

Lewistown School District

STUDENTS

3340P
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CHEMICAL & TOBACCO POLICY

PHILOSOPHY

The goal of our chemical and tobacco policies is to keep our schools and our students' chemical and tobacco free. These policies should provide for learning experiences in the areas of physical, mental, emotional, social and moral development so that our students may become better citizens.

IN SCHOOL OR AT SCHOOL ACTIVITIES

CHEMICAL VIOLATIONS

In school, or at school activities, students who are under the influence¹, possess, or who give away drug paraphernalia, alcohol, marijuana, or other substance defined by law as a "controlled substance" or "dangerous drug" will be subject to immediate disciplinary action at their school of attendance.

A first violation in school, or at school activities, during their school career will result in:²

1. Notification of law enforcement and parents of the student.
2. Suspension from school for up to three (3) days.³
3. Suspension from participation⁴ in all extra-curricular activities for a period of one semester⁵ **OR** the principal shall extend the option to the student of suspension from participation in all extra-curricular activities for a period of 3 weeks of competition or events⁶ from the date of the disciplinary action and participation in an appropriate chemical awareness experience.⁷
4. Signed diplomas may be withheld until requirements of this policy are met.
5. Students who are in violation of this policy at graduation practice or at graduation will be excluded from the graduation ceremony.

A second violation in school, or at school activities, during their school career will result in: ²

1. Notification of law enforcement and parents of the student.
2. Suspension from school for up to five (5) days.³
3. Suspension from participation⁴ in all extra-curricular activities for a period of one year⁵ **OR** principal shall extend the option to the student of suspension from participation in all extra-curricular activities for a period of 6 weeks of competition or events⁶ from the date of the disciplinary action and participation in an appropriate chemical awareness experience.⁷
4. Signed diplomas may be withheld until requirements of this policy are met.
5. Students who are in violation of this policy at graduation practice or at graduation will be excluded from the graduation ceremony.

Further violations in school or at school activities in during their school career will result in:²

1. Notification of law enforcement and parents of the student.
2. Suspension from school for up to ten (10) days.³
3. An expulsion review by the school administration and possible expulsion recommendation to the school board.
4. Administrative review of the incident may result in a refusal to enter school property pending a school board hearing.

CHEMICAL SALE OR DISTRIBUTION VIOLATIONS²

Students who sell or receive compensation for the distribution of drug paraphernalia, alcohol, marijuana, or any other substance defined by law as a "controlled substance" or "dangerous drug" in school or at school activities:

1. Will be turned over to the appropriate law enforcement authorities. Parents of the student will be contacted.
2. Will receive up to ten (10) days out of school suspension.³
3. Will have an expulsion review by the school administration and possible expulsion recommendation to the school board.
4. Additionally, administrative review of the incident may result in a refusal to enter school property pending a school board hearing.

SCHOOL TOBACCO VIOLATIONS

Student use or possession of tobacco or tobacco products in school or at school activities will result in disciplinary action as follows:

First Offense: Suspension³ from school for up to one (1) day, notification of parents and law enforcement, and an explanation of the consequences for subsequent violations. The student will also receive educational material concerning the dangers of tobacco use and the addiction process. The tobacco will be disposed of in the presence of the student.

Second Offense: Suspension³ from school for up to two (2) days, notification of parents and law enforcement, suspension from participation⁴ in all extra-curricular activities for 3 weeks of competition or events⁶ from the date of disciplinary action. The tobacco will be disposed of in the presence of the student.

Further Offense(s): Suspension³ from school for up to three (3) days, notification of parents and law enforcement, suspension from participation⁴ in all extra-curricular activities for 6 weeks of competition or events⁶ from the date of disciplinary action. The tobacco will be disposed of in the presence of the student.

ACTIVITIES CHEMICAL & TOBACCO POLICY & GUIDELINES

PHILOSOPHY

All activity participants at School District No. 1 are expected to make personal sacrifices for the good of the individual and the group. It is intended that student-participants will not be in attendance at a function or be riding in a vehicle where tobacco, alcohol, or drugs are located or being used. Self-discipline, accountability and responsibility on the part of each participant are expectations that are held for all. Additionally, it is important for student participants to become positive leaders. Positive leaders in and out of school and school activities. Successful people succeed in their task by hard work, perseverance, honesty and dedication.

ACTIVITIES CHEMICAL VIOLATIONS

Students who participate in activities will not be under the influence of¹, be in possession of, give away or sell drug paraphernalia, alcohol, marijuana, or another substance defined by law as a "controlled substance" or "dangerous drug." It is intended that students will not be in attendance at a function, or be riding in a vehicle where tobacco, alcohol or drugs are located or being used.

Student activity participants who admit, whose parent(s) report, who have been found by the administration to have violated the chemical policy, or who have been found guilty of possession or being under the influence, are subject to the chemical policy consequences.

Student activity participants charged by the legal system with a chemical offense may be suspended from participation in their activity (following due process procedures in school policy) until the situation is resolved by the court. If suspended from activities, the student will fulfill all obligations as set forth by this policy. A student awaiting remediation of a charge will not serve more suspension from participation days than the step and offense called for in each situation.

Violations by student activity participants are cumulative⁸ in nature. Starting with the first and subsequent offenses, violations within a two-year period will accumulate to determine the actual level of consequence.

First Offense: Suspension from participation⁴ in all extra-curricular activities for a period of one semester⁵ **OR** the principal shall extend the option to the student of suspension from participation in all extra-curricular activities, in town or away, for a period of 2 weeks of competition or events⁶ from the date of the disciplinary action and participation in an appropriate chemical awareness experience.⁷

Second Offense: Suspension from participation⁴ in all extra-curricular activities for a period of one year⁵ **OR** the principal shall extend the option to the student of suspension from participation in all extra-curricular activities, in town or away, for a period of 4 weeks of competition or events⁶ from the date of the disciplinary action and participation in an appropriate chemical awareness experience.⁶

Further Offense(s): Suspension from participation³ in all extra-curricular activities for a period of one year⁴ **OR** the principal shall extend the option to the student of suspension from participation in all extra-curricular activities, in town or away, for a period of 8 weeks of competition or events⁵ from the date of the disciplinary action and participation in an appropriate chemical awareness experience.⁷

OTHER INFORMATION:

1. Participants who have violated the chemical policy may jeopardize receiving post-season letters, trophies, and individual team privileges.
2. The appropriate activity sponsor(s), athletic director and school administration will consider each incident individually according to the policy.

3. Student activity suspensions that run past the end of a season or semester will carry forward to the next season of participation or semester; even if that means going into the next school year.
4. Participants under suspension for chemical use must follow all extra-curricular rules and are subject to consequences at the next step if a violation occurs.
5. Student participants who violate the chemical policy at school or at school activities are subject to the district-wide chemical rules as they relate to all students.

ATHLETICS TOBACCO VIOLATIONS

Students who are participants in athletics will not use tobacco or be in possession of tobacco products. Those in violation will be subject to the following consequences:

First Offense: Suspension from participation⁴ in extra-curricular activities, in town or away, for a period of 2 weeks of competition or events⁶ from the date of the disciplinary action.

Further Offense(s): Suspension from participation⁴ in extra-curricular activities, in town or away, for a period of 4 weeks of competition or events⁶ from the date of the disciplinary action.

NOTE: Athletes who violate the tobacco policy at school or at school activities are also subject to tobacco rules as they relate to all students.

CHEMICAL POLICY ENDNOTES

1. Students suspected of chemical use, or who are believed to be under the influence, are expected to fully cooperate with reasonable requests by an administrator. Such requests may include submission to commonly used tests designed to determine chemical use. Students who choose to not cooperate with a request of this type will be treated the same as any other student in a comparable situation who has been found under the influence or found to have violated the expectations of this policy.
2. In school as defined by School Laws of Montana, Section 20-5-201 (d). "... in school or on the premises, on his way to and from school, or during his intermission or recess". A student is considered to be in school whenever he/she is attending or participating in a school activity. During their school career refers to an individual student's career in a given level of schooling. For example, a student's career at the middle school level would be typically two years long; a high school student's is traditionally four years long.
3. Suspension will be for the maximum of the days recommended throughout the Policy and may include in or out of school suspension. After four (4) days of in-school suspension at the school for tobacco or alcohol/drug use, all additional suspensions will be served out of school.
4. Students suspended from participation in extra-curricular activities will not be allowed to perform or compete, or in some way represent School District No. 1, in an extra-curricular activity (in town or away) for the duration of suspension. The student is, however, required to continue with scheduled practices and rehearsals. For the purposes of this policy, the extra-curricular activities included shall be those activities that include some form of performance, contest, competition or representation of School District No. 1. It is useful to note that this definition includes but is not limited to all MHSA sanctioned activities. Some specific activity events are part of credit-bearing courses that involve activities both inside and outside the classroom setting. These activities, for the purposes of this policy shall be defined as those activities beyond the classroom and the immediate scope of graded requirements. Students will not be excluded from the graduation day ceremony as a result of an activity suspension. Example #1 - A student in choir may participate in classroom activities but not perform in concerts as a member of the choir. If part of their grade is determined by the performance, they will be allowed to do other work in lieu of the performance. Example #2 - If a student in FFA is suspended after violation of the activity side of the Chemical and Tobacco Policy, can the attend the Blue-Gold Breakfast which is a function of the Student Council, and what about the Junior/Senior Prom? The answer for the first question is no, while the answer for the second question is yes. While the Student Council does not apply as an extra-curricular activity for the purposes of this policy, its' event is considered an event which requires school representation. Dances or meetings are not considered activity performances, events of competition or representation; therefore suspensions from them, due to this policy would not be appropriate.
5. A semester is the equivalent of ninety (90) pupil instruction days and a year is the equivalent of one hundred eighty (180) pupil instruction days. A suspended student will serve ninety (90) or one hundred eighty (180) suspension days from activity participation for each semester or year of suspension even if the time carries over to a new school year. Appeals of chemical policy decisions are to be made to the Superintendent prior to completion of the activity suspension.
6. Competition or event weeks are weeks when the sport or activity is competing or performing. Weeks during which only practices, or rehearsals take place are not considered competition or event weeks. Appeals of chemical policy decisions are to be made to the Superintendent prior to completion of the activity suspension. In cases of canceled events during the spring sports season, students who have met the minimum requirements to participate during a regularly scheduled spring competition (but would not have competed due to an activity suspension) may appeal one week of competition lost due to the cancellation of the event.

7. Appropriate chemical awareness experiences are activities which are designed to help students become aware of drug/alcohol concerns and other issues. These activities will vary depending on the frequency of violations and the age of the student. Potential examples are as follows:

First Offense: Chemical education class or other appropriate educational setting as determined by local qualified service/treatment providers. The student may not participate in the same chemical education class more than once every two years, as per Endnote number 5. Expenses incurred will not be the responsibility School District No. One.

Second Offense: Referred to local qualified service/treatment providers for a possible evaluation or additional chemical education class work. Expenses incurred will not be the responsibility School District No. One.

Further Offense(s): Referred to local qualified service/treatment providers for a possible evaluation or additional chemical educational class work. Expenses incurred will not be the responsibility School District No. One.

Note: At school, support groups and counseling are available to all students either assigned or on a volunteer basis. Interested students are to contact the school guidance office.

8. The cumulative nature of the Activities Chemical Policy relates to consecutive offenses within a two-year window of violations. Included in possible offenses is an In School or At School Activities offense generated within the mandatory two-year aspect of these policies. For example, a participant who violates the Activities Chemical Policy during the football season, later has another chemical violation while in school (but out of season) and finally violates the Activities Chemical Policy again in football the next season would receive an eight week activities suspension. The eight-week suspension represents the third offense as per the cumulative nature of the activities policy, again assuming all three violations occurred within two years of the first violation.

Policy History:

Adopted on: June 14, 2004

Revised on: