

**STUDENTS**

**3320**

Substance and Alcohol Abuse

The Board recognizes that use of alcohol and drugs is a serious problem and that the presence of drugs in school is detrimental to the educational environment and harmful to the health, safety, and welfare of students and staff. Therefore, State and federal guidelines for drug and alcohol education; restrictions on use, possession, and distribution; and disciplinary sanctions of any student or employee who violates this policy will be strictly enforced. It is the desire of the District to help those in need of alcohol and drug intervention and at the same time to protect others that are affected by the presence of alcohol and drugs and to enforce the policies of the District relating to use, possession, or being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C). It is the philosophy of the District that the District will help those who desire to help themselves.

The District's desire is to create an environment where students feel safe from the many harmful influences that are prevalent in our society. For those students that come forward and voluntarily disclose using and/or being under the influence of alcohol and/or drugs while on school property or at a school function, prior to the District having reasonable suspicion, the District will provide counseling to any such student and make recommendations for referral to appropriate agencies for screening and assessment. The parent, legal guardian, or custodian of the student will be immediately notified and the District will cooperate with and work with the parent in the establishment of plan to assist the student in whatever means are deemed necessary and appropriate. The student's parent, guardian, or custodian will be notified of available opportunities for counseling for the student. Only persons on a "need to know" basis may receive information regarding a voluntary disclosure, except when deemed reasonably necessary to protect the health and safety of others. The incident shall be reported to law enforcement.

The mere fact that a student previously disclosed use of alcohol or a controlled substances, in and of itself, shall not establish reasonable suspicion at a later date.

If the District has reasonable suspicion (based upon reliable information received or the personal observations of staff) to believe that a student is using or is under the influence of alcohol or a controlled substance and the student has not voluntarily disclosed such use or influence, the District may take whatever action is deemed appropriate, including but not limited to, notifying the parent or legal guardian and notifying local law enforcement, suspension, and/or expulsion. The following shall be used as a guide in determining what procedures may be followed when this occurs, however, the specific procedure may, in large part, depend upon the circumstances in each case:

1. Upon reasonable suspicion, the student will be asked if he or she has used and/or is under the influence of alcohol and/or drugs;

2. If the student admits to the use, the student's parent/legal guardian will be immediately called;
3. The student will be asked to reveal the circumstances involving the use of alcohol and/or drugs and asked if any other students were involved;
4. Law enforcement will be called when deemed appropriate.
5. The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to 20 days and/or recommended for expulsion.
6. As a condition of readmission, the student and parent will agree to undergo assessment and counseling for alcohol and/or drug use. The District will provide counseling services and any other services available to the student and/or the student's parents.
7. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk or any other school property used by the student may be subject to search. In addition, law enforcement will be called immediately as will be the parent/guardian. The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, the following shall occur:
  - A. In the case of a first offense in a school year, the Superintendent or principal who suspended him or her will determine the conditions for readmitting the student to school, which may include referral to a certified substance abuse counselor or other appropriate specialist. If, in the case of referral, the student fails to follow the recommendations of the specialist, he or she may be disciplined as though a second offense had been committed. If the violation occurs at an extracurricular activity, the student may be banned from any participation in that activity for the remainder of the school year.
  - B. If it is determined that the student has committed a second violation, the Board may determine if the student is to be readmitted to school and the conditions under which readmission may occur.
  - C. If it is determined that the student has committed a third violation, the student may be referred to the Board of Trustees with a recommendation for expulsion. The student may be either expelled for the remainder of the semester or school year, or will be readmitted with added sanctions as prescribed by the Board. The student will be entitled to full due process prior to being expelled from school.

The District shall provide written annual notification of the voluntary disclosure provisions of this policy as well as counseling availability and any other pertinent information in the student

handbook or other reasonable means. Students and parents may also be made aware that the use, possession, and distribution of drugs and unlawful alcohol is wrong and harmful, and that mandated consequences will automatically follow any confirmed violation of this policy.

The Board shall review this policy annually.

Cross Reference: 3370 Searches and Seizures  
3330 Student Discipline  
3340 Corrective Actions and Punishment.  
3360 Discipline of Students with Disabilities  
4175 Required Annual Notices

Legal Reference: Pub. L. 100-690 The Anti-Drug Abuse Act of 1988 (as amended)  
I.C. § 33-210 Attendance at Schools – Students Using or Under the  
Influence of Alcohol or Controlled Substances  
I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on: August 15, 2016

Revised on: