised July 2022)

Bullying and Harassment are against federal, state, and local policy, and are not tolerated by the Fayette County Board of Education. The board is committed to providing a safe, disciplined, learning environment that empowers all students to develop their full potential. Additionally, the board is committed to the principle that all members of the school community are treated with dignity and respect. To that end, the board has in place policies, procedures, and practices that are designed to reduce or eliminate bullying and harassment as well as processes and procedures to deal with incidents of bullying and harassment. Bullying and harassment of students, staff, and/or volunteers who have direct contact with students will not be tolerated in the school or district.

School employees, volunteers, parents, or guardians, and students will assist with the enforcement of this policy, including, but not limited to assisting with educational and preventative measures, reporting, and investigations of bullying and harassment.

1. Bullying, Intimidation, Violence, and Threats of Violence Prohibited

No student shall engage in nor should any be subjected to bullying, violence, threats of violence, or intimidation by any other student that is based on any of the specific characteristics set forth in this policy. Students who violate this policy will be subject to appropriate disciplinary sanctions as specified in the *Code of Student Conduct* subject to the investigating school administrator's authority and decision. (See pages 17 - 21 STUDENT CONDUCT - Classification of Violation. - CLASS I - CLASS II - CLASS III).

2. Definitions

In this policy, these terms shall have the following meanings:

(a) “Bullying” means a continuous pattern of intentional behavior on or off of school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal or physical actions that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in this policy. To constitute bullying, a pattern of behavior may do any of the following:

- Place a student in reasonable fear of harm to his or her person or damage to his or her property.
- Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
- Have the effect of substantially disrupting or interfering with the orderly operation of the school.
- Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
- Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

(b) “Hostile environment” means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person under the circumstances would agree that the conduct constitutes bullying, threat of assault, or assault.

(c) “Violence” means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

(d) “Threat” means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.

(e) “Threat of violence” means an unjustified expression of intention to inflict injury or damage that is made by a student and directed to another student.

(f) “Intimidation” means an unjustified threat or other action that is intended to cause fear or apprehension in a student..

(g) “Student” as used in this policy means a student who is enrolled in the Fayette County School District.

3. Description of Behavior Expected of Students

a. Students are expected to treat other students with courtesy, respect, dignity and comply with the *Code of Student Conduct*. Students are expected and required: (1) to

comply with the requirements of law, policy, regulation, and rules prohibiting bullying, violence, or intimidation; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student; and (3) to refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristics of the student that is identified in this policy.

- b. Bullying, intimidation, violence, threats of violence, are prohibited and will be subject to appropriate disciplinary consequences and/or sanctions if the perpetrator of such action is found to have based the prohibited action on one or more of the following personal characteristics of the student:
 - Race
 - Sex
 - Religion
 - National origin
 - Disability

4. Consequences for Violations

A series of graduated consequences for any violation of this policy will be those outlined in the *Fayette County Code of Student Conduct* or any rule or standard adopted under authority of this policy. When a student has committed two acts of bullying as documented by the school administrator(s), the parents will be notified and a phone or in-person conference will be held between the principal/assistant principal and the parent. The principal may ask other staff members to participate in the conference, if needed.

5. Reporting, Investigation, and Complaint Resolution Procedures

- a. Complaints alleging violations of this policy must be made on a *Fayette County Schools Complaint Form* available in the *Code of Student Conduct* on the county website, or at the school's office. The complaint must be delivered to the principal or the principal's designee either by mail or personal delivery. Incidental or minor violations of the policy may be presented and resolved informally.
- b. Upon receipt of the complaint, the principal or the principal's designee will determine if the complaint alleges a serious violation of this policy. If the principal or the principal's designee determines that the complaint alleges a serious violation, the principal or the principal's designee will undertake a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions will be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violation(s) may also be imposed by the principal or school system.

- c. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation will be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the *Code of Student Conduct*. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy will be subject to disciplinary sanctions as outlined in the *Code of Student Conduct*.

6. Promulgation of Policy and Related Procedures, Rules, and Forms

This policy and any procedures, rules, and forms developed and approved to implement the policy will be posted on the district website at [fayette.k12.al.us bullying form](http://fayette.k12.al.us/bullying_form) under Departments - Support Services - Bullying. The policy and complaint form will also be posted on each school website. The policy and complaint form shall also be made available hard copy at the central office and at each of the six schools (in the office). Reference to the **Bullying Policy** and **Complaint Form** shall be included in information sent out to parents at the beginning of the school year AND included in the information given to a new student upon enrollment. Staff members will receive training on this policy and the complaint form at the beginning of school.

Common Forms of Bullying

[Please note that this is not intended to constitute an exhaustive list.]

Verbal Bullying

- Teasing
- Name-calling
- Inappropriate sexual comments
- Taunting
- Threatening to cause harm
- Degrading language
- Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

Social Bullying

- Exclusion – intentionally excluding a student

Social Isolation

- Telling other students not to be friends with someone
- Spreading rumors about someone
- Embarrassing someone in public
- Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

Physical Bullying – the victim’s personal boundaries are violated

- Hitting/kicking/pinching
- Spitting
- Tripping/pushing
- Taking or breaking someone’s things
- Making mean or rude hand gestures
- Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

Cyberbullying

Intimidating text messages or emails

Rumors by email or social networking sites

Embarrassing pictures and videos

Trolling

Other pervasive, ongoing pattern intended to intimidate, harass or shame a student

MENTAL HEALTH AWARENESS

Research shows that mental illnesses are common in the U.S., affecting tens of millions of people each year. Estimates suggest that only half of people with mental illnesses receive treatment. It is estimated that more than one in five U.S. **adults** live with a mental illness (57.8 million in 2021). Any mental illness (AMI) is defined as a mental, behavioral, or emotional disorder. AMI can vary in impact, ranging from no impairment to mild, moderate, and even severe impairment.

- In 2021, there were an estimated 57.8 million adults aged 18 or older in the United States with AMI. This number represented 22.8% of all U.S. adults.
- The prevalence of AMI was higher among females (27.2%) than males (18.1%).
- Young adults aged 18-25 years had the highest prevalence of AMI (33.7%) compared to adults aged 26-49 years (28.1%) and aged 50 and older (15.0%).
- The prevalence of AMI was highest among the adults reporting two or more races (34.9%), followed by American Indian / Alaskan Native (AI/AN) adults (26.6%). The prevalence of AMI was lowest among Asian adults (16.4%).

For **adolescents ages 13-18** in the U.S., it is estimated that 49.5% had a mental disorder. Of adolescents with any mental disorder, an estimated 22.2% had severe impairment and/or distress.

Source: [National Institute of Mental Health](#)

10-3-24

MENTAL HEALTH RESOURCES

<https://www.entertales.com/importance-mental-health-awareness/>

<https://www.cdc.gov/mentalhealth/learn/index.htm>

<https://www.nimh.nih.gov/health/statistics/mental-illness>

<https://www.30daysofmentalhealth.org/>

Ms. Kathryn Stowe - Fayette County Board of Education - Mental Health Service Coordinator
kstowe@fayette.k12.al.us 205-932-8071

Northwest Alabama Mental Health Center - 123 2nd Ave. NW -- Fayette, AL 35555
205-932-3216

It is the mission of the Fayette County Board of Education to provide a safe, disciplined learning environment that empowers all students to develop their full potential. Promoting a drug-free environment is a vital component to maintaining this safe environment. If you need additional support or resources related to alcohol, drugs, tobacco, suicide awareness, mental health, or violence prevention and awareness, please contact me at the Central Office at 205-932-4611 ext. 222 or Dr. Rene P. Nichols, Prevention and Support Supervisor at 205-932-8071.