



Policy: Student Possession and Use of Alcohol and Drugs File

Code: C2

Warned: November 8, 2016

Adopted: November 21, 2016

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Statement of Philosophy

This policy shall be concerned with the health and well-being of all students and the policy shall take into consideration the individual needs of students with problems (drug, alcohol, substance abuse problems) as well as the right of the majority of students to an education.[2]

It is therefore the policy of the Addison Central School District that no student shall knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any illegal drug, regulated substance, or alcohol on any school property, or at any school sponsored activity away from or within the school.[3] It is further the policy of the District to make appropriate referrals in cases of substance abuse.

Definitions

1. The term “substance abuse” as used in this policy is the ingestion of a substance in such a way that it interferes with a person’s ability to perform physically, intellectually, emotionally, or socially.[4]
2. The term “drug” as used in this policy means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, cannabis or any other controlled substance as defined by state or federal regulation or statute.[5]

Administrative Responsibilities Related to Alcohol and Drugs

Educational Program The superintendent or designee shall work with appropriate staff members to develop and conduct an alcohol and drug abuse educational program.[6] The program shall be consistent with the Vermont Alcohol and Drug Education Curriculum Plan.[7] If the District is a recipient of federal Safe and Drug-Free Schools and Communities Act funds, the Act will be considered in the development of the alcohol and drug abuse educational Program.[8]

Cooperative Agreements. [9] The superintendent or designee shall annually designate an individual to be responsible for providing information to students and parents/guardians about outside agencies that provide substance abuse prevention services and to encourage the use of their services and programs when appropriate.

The District shall have a cooperative agreement with at least one provider, approved by the Department of Health, that can provide substance abuse treatment to students who are referred through the school’s support and referral system, or who refer themselves for Treatment.

Immediate Procedures.[10] The superintendent or designee shall establish procedures for handling any alcohol/drug related incident until the student has been discharged to the parent, guardian, social service, medical, or law enforcement agency.

Emergency.[11] The superintendent or designee shall establish procedures for administering emergency first aid related to alcohol and drug abuse. The procedures will define the roles of the personnel involved.

Administrative Responsibilities Related to Student Conduct and Discipline Any student who violates this policy by knowingly possessing, using, selling, giving or otherwise transmitting, or being under the influence of any illegal drug, regulated substance, or alcohol, on any school property, or at any school sponsored activity away from or within the school shall be subject to discipline consistent with the District's policy on Student Conduct and Discipline and the school's overall discipline plan developed pursuant to 16 V.S.A. § 1161a.

Notification The superintendent or designee shall ensure that parents and students are given copies of the standards of conduct and disciplinary sanctions contained in the procedures related to this policy and are notified that compliance with the standards of conduct is mandatory. Notice to students will, at a minimum, be provided through inclusion of these standards and sanctions in the student handbook distributed to all students at the beginning of each school year or when a student enrolls in the school.[12]

Legal Reference(s): 20 U.S.C. §§7101 et seq. (Safe & Drug-Free Schools & Communities Act of 1994) 16 V.S.A. §909 (Drug & Alcohol Abuse Prevention Education Curriculum) 16 V.S.A. 131(9) (Comprehensive Health Education) 16 V.S.A. §1045(b)(Driver Training Course) 16 V.S.A.

§1165 (Alcohol and drug abuse) 18 V.S.A. §4226 (Drugs: minors, treatment, consent) Vt. State Board of Education Manual of Rules and Practices §§4200 -4215) Cross Reference: Student Conduct and Discipline (F1) Search and Seizure (F3) Interrogations or Searches of Students by Law Enforcement) Officers or Other Non-School Personnel (F5)

[1] This policy is required by 16 V.S.A. 1165(c) and SBE Rule 4212. Unless otherwise noted in the following notes, the State Board rule requires that the policy include the elements contained in this model. [2] SBE Rule

4212 requires the policy to have this statement of philosophy.

3. 16 V.S.A. § 1165(a). See also 18 V.S.A. § 4237 making it unlawful for any person to sell or dispense any

regulated drug to minors or to any other person on school property or property adjacent to a school. See 16

V.S.A. §140 regarding prohibition of tobacco use on public school grounds or at public school sponsored functions.

4. Vermont State Board of Education Manual of Rules and Practices, Rule 4211

5. See definitions of narcotic drugs and hallucinogenic drugs in 18 V.S.A. §4201; and controlled substances in 41

U.S.C. §706(3) and 21 U.S.C. §812.

6. 16 V.S.A. §131(9) Definition of Comprehensive Health Education includes drugs, including education about alcohol, caffeine, nicotine, and prescribed drugs.

7. SBE Rule 4212.2 requiring the education program be consistent with this Plan.

8. 20 U.S.C. §§7101 et seq. Safe & Drug-Free Schools & Communities Act of 1994 9.

SBE Rule 4212.3 requiring the provision of support and referral system for students in distress.

10. SBE Rule 4212.3A requiring a policy on the handling of any alcohol/drug-related incident.
11. SBE Rule 4212.3B requiring that each "...school district policy...establish procedures for administering first aid related to alcohol and drug abuse. The procedures will define the roles of the personnel involved."
12. This section is not required by law, but could be included in a school board policy to ensure that adequate notice of the school district's policy and procedures related to alcohol and drug abuse is given to students and parents.