

DRUG, ALCOHOL AND CONTROLLED SUBSTANCE OFFENSES BY STUDENTS

The school district shall promote a healthy environment for students by providing education, support and decision making skills in regard to alcohol, drugs and other controlled substances and their abuse. In order to accomplish this goal, a cooperative effort must be made among the schools, parents/guardians, community and its agencies.

It shall be a violation of district policy and considered to be behavior which is detrimental to the welfare or safety of other students or school personnel for any student to possess drug paraphernalia and to possess, use, sell, distribute, exchange or procure or to be under the influence of alcohol, drugs or other controlled substances. The unlawful possession or use of alcohol or controlled substances is wrong and harmful to students.

For purposes of this policy, the following definitions will apply:

Controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined in law, or any prescription or nonprescription drug, medicine, vitamin or other chemical substances not taken in accordance with the district policy and regulations on administering medications to students or the district policy on administration of medical marijuana to qualified students.

Possession will mean bringing, possessing or having in one's control a controlled substance or drug paraphernalia.

Sale will mean exchanging money or any other item of value in a transaction where a controlled substance is exchanged.

Distribution will mean providing a controlled substance to another regardless of the exchange of money or item of value.

Drug paraphernalia will mean any equipment, product or material, which is used or intended to be used or designed for use in introducing a controlled substance into the body.

Under the influence will mean when a student has ingested, inhaled or applied a controlled substance or when a student's behavior, condition, speech, appearance, odor, well being or the wellbeing of others is affected by the use of a controlled substance.

This policy also includes substances that are represented by or to the student to be any such controlled substance or what the student believes to be any such substance.

This policy will apply to any student:

- on their way to or from school,
- on district property,
- being transported in vehicles dispatched by the district or one of its schools,
- during a school-sponsored or district-sponsored activity or event,
- off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event,
- or whose conduct at any time or place interferes with the operations of the district or the safety or welfare of students or employees.

Students violating this policy will be subject to disciplinary sanctions which may include suspension and/or expulsion from school and referral for prosecution. Disciplinary sanctions and interventions for violations of this policy will be in accordance with District policy concerning student suspensions, expulsions and other disciplinary interventions. The Restorative Justice process is a component of suspension and/or expulsion and may be required in conjunction with suspension and expulsion disciplinary sanctions.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse will be handled on an individual basis depending upon the nature and particulars of the case. When appropriate, parents will be involved and effort made to direct the substance abuser to sources of help.

The district, in recognition that drug and alcohol abuse is a community problem, will cooperate actively with law enforcement, social services or other agencies and organizations, parents and any other recognized community resources committed to reducing the incidents of illegal use of drugs and alcohol by school-aged youths.

Whenever possible in dealing with student problems associated with drug and alcohol abuse, school personnel will provide parents/guardians and students with information concerning available education and rehabilitation programs.

Information provided to students and/or parents about community substance abuse treatment programs or other resources will be accompanied by a disclaimer to clarify that the district assumes no financial responsibility for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required.

The district will provide all students and parents/guardians with a copy of this policy and its accompanying procedures on an annual basis.

The district will conduct a periodic review of its drug prevention program to determine its effectiveness and to implement any necessary changes.

LEGAL REFS.:

20 U.S.C. 7101 et seq. (Safe & Drug-Free Schools and Communities, Act of 1994)

21 U.S.C. 812 (definition of “controlled substance”)

C.R.S. 18-18-407(2) (crime to sell, distribute or possess controlled substance on or near school grounds or school vehicles)

C.R.S. 22-1-110 (instruction related to alcohol and drugs)

C.R.S. 22-1-119.3(3)(c)(d)(no student possession or self-administration of medical marijuana, but school districts must permit the student’s primary caregiver to administer medical marijuana to the student on school grounds, on a school bus or at a school-sponsored event)

C.R.S. 22-32-109.1(2)(a)(I)(G) (policy required as part of safe schools plan)

C.R.S. 22-33-106(1)(d) ((suspension or expulsion discretionary for the sale of a drug or controlled substance)

C.R.S. 25-1.5-106(12)(b)(possession or use of medical marijuana in or on school grounds or in a school bus is prohibited)

C.R.S. 25-14-103.5 (boards of education must adopt policies prohibiting use of retail marijuana on school property)

Originally adopted: August 11, 1986

Latest Revision: November 14, 2024
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March 18, 2011
July 1, 2013

CROSS REF: S-18: Student Interviews, Interrogations, Searches and Arrests
S-12-A-1: Discipline of Students with Disabilities
S-21: Suspension/Expulsion of Students
S-46: Administering Medications to Students
S-46-A: Administration of Medical Marijuana to Qualified

Students

S-46-R: Regulation of Administering Medications to Students