

## **Substance Abuse**

It is the conviction of Bruneau-Grand View Joint School District No. 365 that the threat of substance abuse is most menacing when it involves our young people who, because of their developmental stage, are the most vulnerable members of our society in regard to health and safety issues. The safety and security of the student(s), staff, and school are the district's primary concerns. Realizing that the primary responsibility for educating and forming the values and decision-making abilities of children in regard to substance abuse belongs to the parents and family, this school district commits itself to assist parents with this task.

District policy and regulations involving substance abuse are based on the laws of the state of Idaho and the violation of those laws can subject violators to the due process of law. Students who, while on school property or within a drug free school zone, or while attending a school-sponsored activity, possess, distribute, sell, use or give evidence of having consumed alcohol, tobacco products, or drugs not taken at the direction of a physician, or other controlled or dangerous substances, or who are in possession of alcohol, tobacco products, or controlled or dangerous substances, or paraphernalia, shall be subject to intervention, discipline, suspension, expulsion and/or other appropriate alternatives.

It is the policy of the board of trustees to combat substance abuse; therefore, we shall maintain a comprehensive Student Assistance Program in all grades early childhood level through 12. The Student Assistance Program shall include age-appropriate, developmentally based drug and alcohol education and prevention curriculum, discipline policies, as well as identification, referral, intervention, and aftercare in cases of substance abuse.

The school district curriculum shall provide all students (grades early childhood level through 12) with information about:

- The dangers of alcohol and other substance abuse.
- Self-concept.
- Decision-making.
- Information about effective techniques for resisting peer pressure to use illicit drugs or alcohol.

Additionally, the board of trustees recognizes its responsibility to:

- Establish discipline policies and procedures in relation to student alcohol, tobacco, and drug use.
- Provide continual staff training.
- Support other alternatives for helping students and their families that exist within the community.
- Sponsor community education/awareness activities related to alcohol and other drug education.

## **Definition of Terms**

**Alcoholic beverage:** Any beverage that contains alcohol, including but not limited to beer, wine, wine coolers, and liquor.

**Aftercare:** Support given to students upon return to school from chemical dependency treatment; may include but not limited to support groups, mentoring, tutoring, pro-social skill development.

**CARE Team:** The group of trained school staff which have as their responsibility to work in conjunction with administration in planning, coordinating, and implementing the Student Assistance Program within their particular school.

**Chemical involvement:** Whenever a student has consumed, taken, or is under the influence of drugs/alcohol on or near school property any time during school hours or at a school sponsored activity.

**Controlled or dangerous substance:** Any controlled substance as defined by Idaho Code 37-2701 (d)(e)(k) or any other substance used in a manner dangerous to the health of the user.

**Distribution:** To share and/or sell alcohol, tobacco products, or any controlled or dangerous substance to other students or persons on or near district property during school hours or at a school sponsored activity.

**Drug free zone:** Drug free zone is the area on or within one thousand (1000) feet of the property of any public or private primary or secondary school, or in those portions of any building, park stadium, or other structure or grounds, which are currently being used for an activity sponsored by or through a school.

**Found:** Evidence that the student has involvement in use, possession, and distribution of alcohol, tobacco products, or other controlled or dangerous substances. Self-referral is no longer an option under these conditions.

**Intervention:** The process by which designed members of the CARE Team share information and concerns about a student with the student's parent(s)/guardian(s) and make a recommendation to parents for dealing with the concern. A drug/alcohol assessment may be recommended to rule out the possibility of drug/alcohol use.

**Paraphernalia:** Any object being used in the consumption, production, sale, or distribution of a controlled or illegal substance.

**Possession:** To have drugs, tobacco products, and/or alcohol on student's person or within an area of student's control including but not limited to car, locker, books, and clothing on or near school property any time during school hours or at a school-sponsored activity.

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**Referral:** A request for assistance regarding information gained through a person or event that reveals a student's possible involvement with chemical abuse.

**School property:** Includes but is not limited to buildings, facilities, and grounds on the school campus, school buses, school bus stops, school parking areas, and any facility being used for a school function.

**Substance:** Any alcoholic beverage, any controlled substance, any illegal or mind-altering substance, or any abused substance.

### **Search and Seizure**

Reasonable cause to believe a student has violated school rules or policies concerning alcohol, tobacco products or controlled or dangerous substances, and drug paraphernalia shall mean the existence of specific observable facts that can be described and indicate a particular student has used alcohol, tobacco products, or controlled or dangerous substances, and/or has drug paraphernalia in his/her possession. Evidence shall include but not be limited to the smell of alcohol or other mood altering substances on a student's breath or person, impaired speech, impaired coordination, or other recognizable characteristics unusual for the particular student. Evidence will also include the possession of alcoholic beverages, tobacco products, or controlled or dangerous substances, or drug paraphernalia. All contraband shall be confiscated by school personnel and/or law enforcement authorities.

Equipment such as lockers and desks belong to the school district and are available for student use as a convenience. Such equipment must be properly cared for and may not be used for storage of illegal items and are subject to periodic inspection.

A search of the student's person and/or property shall be limited to a situation where there is reasonable suspicion that the search will provide evidence that the student has violated, or is violating, either the law or the rules of the school. Illegal items or other possessions which constitute a threat to the health, safety, or security of the possessor or others may be seized by school officials.

### **Exceptions to Parent and/or Guardian Involvement**

The student's parent(s)/guardian(s) will be notified and assume responsibility as stated in the procedures unless one or more of the following conditions apply:

- The student is eighteen (18) years of age or older
- The student is married and under the age of eighteen(18).

### **School-Based Student Support Groups**

Parent(s)/guardian(s) will be informed of their child's interest in attending a support group at the school. Parent(s)/guardian(s) will be asked to notify the school if they object to their child's participation in the group.

### **Non-Disciplinary Procedures**

Non-disciplinary procedures will apply to students who self-refer or who are referred by parents, peers staff, or through other referrals. Students who voluntarily reveal to professional staff members that they have been or are involved in the use of drugs or narcotics, and students who turn in drugs or narcotics to a staff member for disposal shall have the confidentiality and anonymity of their communications fully respected. Individuals who are concerned about a student's behavior or possible chemical involvement should contact the CARE Team.

### **Self Referral**

If a student voluntarily requests assistance from school officials with regard to an alcohol and/or drug problem, there shall be no discipline of the student provided that, in the opinion of an administrator and/or other professional staff member, the student is not under the influence of or in possession of alcohol, or controlled or dangerous substances at the time he/she requests help:

- The student will meet with a CARE Team member(s), parent(s)/guardian(s) to discuss the problems which have been identified and develop an appropriate program for student involvement such as:

In-school intervention: Peer support groups, contractual agreements, counseling, or support teachers.

Out-of-school intervention/treatment: Assessment by community agency, private counseling, outpatient treatment, and inpatient treatment. (Any costs will be borne by the parent(s)/guardian(s)).

Community based information and support: Alcoholics Anonymous, Narcotics Anonymous, and education programs through community agencies.

Family based information and support: Tough love, Al-Anon, Ala-Teen, Community agency programs, contractual agreements.

- Subsequent voluntary requests will automatically result in a referral to the school CARE Team. A chemical dependency assessment will be strongly recommended.
- If the student and/or parent(s)/guardian(s) refuse counseling and/or assessment, they will be reminded that use, possession, distribution, or being under the influence of alcohol, or controlled or dangerous substances at school or off the school grounds at a school function shall be subject to school disciplinary measures and/or citations issued by law enforcement officials.

### **Substance Abuse (continued)**

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#### **Staff, Parent, Peer, Other Referral of Student**

If a student is exhibiting signs of possible substance use (i.e. increased tardiness, absenteeism, lowered class performance, outbursts in class, apathy, increased complaints of illness, etc.), the

staff member shall advise the CARE Team chairperson of his/her concerns by filling out a student referral form, documenting the observed behaviors. Upon referral:

- An IMPACT response form will be given to all teachers and adult staff members for the purpose of recording possible substance abuse behavior(s) of the student in question. It will not be an accusation of student drug use.
- The school CARE Team will discuss all teacher responses and decide whether a formal intervention should take place. If so, the school administrator will be advised and the CARE Team representative(s) will meet with the student, and the parent(s)/legal guardian(s) of the student. Options will be discussed, with a chemical dependency assessment recommended to eliminate drugs/alcohol as a source of the problem.
- If, through professional chemical dependency assessment a problem is identified, the CARE Team and treatment center professional will develop an appropriate program for student involvement.
- If the student and/or parent(s)/guardian(s) refuse legal counseling or assessment, they will be reminded that use, possession, distribution, or being under the influence of alcohol, or controlled or dangerous substances at school or off the school grounds at a school function, shall be subject to school disciplinary measures and/or citations issued by law enforcement officials.

### **Disciplinary Procedures**

Students under the influence and/or in possession of alcohol, tobacco products, or controlled or dangerous substances, shall be subject to the following:

- **First Offense:** If a student is suspected of being under the influence and/or in possession of alcohol, tobacco products, or controlled or dangerous substances, when on or near district property during school hours or at a school-sponsored activity, the student will be taken immediately to the school administrator or official(s) of that function. A school administrator and/or school official(s), shall question and record observations of the student, which may include the horizontal gaze nystagmus test. If, in the opinion of the administrator and/or school official(s), the student is under the influence and/or in possession of alcohol, tobacco products, or controlled or dangerous substances:
  - a. A school administrator and/or official will notify a law enforcement official. Parent(s)/guardian(s) will be notified by phone with the date recorded or by written notice within a reasonable time limit.
  - b. A citation will be issued by a school administrator or by a law enforcement official. The citation must be witnessed and served by a law enforcement official within a reasonable time limit. The student will receive a minimum 2-day in-school suspension. If unable to provide in-school suspension, other appropriate disciplinary action may be taken. In instances involving the use and/or possession of tobacco, the school administrator may elect to implement step c through e.

- c. The school administrator will refer the student's name, together with administrator's recommendations, to the CARE Team, which will be responsible for implementing the intervention process.
  - d. The student and parent(s)/guardian(s) will meet with a building administrator and CARE Team member. A student behavior contract will be signed by the student, parent(s)/guardian(s) and administrator. Copies will be made available to the parent(s)/guardian(s) and CARE Team chairperson.
  - e. The student and parent(s)/guardian(s) will be expected to follow the recommendation(s) of the substance-abuse professional and the CARE Team. If the student and/or parent(s)/guardian(s) refuse counseling and/or assessment, they will be reminded that use, possession, distribution, or being under the influence and/or in possession of alcohol, tobacco products, or controlled or dangerous substances at school or off the school grounds at a school function shall be subject to school disciplinary measures and/or citations issued by law enforcement officials.
- **Second Offense:** Repeat procedures of first offense. If it is determined that the presence of said student is a detriment to the safety of the student body, the administrator has the option of suspending out of school and/or referring the student to the board of trustees for expulsion.
  - **Third and Subsequent Offenses:** Repeat procedures of first offense. Upon the third citation being issued by a school administrator or law enforcement official and witnessed and served by a law enforcement official, the student will be referred by the school administrator to the superintendent and the board of trustees for expulsion. (See policy 704.2.7)

### **Distribution of Controlled Substances**

If a student is involved in transmitting, trafficking in or distributing alcohol or controlled or dangerous substances on school grounds or at any school sponsored function, law enforcement official(s) will be asked to intervene. If it is determined that the presence of said student is a detriment to the safety of the student body, there shall be a mandatory recommendation made by the school administrator to the superintendent and the board of trustees for expulsion.

### **Non-Students**

Law enforcement officials will be notified of non-students on school property using, possessing, or distributing controlled substance.

### **Substance Abuse (continued)**

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### **Legal source:**

Crimes and Punishment: Children and Vulnerable Adults

Idaho Code 18-1502 “Beer, wine or alcohol age violations-fines.”

Alcoholic Beverages: Retail Sale of Liquor by the Drink

Idaho Code 23-949 “Persons not allowed to purchase, possess, serve, dispense, or consume beer, wine or other alcoholic liquor.”

Alcoholic Beverages: Penal Provisions

Idaho Code 23-612 “Beer, wine or other alcoholic beverages on public school grounds.”

Food, Drugs, and Oil: Uniform Controlled Substances

Idaho Code 37-2739B “Fixed minimum sentences in drug cases”

Idaho Code 37-2701D “Definitions - Bureau.”

Idaho Code 37-2701E “Definitions - Control substance.”

Idaho Code 37-2701E “Definitions - Distribute.”

Health and Safety: Clean Indoor Air Act

Idaho Code 39 - 5502 “Definitions – Public Place.”

Idaho Code 39 – 5503 “Prohibition.”

Idaho Code 39 – 5507 “Violations – Fines.”

**Adopted:** October 28, 1998  
**Reviewed:** June 8, 2004, January 30, 2007  
**Revised:** June 17, 2004