

# NORTH COUNTRY UNION HIGH SCHOOL DISTRICT

## BOARD PROCEDURES

POLICY NO. C.13

### **C.13 REGULATIONS CONCERNING THE USE AND POSSESSION OF ALCOHOLIC BEVERAGES AND DRUGS BY STUDENT AND THE PUBLIC**

#### **STATEMENT OF PHILOSOPHY**

The North Country Union High School District recognizes that problems of alcohol and other drug abuse pervade society. The district believes that drug abuse and dependency are treatable health problems. While health problems are primarily the responsibility of the home and community, the school system shares in this responsibility when these problems interfere with student learning, safety, behavior or maturity.

To this end it is the legal and social responsibility of the School Board to establish policies and encourage administrative action that will protect the right of students to learn and at the same time promote a school environment free from usage, possession or distribution of drugs for other than authorized medical treatment. (It is the intent of this policy that the term "drug" is defined as a mood-altering substance, to include, but not be limited by the following categories: illegal drugs, controlled drugs, over the counter drugs, and alcohol).

In keeping with Title 16 VSA §1165, 909 and other state and federal regulations the School Board supports a comprehensive program, which shall include, but not be limited by, the following components:

7-12 education/prevention programming and staff training; support and referral systems and cooperative agreements; immediate and emergency procedures; possession use, and/or distribution issues; performance and behavior related problems; and community awareness programming.

In dealing with persons affected by their own or another's use of alcohol or other drugs every effort must be expended to treat each person as an individual, to promote responsible decisions on the part of the persons themselves, to stress prevention and rehabilitation and to obtain professional evaluations (including medical and psychological reports) whenever appropriate and consistent with other school policies and procedures.

Students requesting confidentiality from counselors, teachers, administrators, and other staff will be granted it so long as it is not in conflict with this or other Board policies, federal or state regulations, and provided that the student is not deemed to be a threat to self or others.

#### 1. Education/Prevention Programming

The North Country Union High School District will develop and implement a sequential 7-12 drug abuse prevention education curriculum as defined in Vermont State Alcohol and Drug Education Curriculum Plan and in the Health Education and Traffic Safety and Driver

Education requirements of the Standards for Approving Vermont's Public Schools. This curriculum will be reviewed and updated as needed.

Training opportunities will be offered and/or identified on an ongoing basis so that staff members have the opportunity for a sufficient level of professional development to implement services required in the school's drug abuse prevention education program. This includes initial training and in-service training as needed.

2. Support and Referral Systems and Cooperative Agreements

The School Board and school staff shall work cooperatively with local health agencies, professional specialists and law enforcement officials. Where law enforcement officials must be notified, school administration shall cooperate and furnish the necessary information required by these officials whenever appropriate and consistent with the student's rights and school policies. Example: Periodically the school administration may request the police to request a warrant and search the building using specially trained "drug" dogs.

Each school within the district (high school and junior high school) will have an in-school process for initial assessment, support, and if necessary, referral to community resources for students affected by their own or another's drug use. One of the student's teachers, his/her guidance counselor, the nurse, a student assistance program person, and an administrator shall be designated for consultation regarding a student whose behavior or performance may indicate a problem with his/her own or another's alcohol, or other drug use. These staff persons shall assist in the determination of need for further screening, education, counseling, or referral treatment, and as a continuing support group.

The district will have at least one written referral agreement with a community substance abuse treatment provider approved by the Office of Alcohol and Drug Abuse Programs.

3. Immediate Procedures

Emphasis shall be placed on the welfare and rights of the individual to the extent such consideration does not jeopardize the welfare and rights of others. With regard to students, in-school procedures shall provide for the handling of any drug-related incident until the student has been discharged to the parent, guardian, social services, medical or law enforcement agency. The administration shall follow the appropriate legal procedures and due process of the law for discipline. (Refer to VI. STUDENT - Policy #12 Regulations Regarding Students' Suspension and Dismissal)

4. Emergency Procedures

In the event of an emergency involving alcohol or drug abuse, every precaution must be taken to protect the person's health and well being while protecting the health and well being of the remaining school population. When appropriate to protect the health of the student, the person shall be brought to the nurse's office by any employee. Upon evaluation by the nurse, appropriate first aid shall be rendered. An administrator shall be contacted and shall follow the prescribed procedures as outlined in Section 5 of this policy.

5. Possession, Use, Distribution or Evidence of Consumption

- A. It shall be against school policy for any student to possess, procure, or purchase, or attempt to possess or purchase, to be under the influence of (legal intoxication not required), or to use or consume, or attempt to use or consume drugs, or what are represented by or to the student to be drugs, or what the student believes are drugs.

First offense will result in the student being suspended for five (5) to ten (10) school days and placed on probationary status for a period of at least one-year. Suspension under these sanctions may be modified by the administration in the event the student participates in an assessment through Tri-County Services and completes intervention activities as assigned by Tri-County and the Student Assistance Program counselor. Parents/Guardians and/or students are responsible for all costs incurred for the assessment. The student's parking privileges will be revoked for 180 school days, if applicable. Students can regain parking privileges in 90 school days if they successfully complete the above mentioned sanctions. If the administration believes that the penalty should be more than ten (10) days, and a hearing before the school board cannot be scheduled before the student serves the ten (10) days a tutor will be provided for any days after ten until the board hearing. The matter will also be referred to the police for appropriate action.

In the case of a first offense that does not result in a school board hearing, the student and parent/guardian will be required to appear before a disciplinary committee (consisting of one certified staff one non-certified staff, one administrator, and that students' counselor) at a time and place to be indicated by an administrator. All proceedings of this committee, including the identity of the student, are to be regarded as strictly confidential. This committee shall specify the consequences for the offense in the form of a written contract to be signed by the student, parent/guardian and the administrator on the committee. It is further intended that the members of this disciplinary committee shall continue to function as a support group for the individual under contract with them. In the event that the offense results in a Court Diversion contract or in court-ordered activities will satisfy the requirements of the above school contract in each instance where the consequence is substantially the same.

In the event of a second offense, there will be a mandatory hearing with the school board for possible long-term suspension or expulsion.

- B. It shall be against school policy for any person including a student to sell, supply, or give, or attempt to sell, supply or give drugs or what the student represents or believes to be drugs. First offense will result in the student being suspended for ten (10) school days and a hearing will be scheduled with the school board before the student has served ten (10) days of suspension. After the school board hearing, the student may be suspended for a longer period, up to and including expulsion. The matter will also be referred to the police for appropriate action.

Any person other than a student discovered in a school building, or on school property or at a school-sanctioned activity, having possession of drugs or drug paraphernalia, using or distributing drugs, showing in any manner any evidence of having consumed drugs, knowingly and willfully assisting another person in using or distributing drugs in the school buildings or on school property, or at a school-sanctioned activity will be immediately referred to the police for appropriate action.

All employees of the school district (including teachers, aides, secretaries, custodians, bus drivers, etc.) shall report to an administrator any incidents and/or behavior of students, other employees, or visitors who display evidence of possession, use, consumption, or distribution of drugs.

Legal Reference(s): 18 V.S.A. §4237 et, seq.

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