



Healthy, Substance Free Learning Environments

I. Introduction

The Portland Public Schools Board of Education and staff support safe, healthy, and substance-free learning environments for students, which are free of the detrimental effects of drugs, alcohol, tobacco, nicotine, and other Substances. Accomplishing this goal requires a cooperative effort among PPS staff, students, parents/guardians, and organizations focused on supporting youth who are facing Substance use and mental health challenges.

This directive establishes the expectations, interventions, and consequences for student use, possession, and/or Paraphernalia and Substance-related activity. PPS believes that activities supporting student engagement in education are a protective factor and should be included in prevention strategies. PPS's goal is to intervene, educate, and counsel students and their parents/guardians, starting at the lowest level of intervention.

The Federal Safe and Drug Free Schools Act prohibits the use, possession, and/or sale of alcohol, drugs, nicotine, and tobacco on any PPS property or at PPS-sponsored events. This law applies to students and all adults. In accordance with the Oregon Department of Education Chapter 581, Division 22, PPS is also required to provide Substance use prevention education.

II. Philosophy Statement

Substance use can interfere with student learning, health, and long-term success. PPS recognizes that Communities of Color, specifically Black and Indigenous students, while having Substance use rates that are on par with other groups, receive more disciplinary consequences and less access to resources and services than their peers. PPS is committed to more equitable, culturally responsive approaches that prioritize support, intervention, and treatment over exclusionary discipline whenever possible. School staff are expected to be aware of implicit bias and its impact on decision-making. Ongoing training helps staff respond to Substance use concerns in consistent and supportive ways. Strong relationships where students feel valued, heard, and have a strong sense of belonging are vital to effective intervention and support.

PPS's approach emphasizes restorative practices and access to culturally relevant services, including partnerships with community providers. The goal is to help students address Substance use, support their well-being, and keep them engaged in their education. Self-disclosure and relapse are recognized as part of the recovery process. In some cases, this allows for flexibility in discipline so students can seek help without fear of disciplinary action.

PPS will strive to meet the needs of all students and school communities facing Substance use and mental health challenges. PPS's goal is to enable all PPS students to access services and resources that support healing while also advancing their education with the goal of developing citizens who are thriving and succeeding.

Self-disclosure and relapse are considered parts of the treatment and recovery process. To provide the optimum level of support to all our students, there are several important exemptions to the disciplinary process for Substance use.

PPS is responsible for developing appropriate administrative procedures, curricula, and programs to implement the Healthy, Substance Free Learning Environments Board Policy and Administrative Directive. These services include Substance use interventions and supports

provided by PPS staff in collaboration with school staff, community partners, informational and psychoeducational groups for students and families, and consultation and support to staff when addressing Substance use issues.

III. Definitions

- A. Alternative Plan: This is a discipline consequence that provides a supportive, student-focused alternative that is designed to address the behavior, keep the school community safe, and support the student in making positive changes. Alternative Plans should be built as a collaborative process between the student's family and the school administration. It should include elements at school as well as elements in the student's life outside of school and should be facilitated by the family.
- i. A Level A Alternative Plan includes six weeks of increased support for students who have their first violation of the Healthy, Substance Free Learning Environments AD, which must include at least 6 hours of psychoeducational support, which is offered as an alternative to PPS's Insight class.
 - ii. A Level B Alternative Plan includes 9 weeks of increased support for students.
 - iii. A Level C or D Alternative Plan length of time will be determined by the Hearings Officer. This is a more structured discipline intervention and is the result of a discipline hearing. It includes clear expectations, required supports, and specific conditions for the student to remain in school, while prioritizing safety and accountability.

All Alternative Plans are typically completed within one week of the meeting or hearing (with flexibility if needed) and must be approved by the school administrator and appropriate staff.

B. Appeal/Contestation of Disciplinary Decision:

- i. For levels A and B, an Eligible Student or the student's legal guardian may contest a finding by submitting a written appeal of the decision, following PPS protocol for appeal or contestation of disciplinary decisions, within five working days of the building administrator's decision. The appeal officer will review the record and provide a written response within three working days. The appeal officer's decision is final.
- ii. For level C, D, and E, an Eligible Student or the student's legal guardian may submit a written appeal in accordance with the discipline hearing findings as defined in the Conduct and Discipline Administrative Directive (4.30.022-AD) and as outlined in the Student Rights and Responsibilities Handbook.

C. Certified Alcohol and Drug Counselor (CADC): A CADC is a professional counselor who is specifically trained in assessing and treating Substance use and abuse.

D. Discipline Hearing: A hearing is a formal meeting between the administrator, the parents and/or an Eligible Student, and a PPS Hearings Officer. Hearings will only occur for Level C violations and above. In Level C and above, PPS Conduct and Discipline will provide a hearings officer. All hearings are recorded to provide an objective record.

E. Distribution: The action of advertising, offering to sell, selling, furnishing, bartering, or exchanging of Substances or facilitating the exchange of Substances to receive monetary gain, social gain, goods, and/or products, etc. Includes students found in possession of a quantity of a Substance(s) or Paraphernalia that would be considered

too large for personal use.

- F. Eligible Student: For purposes of this Administrative Directive, an eligible student is a student who has reached at least 18 years of age or who is eligible for McKinney-Vento services as an unaccompanied youth.
- G. Inhalant Delivery System (i.e., Juul, e-cigarette, vaping device): This is a device, whether or not such a device is shaped like a cigarette, that can provide inhaled doses of Substances by delivering a vaporized solution by means of cartridges or other chemical delivery systems.
- H. Insight Class is a six-hour psychoeducational class for students and their guardian or supportive adult. It is available to all PPS students in 6th-12th grades at no cost.
- I. Level A Violation: Use or possession of a Substance or Paraphernalia.
- J. Level B Violation:
 - i. First violation involving Transfer or intent to Transfer; or
 - ii. Second violation involving the use or possession of a Substance or Paraphernalia within three years of the initial Substance use or possession violation.
- K. Level C Violation:
 - i. A first violation involving Distribution or intent to Distribute;
 - ii. A second violation involving Transfer or intent to Transfer within three years of the previous Substance violation; or
 - iii. A third violation involving the use or possession of a Substance or Paraphernalia within three years of the previous Substance violation.
- L. Level D Violation: Within three years of the previous Substance violation, a fourth violation involving the use or possession of a Substance or Paraphernalia.
- M. Level E Violation: Within three years of the previous Substance violation,
 - i. A second violation involving Distribution or intent to Distribute
 - ii. A third violation involving Transfer or intent to Transfer
 - iii. A fifth violation involving the use or possession of a Substance or Paraphernalia
- N. Meeting: During the Level A or B violation meeting, schools will hold a disciplinary meeting facilitated by a school administrator. The goal of a Level A meeting is to determine whether the student violated the Healthy, Substance Free Learning Environments Policy and connect students with the appropriate intervention, i.e., Insight and/or school-based services.
- O. The Nexus of Discipline describes where and when school discipline applies. PPS school discipline may apply:
 - i. At school or on PPS property at any time.
 - ii. At any school-sponsored event, even if it takes place off campus.

- iii. While traveling to and from school within a reasonable period of time before or after school.
 - iv. Online or off campus, if the behavior causes a material and substantial disruption to the learning of other students or of school operations. This can include electronic communication or social media posts outside of the school day that cause a material and substantial disruption to the learning environment.
 - v. In the community, if a student's behavior directly impacts other students, school staff or school operations even if the activity is not school sponsored.
 - vi. Students are also expected to respect others and their property when walking to and from school or waiting for transportation, as part of being a responsible member of the school community.
- P. Nicotine: A Substance that includes, but is not limited to, any lighted or unlighted cigarette, cigar, pipe, inhalant delivery system/e-cigarette/vaping device or any smoking product or other tobacco products such as smokeless tobacco, dip, chew or snuff, or any nicotine delivery system in any form. Nicotine products are treated as any other Substance in this AD in terms of the disciplinary and support processes at Portland Public Schools.
- Q. Paraphernalia: Any equipment, product, or accessory that is intended or modified for making, using, or concealing a Substance. Examples of Paraphernalia include, but are not limited to, pipes, needles, vapes and other electronic inhalant delivery systems, miniature spoons, roach clips, chillums, and cigarette papers, among others.
- R. Student Success Center: A three week, half day intensive skill intervention program for students who exhibit behaviors that rise to a level of support that would require students to be out of their assigned school. SSC serves students in grades 6 through 12.
- S. Substance: This includes all mood-altering materials or facsimiles thereof, including but not limited to nicotine, marijuana, alcohol, and medications that have not been prescribed for the student or are being used in a manner inconsistent with a prescription.
- T. Disruptive Conduct (regarding Substance-related activity): Behaving in a manner that disrupts or interferes with the educational process, including consensual sexual activity, and/or the facilitation of Substance use violations. (Note: Administrators should contact a PPS Discipline Coordinator before contacting law enforcement.)
- U. Transfer: The act of sharing a Substance with another student in a social setting or context. Examples include sharing a vape pen in the bathroom and giving alcohol to another student at a game or event.

IV. Procedures

To the degree possible, families are to be kept informed and involved during each step of the process:

A. Investigation

When a student's conduct may involve a Substance use activity, the building administrator or designee will determine whether reasonable suspicion exists. When making a reasonable suspicion determination, administrators should critically examine their own biases and ensure that their determinations are grounded in

objective evidence versus bias, stereotypes or assumptions. Administrators should refer to PPS's guidance on racial equity and social justice, including the equity lens.

When determining use based solely on student behavior, the administrator or designee should be able to document two or more observable behaviors/signs which indicate possible intoxication. Otherwise, the administrator or designee should document possession of Substances/Paraphernalia, as well as statements from witnesses who observed possession or use, unless there is proof of use, possession, Transfer, and/or Distribution. When investigating, the administrator or designee should ensure a thorough investigation is conducted, including holding an informal meeting to notify the student of the suspected Substance use-related activity in language the student can understand, and allowing the student to explain their perspective of the incident.

B. Manifestation Determination:

When students qualify for a 504 plan or IEP or if there is a suspected disability, there must be a Manifestation Determination meeting before a hearing that could lead to expulsion. The meeting is to determine whether the behavior was directly caused by the student's eligible disability and/or was caused by the school's failure to fully implement the IEP or 504 plan. (See Level E Violation Procedure, below, for more information).

C. Parent Communication:

If the building administrator or designee determines that the student has violated PPS's Healthy, Substance Free Learning Environment Policy, the building administrator or designee should make a good faith effort to notify the parent/guardian and/or family designated advocate by phone, and should notify the parent/guardian of the violation in writing in the student's home language.

D. Suspension: A suspension temporarily denies a student the right to attend school, including all classes and school activities, and to come onto any PPS property, for a period not to exceed ten (10) consecutive school days. A student will be suspended when:

- i. The student is under the influence of a Substance, in which case the student should be suspended for the rest of the day. Direct contact with a parent/guardian must be made before the student may be sent home; or
- ii. The student is discovered in possession of a prohibited Substance or related Paraphernalia, regardless of whether they are currently under the influence. When the suspected misconduct is the Transfer or Distribution of a controlled Substance, the student will be suspended for the remainder of the day and possibly the following day.

In the case of the Distribution of Substances, school administrators should consult with a Student Conduct Coordinator and the Senior Director responsible for supervising the school before involving law enforcement.

Staff will find a safe, supervised location within the building until the parent/guardian can pick the student up if they are currently under the influence. In the event the student appears to be significantly impacted and presents a risk of harm to themselves, staff should contact 911 as well as the parent/guardian.

E. Self-Disclosure and Sexual Assault Exemptions:

Students who disclose Substance use or possession to seek support outside of an investigation will not be subject to disciplinary action.

Students who disclose being under the influence of a Substance outside of an investigation will be sent home but will not be suspended from school. This will be considered an absence, not a suspension.

Students who disclose a Substance use violation during the investigation of a Major Sexual Assault (as defined in the Student Rights, Responsibilities, and Discipline Handbook) in which they are the complainant or a support person for the complainant will not be subject to disciplinary action for their Substance at the time of the assault.

F. Level A Violation Procedure:

- i. A Level A Violation occurs when a student has violated PPS's Health Substance Free Learning Environments AD for Substance use or possession for the first time within a three year period.
- ii. The building administrator or their designee will contact the student's guardian that day to inform them of the violation and the appropriate length of suspension, one school day or the remainder of the day.
- iii. The meeting should be conducted within five school days, except in extenuating circumstances. If desired, the family/student may include an advocate or other support person in these processes.
- iv. The building administrator will meet with the guardian and student to determine the outcomes of the Level A Violation. The student will primarily be referred to attend PPS's Insight Class which includes 6 hours of psychoeducation. In limited circumstances, the school administrator may refer the student to on-site services when available. Interventions may include other actions such as closed campus, bag checks, and daily check-ins with staff.
- v. A student who does not make satisfactory progress toward completing Level A Violation requirements within six weeks of the meeting date should have a subsequent meeting. Lack of engagement and completion can result in a Level A Violation becoming a Level C Violation. Satisfactory progress is defined as having taken discrete steps towards completing the assigned intervention plan in accordance with the agreed-upon timeline, such as attending Insight or meeting with the CADC.

G. Level B Violation Procedure:

- i. A Level B Violation occurs when a student has violated PPS's Healthy, Substance Free Learning Environments AD for the first Transfer of a Substance or Paraphernalia or there is a second use and/or possession of a Substance or Paraphernalia within a three year period.
- ii. The building administrator or their designee will contact the student's guardian that day to inform them of the violation and the appropriate length of suspension.
- iii. The meeting should be conducted within five school days, except in extenuating circumstances. If desired, the family/student may include an advocate or other support person in the meeting.
- iv. The building administrator will meet with the guardian and student to determine the outcomes of the Level B Violation. The team should also

consider including key people at the school who will be responsible for checking in with the student and monitoring the plan.

- v. A Level B Violation outcome should include nine weeks of increased support for students with an Alternative Plan, which should include 6 hours of psychoeducation or meeting with a CADC or licensed clinician. The school administrator may refer the student to on-site services when available. When needed, PPS staff should assist families in identifying community-based resources for Substance use counseling and/or support.
- vi. The plan should include bag checks, check-in/check out, closed campus, and other measures meant to support the student during the school day, and a timeline for review to determine the student's success on the plan.
- vii. A student who does not make satisfactory progress toward completing Level B Violation requirements within nine weeks of the meeting date should have a subsequent meeting. Lack of engagement and completion can result in a Level B Violation becoming a Level C Violation. Satisfactory progress is defined as having taken discrete steps towards completing the assigned intervention plan in accordance with the agreed-upon timeline, such as attending Insight or meeting with the CADC within 30 days.

H. Level C Violation Procedure:

- i. A Level C Violation occurs when a student has violated PPS's Healthy, Substance Free Learning Environments AD for a first instance of Distribution, a second Transfer of a Substance or Paraphernalia, and/or the third violation of use or possession of a Substance or Paraphernalia within a three year period.
- ii. The building administrator or their designee will contact the student's guardian that day to inform them of the violation and the appropriate length of suspension and that a disciplinary hearing will be scheduled.
- iii. A disciplinary hearing to consider expulsion will be scheduled within ten school days, except in extenuating circumstances. If desired, the family/student may include advocates or other support people in these processes.
- iv. An expulsion may be deferred. In a deferment, a student will be asked to either complete PPS's Student Success Center Program and/or will receive an Alternative Plan of approximately 60 hours of intervention. A student is successful in a deferment if they complete the requirements outlined in the deferred expulsion.
- v. Level C violations will only lead to expulsion when the level of Distribution has a larger impact on the school or community. Therefore, a Manifestation Determination meeting is only needed on a case-by-case basis. Where expulsion is recommended, the student may be provided an education at a non-PPS alternative school. PPS's Reconnection Services will assist the student and family with the search for another school. After the conclusion of the expulsion period, the student may continue to a PPS school or stay at the non-PPS alternative school.

I. Level D Violation Procedure:

- i. A Level D Violation occurs when a student has violated PPS's Healthy,

Substance Free Learning Environments AD for a fourth time for use or possession of a Substance or Paraphernalia within a three year period.

- ii. The building administrator or their designee will contact the student's guardian that day to inform them of the violation and the appropriate length of suspension and that a disciplinary hearing will be scheduled.
- iii. A disciplinary hearing to consider expulsion will be scheduled within ten school days, except in extenuating circumstances. If desired, the family/student may include advocates or other support people in these processes. PPS staff will make every effort to have a Substance Use Supports staff member present at the Level D Hearing.
- iv. An expulsion may be deferred. In a deferment, a student will be asked to either complete the PPS Student Success Center Program, and/or will receive an Alternative Plan. A student is successful in a deferment if they complete the requirements outlined in the deferred expulsion.

J. Level E Violation Procedure:

- i. A Level E Violation occurs when a student has violated PPS's Healthy, Substance Free Learning Environments AD for a second instance of Distribution, third Transfer of a Substance or Paraphernalia, and/or the fifth violation of use or possession of a Substance or Paraphernalia within 3 years.
- ii. The building administrator or their designee will contact the student's guardian that day to inform them of the violation and the appropriate length of suspension and that a disciplinary hearing will be scheduled.
- iii. A disciplinary hearing will be scheduled within ten school days, except in extenuating circumstances. If desired, the family/student may include advocates or other support people in these processes. PPS staff will make every effort to have a Substance Use Supports staff member present at the Level E Hearing.
- iv. The expulsion may be deferred. In a deferment, a student will be asked to either complete the PPS Student Success Center Program, and/or will receive an Alternative Plan of approximately 60 hours of intervention. A student is successful in a deferment if they complete the requirements outlined in the deferred expulsion.
- v. Level E Violations may lead to expulsion. A Manifestation Determination meeting is only needed on a case-by-case basis for students with disabilities in accordance with the Discipline of Students with Disabilities Administrative Directive (4.30.025-AD).
 - 1. For students with an IEP, a Manifestation Determination meeting must be conducted.
 - 2. For students with a 504 Plan, a Manifestation Determination meeting is not required for possession or use. However, a Manifestation Determination meeting is required in instances of Distribution.
- iv. Where expulsion is recommended, the student may be provided an education at a non-PPS alternative school. PPS's Reconnection Services will assist the student and family with the search for another school. After the conclusion of the expulsion period, the student may continue to a PPS school or stay at the

non-PPS alternative school.

V. Other Related Provisions

PPS staff should immediately report non-students who are found on or around any PPS property engaging in a possibly unlawful activity involving Substances to law enforcement for arrest and prosecution.

VI. Collection of Paraphernalia and Contraband

Collection of Paraphernalia and contraband will be pursuant to the Search and Seizure of Students and Student Property Administrative Directive (4.30.041-AD).

Legal references: ORS 163.575; ORS 167.400; ORS 339.240; ORS 339.250; ORS 339.883; ORS Chapter 475; OAR 581-021-0050 to -0055; OAR 581-021-0065 to - 0071; OAR 581-021-0110; 42 CFR Part II (Confidentiality of Substance Use Disorder Patient Records); OAR 581-022-2045

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