

# **STUDENT DRUG, ALCOHOL, AND TOBACCO ADMINISTRATIVE PROCEDURE**

**NEPN/NSBA CODE: JICH-R**

## **I. VOLUNTARY REFERRALS**

1. Any school staff member who is approached by a student(s) about their substance abuse or tobacco problem shall accompany the student(s) to the social worker or school nurse to establish a first meeting.
2. Parents/guardians or students who have a concern about a student's possible substance abuse or tobacco problem are encouraged to notify the social worker or school nurse of their concern. However, such referrals cannot be used to avoid disciplinary action after a known violation of the policy.
3. A student concerned about his or her own substance abuse or tobacco problems may seek the assistance of the social worker or school nurse. Self-referral will not result in any disciplinary action. However, a student may not use self-referral to avoid disciplinary action after a known violation of the policy.
4. The social worker or school nurse will meet with the student and his/her parents/guardians (if appropriate), perform a non-clinical chemical health assessment and develop an action plan to meet the student's particular needs.
5. Confidentiality of student information concerning substance abuse issues will be maintained in accordance with state and federal laws.

## **II. NON-VOLUNTARY REFERRALS: PROCEDURES AND CONSEQUENCES**

### **A. DEFINITION**

Any student found to be using, possessing, manufacturing, distributing, purchasing, or selling alcohol or tobacco products or scheduled drugs or controlled substances shall fall under this classification and shall be subject to the penalties outlined in this policy. Non-voluntary referrals are to be brought to the principal or his/her designee. Any staff member who suspects that a student is violating any portion of this policy is required to make a non-voluntary referral which will then be followed up by the principal or his/her designee. Students who suspect a student is in violation of this policy are strongly encouraged to make a non-voluntary referral to the principal or his/her designee.

### **B. DISCIPLINE**

The following progressive intervention and disciplinary procedures for non-voluntary referrals are intended as guidelines only. The principal reserves the discretion to impose consequences up to and including a recommendation for expulsion for any violation of the Board's drug, alcohol and tobacco policy. In determining the level of discipline, the principal may consider any relevant facts and circumstances, including but not limited to the nature of the violation, the student's grade level, the student's behavior accompanying the violation, the student's willingness to cooperate with the investigation, any action plan developed with the social worker or school nurse, and the student's prior disciplinary record.

## **1. ALCOHOL AND DRUG VIOLATIONS**

### **1.1 Consuming, possessing, receiving or being under the influence of a prohibited substance.**

**• First Offense**

- The principal or his/her designee will:
  - Confiscate the prohibited substance and verify offense;
  - Meet with the student;
  - Notify and meet with parents/guardian;
  - Notify the Superintendent, school nurse and the social worker; and
  - Involve appropriate law enforcement official;
  - Suspend the student from school for three to five days.

**• Second Offense**

- The principal or his/her designee will:
  - Confiscate the prohibited substance and verify offense;
  - Meet with the student, parents/guardians and social worker or school nurse to develop a follow-up plan;
  - Notify the Superintendent;
  - Involve appropriate law enforcement official;
  - Suspend the student from school for seven to ten days.
- If the student fails to comply with the follow-up plan developed with the social worker or school nurse, doing such will result in further disciplinary action.

**• Third Offense**

- The principal or his/her designee will:
  - Confiscate the prohibited substance and verify offense;
  - Meet with the student and parents/guardians;
  - Require that the student be referred for clinical chemical health evaluation;
  - Notify the Superintendent;
  - Involve the appropriate law enforcement official;
  - Suspend the student from school for ten days and recommend expulsion.

**1.2. Furnishing, selling, buying or manufacturing a prohibited substance. • First Offense**

- \* The principal or his/her designee will:
  - Confiscate the prohibited substance and verify offense;
  - Meet with the student and parents/guardians;
  - Notify the Superintendent;
  - Involve appropriate law enforcement official;
  - Suspend the student for ten days and recommend expulsion.

## 2. TOBACCO VIOLATIONS

### 2.1 First Offense

- The Principal or his/her designee will:
  - Confiscate the tobacco product and verify offense;
  - Meet with the student;
  - Notify parents/guardians;
  - Notify the Superintendent, school nurse and social worker;
  - Involve appropriate law enforcement official if the student is under the age of 18;
  - One-day in-school suspension.
  
- The student must meet with the social worker or school nurse who will provide the student anti-tobacco resources.

### 2.2 Second Offense

- The Principal or his/her designee will:
  - Confiscate the tobacco product and verify offense;
  - Meet with the student and parents/guardians;
  - Notify the Superintendent, school nurse and social worker;
  - Involve appropriate law enforcement official if the student is under the age of 18;
  - Three-day in-school suspension.
  
- The student must meet with the social worker or school nurse to develop a follow-up plan. If the student fails to comply with the plan, it will result in further disciplinary action.

### 2.3 Third and Subsequent Offenses

- The Principal or his/her designee will:
  - Confiscate the tobacco product and verify offense;
  - Meet with the student and parents/guardian;
  - Notify the Superintendent, school nurse and social worker;
  - Involve appropriate law enforcement official if student is under 18 years of age.
  - Five-day in-school suspension.

## C. PROCEDURES AT SCHOOL FUNCTIONS

### 1. If a violation of this policy occurs at a school function, staff will take the following steps:

If there is a medical emergency, standard school procedures shall be followed.

The student shall be removed from the function and/or returned to school. The student should not be left unsupervised.

The parents/guardian shall be called (or emergency card contact) to pick up the student. Local law enforcement officials will be called to the scene.

If the student(s) refuses to cooperate or flees the scene, local law enforcement officials are to be called and informed. Provide names, make/model of vehicle, etc. The Principal (and Superintendent if appropriate) is to be notified as soon as possible.

- The Principal or his/her designee will follow the disciplinary procedure outlined in this policy.

### III. DRUG TESTING

- A. Any student suspected to be under the influence of any scheduled or controlled substances, aside from school, shall have the option of undertaking an immediate drug test.
- B. Refusal to undertake such a test shall be considered an admission of guilt and penalties outlined in this policy shall be enforced.
- C. If a drug test is administered and the results are negative, the student shall be exonerated, and the cost of the test shall be borne by the school.
- D. If a drug test is administered and the results are positive, the student shall be subject to the penalties outlined in this policy, and the cost of the test shall be borne by the student and/or parent/guardian.
- E. The smell of alcohol on a student's breath shall indicate guilt, and the student will be subject to penalties as outlined in this policy.
- F. Any student found to be in violation of this policy as related to scheduled or controlled substances, excluding alcohol, shall be, for a twelve-month period, following any violation, subject to periodic drug testing. Refusal to participate in periodic testing shall be an indication of guilt, and the student shall be subject to the penalties outlined in this policy.

Cross Reference:     JIC – Student Code of Conduct  
                          JICH – Student Drug, Alcohol and Tobacco Use  
                          JICH-R – Student Use of Drug and Alcohol: Extra-Curricular  
                          Participation (Athletics)

Adopted: December 11, 2007

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