

Substance Use

The purpose of this policy is to assist the Fargo Public School District in its responsibility of promoting a substance free environment.

Clothing, jewelry, or personal property that advertises alcohol, tobacco products, or other substances deemed hazardous to a person's health are prohibited.

Definitions

- A. "Substance use" means use of any substance (1) for reasons or in a manner other than medically prescribed or authorized; or (2) without compelling medical reason, in a manner that induces mental, emotional, or physical impairment, to the extent that the person's normal function is impaired.
- B. "Substances" mean any substances, including but not limited to alcohol, tobacco products, toxic substances, and controlled substances as defined by N.D.C.C. 19-03.1-01(6). Substances as used in this policy also includes medical cannabis authorized under N.D.C.C. ch. 19-24.1 or adult use cannabis authorized by another state. In addition, any prescription or non-prescription drug, medicine, or other chemical including, but not limited to stimulants, diet pills, pep pills, "no-doze" pills, or any other substance used to alter mood, except as ordered by a physician. Finally, "chemicals" may include any glue, or aerosol paint or any other chemical substance, including but not limited to, lighter fluid or white out, which may be inhaled, except when used or possessed for approved educational purposes. Specifically, tobacco use will be referred to AP 3500/5500/6500 Tobacco Use Policy.
- C. "School location" includes any school building or on any school property; at any school sponsored event; or on any school sponsored transportation; or any location where students are under the jurisdiction of the school district.

II. Procedure – Employees who suspect students to be under the influence of substances or in possession of prohibited substances are required to immediately notify a school administrator.

- A. The building administrator will investigate the report. Action may include a search of person, possessions, lockers or vehicles in accordance with AP 6333.
- B. Students who are determined to be under the influence or in possession of prohibited substances may be referred to law enforcement for a criminal violation. The administrator or law enforcement will confiscate the prohibited substances and law enforcement will take possession if the substances are illegal substances. Student tobacco possession has been decriminalized in the state of North Dakota and students may be referred to the appropriate supports or process.
- C. Administration will notify the student's parents. Parents will be informed of any disciplinary actions.
- D. Substance use by a student may result in the immediate suspension from school. In addition, the student may be required to meet with a designated school official. Students who are also involved in co-curricular activities will be subject to the rules and

regulations defined by the North Dakota High School Activities Association (NDHSAA) and the Fargo Public Schools Activity Handbook.

- E. Students who have more than one infraction may be suspended and referred to a school based mental health professional.
- F. In addition, any student distributing or selling substances may be recommended for expulsion.

N.D.C.C. § 19-24.1-33

Approved 1/22/85
Reviewed 11/30/05
Revised 2/1/2012
Revised 7/2017
Revised 10/2021
Revised 7/2022
Revised 7/2023
Revised 6/2024