

STUDENTS

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Substance and Alcohol Abuse

Jerome Jt. School District No. 261 recognizes that substance abuse, the harmful use of drugs, alcohol and tobacco; and the problem associated with the use and abuse of drugs, alcohol, and tobacco are becoming increasingly commonplace in our society. We recognize that a student's involvement with drugs, alcohol, and tobacco may cause problems in their daily lives and recognize that in many instances a student's involvement can lead to the illness of chemical dependency. We support prevention, early intervention, and appropriate referral. Our intent is to identify and document behaviors that would be considered detrimental to the student. We will be involved in disciplinary action when a violation of this policy occurs so that we convey the message that drugs, alcohol, tobacco and controlled substance abuse will not be tolerated in our schools.

The Board recognizes that use of alcohol and drugs is a serious problem and that the presence of drugs in school is detrimental to the educational environment and harmful to the health, safety, and welfare of students and staff. The District wishes to help those in need of alcohol and drug intervention and at the same time to protect others that are affected by the presence of alcohol and drugs and to enforce the policies of the District relating to use, possession, or being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C).

It is our purpose to:

1. Provide a healthy environment for learning, which is free of mood or mind altering drugs or health damaging chemicals.
2. Provide early identification of students who show signs of possible chemical use or other behavior which has a negative impact on their learning.
3. Work closely with parents and community agencies in providing rapid assessment of current or potential problems with chemicals.
4. Facilitate parents in their search for appropriate treatment of problems which affect school performance and/or student health.

Section 18-1502 of Idaho Code states that whenever a person is in violation of any federal, state or municipal law or ordinance pertaining to the use, possession, procurement or attempted procurement or dispensing of any drug, alcohol or tobacco product, the violation shall constitute a misdemeanor. It is the policy of Jerome School District to help enforce Idaho Code 18-1502.

Chapter 27 of the Idaho Uniform Controlled Substances Acts, Sections 37-2701 through 37-2751, prohibits:

1. The manufacture or delivery, or possession with intent to deliver, a controlled substance.
2. The creation, delivery, or possession with intent to deliver, a counterfeit substance.
3. The possession of a controlled substance without a prescription.
4. Knowingly be present where illegal controlled substances are being manufactured or cultivated or are being held for distribution, transportation or delivery.
5. Possession of a controlled substance.
6. Conspiracy to commit any offense defined within the Act.
7. The advertisement or solicitation offering for sale simulated controlled substances.
8. The manufacture, distribution, or possession with intent to distribute a "simulated controlled substance".
9. Obtaining a controlled substance by fraud.
10. The use and possession with intent to use drug paraphernalia.
11. The distribution of controlled substances to persons under age 18.

Controlled substances include drugs and mood altering chemicals, any alcohol or malt beverage, substances controlled by age such as tobacco and tobacco products, any abused substance, any medication not approved and registered by a legal pharmacist, any mood altering substance, and any steroid.

Any student who violates any of the pre-stated activities shall be considered in violation of the District Substance Abuse policy.

Procedures for working with students found in violation of substance abuse policies will be adopted with levels of action according to the degree to which students are involved, including screening, identification, intervention, referral, suspension and/or expulsion. The decision as to the procedure to be followed will be undertaken by the building's Care Team which may include administrators, counselors, teachers and community resource people.

Tobacco and Tobacco Products:

1. If a student is suspected of a possible policy violation, that student will be interviewed by the Care Team in their building, informed of available school and community help, and encouraged to seek assistance. The parents will be contacted and advised of the procedure which could include referral to an appropriate agency, citation, an educational project and possible suspension from school.
2. If a student violates the school policy and it is the student's first offense, the student will be given a formal hearing with parents and the Care Team. Offending students will be referred to the police for citation, and may be assigned to an educational project and possible suspension from school.
3. If a student violates the policy for a second time, the student will be given a formal hearing with parents and the Care Team. The student will be referred to the police for citation and a suspension may be invoked. Furthermore, the student may be required to investigate methods for rehabilitation and report this information to a designated Care Team member.
4. Following their third offense, students who violate this policy will be referred to the police for citation and to the Board for possible disciplinary action.
5. Offenses accumulate from year to year and do not restart with each semester or school year.
6. Students who are of legal age to use tobacco and tobacco products are restricted to this policy on school property.
7. Tobacco products which are confiscated will be turned over to the police within twenty-four hours of their confiscation.

Drugs:

1. If students are suspected of possible violations, they will be interviewed by the Care Team from their building, informed of available school and community help, and encouraged to seek assistance. The parents will be contacted and advised of the procedure which could include formal intervention, voluntary referral to an appropriate agency, citation, an educational project and possible suspension from school.
2. If a student violates the school policy and it is the student's first offense, the student will be given a hearing with parents and the Care Team. Offending students will be referred to the police for citation, a suspension may be invoked, may be requested to seek assessment by a chemical dependency professional within forty-eight hours, and may be requested to complete an educational project.
3. If a student violates the policy for a second time, the student will be given a hearing with parents and the Care Team. The student will be referred to the police for citation and a suspension may be invoked. Furthermore, the student is requested to seek professional evaluation within forty-eight hours of the hearing or the student may be referred to the School Board for disciplinary action, up to and including expulsion.
4. Following their third offense, students who violate this policy will be referred to the police for citation and to the Board for possible disciplinary action, up to and including expulsion.
5. In a case of illegal drug possession on campus or at a school sponsored activity, the school administration may recommend expulsion.

- ~~6. Any student who knowingly distributes a controlled substance will immediately referred to the School Board for possible disciplinary action and to the police for citation.~~
- ~~7. These offenses accumulate from year to year and do not re-start with each semester or school year.~~

Voluntary Disclosure

The District shall strive to create an environment free from alcohol and illicit drugs. In the case of students who come forward and voluntarily disclose using and/or being under the influence of alcohol and/or drugs while on school property or at a school function, prior to the District having reasonable suspicion, the will immediately notify the student's parent/guardian, and the District will work with the parent in the establishment of a plan to assist the student in whatever means are deemed necessary and appropriate. The incident shall be reported to law enforcement if Idaho code has been violated.

The mere fact that a student previously disclosed use of alcohol or controlled substances, in and of itself, shall not establish reasonable suspicion at a later date.

Use of Alcohol/Drugs Not Disclosed Voluntarily

If the District has reasonable suspicion (based upon reliable information received or the personal observations of staff) that a student is using or is under the influence of alcohol or a controlled substance and the student has not voluntarily disclosed such use or influence, the District may take whatever action is deemed appropriate, including but not limited to suspension, and/or expulsion. The District shall notify the student's parent/guardian as well as local law enforcement. The following shall be used as a guide in determining what procedures may be followed when this occurs, however, the specific procedure may, in large part, depend upon the circumstances in each case:

1. Upon reasonable suspicion, the student will be asked if they have used and/or are under the influence of alcohol and/or drugs;
2. If the student admits to the use, the student's parent/guardian will be immediately called. The student will be asked to reveal the circumstances involving the use of alcohol and/or drugs and asked if any other students were involved;
3. The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to 20 days and/or recommended for expulsion.
4. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk, or any other school property used by the student. In addition, law enforcement will be called immediately as will be the parent/guardian. The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion may be made to the Board of Trustees. The student will be entitled to full due process prior to being expelled from school.

Only persons who have a "need to know" may receive information regarding a voluntary disclosure, except when deemed reasonably necessary to protect the health and safety of others.

Resources

When a student admits to using alcohol or drugs or is reasonably suspected of doing so, the student's parent/guardian will be notified of available opportunities for counseling for the student.

When a student is expelled for such substance use, the Board may require, as a condition of readmission, that the student undergo assessment and counseling for alcohol and/or drug use if qualified District staff are available to provide these services.

The District shall provide written annual notification of the voluntary disclosure provisions of this policy as well as counseling availability and any other pertinent information in the student handbook or other reasonable means.

The Board shall review this policy annually.

Cross Reference: ~~4175~~ Required Annual Notices

Legal Reference:	I.C. § 33-210	Students using or under the influence of controlled substances Attendance at Schools - Students Using or Under the Influence of Alcohol or Controlled Substances.
	IC § 33-6000	Parental Rights
	IC 37-2732C	Using or Being Under the Influence - Penalties
	IDAPA 08.02.03.160	Safe Environment and Discipline
	Pub. L. 100-690	The Anti-Drug Act of 1988 (as amended)

Cross References

Code	Description
3330	Student Discipline
3340	Corrective Actions and Punishment
3340	Corrective Actions and Punishment
3370	Searches and Seizure
3370	Searches and Seizure
3518	Treatment of Opioid Overdoses

~~I.C. § 18-1502~~

~~I.C. § 37-2701-37-2751~~

Policy History:

Adopted on:	04/25/2009
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