

ALCOHOL AND OTHER DRUG USE/ABUSE

The school has a clear responsibility to maintain an atmosphere, which will promote a quality learning environment. Because the use of drugs, alcohol, and other chemicals among young people has become a major problem in our country and because the use and availability of these substances on school campuses interfere with the educational process, this policy is being adopted and implemented. The policy is designed to help eradicate the influence of drugs, alcohol, and other chemicals within the school environment. As such it is designed to promote chemical health and protect students in the school environment by imposing consequences for misbehavior as well as educating, deterring and preventing abuse of chemicals. It is also designed to serve as a guide for faculty and staff in implementing intervention procedures for students.

Education

The Apple Creek School District will teach about drugs and alcohol in an age appropriate developmentally based education and prevention program in every grade K-6. This program will include information about drug and alcohol counseling and rehabilitation programs available to the students. The District will also conduct staff orientation and continued training, and parent and community education. This education program will also include providing an information service for referral to counseling and/or treatment so that students may seek and get counseling on alcohol and drug matters at any time without fear of reprisal and with assurance of the confidentiality of the counseling. Referral for treatment when needed should be a constructive and not a punitive action. We recognize that chemical addiction is a treatable disease.

Prohibited Activities

The use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful. It is the responsibility of the school to establish rules that will eliminate such use from the school setting. Therefore, it shall be against school policy for any student:

1. To sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or what the student represents or believes to be any of the substances listed in this policy.
2. To possess, procure, purchase, or receive, or to attempt to possess, procure, purchase or receive, the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy. A student will be determined to be "in possession" when the substance is on the student's person or in the student's locker, car or handbag, or when he/she owns it completely or partially.
3. To be under the influence of (legal intoxication not required), or to use or consume or attempt to use or consume, the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy.

This policy applies to any student who is on school property, who is in attendance at school or at a school-sponsored activity or whose conduct at any time or in any place interferes with or obstructs the missions or operations of the school District or the safety or welfare of students or employees.

Prohibited Substances

1. Alcohol or any alcoholic beverage;
2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant, or any depressant, any form of tobacco, *and all other illicit drugs;
3. Any abuseable glue or aerosol paint or any other chemical substance, for inhalation, including but not limited to, lighter fluid, white out, and reproduction fluid;
4. Any prescription or non-prescription drug, medicine, vitamin or chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, “no-doze” pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants and sleeping pills not taken in accordance with the authorized use policy.

Authorized Use

Any student whose parent or guardian requests that he/she be given any prescription or non-prescription medicine, drug, or vitamin shall follow the procedures of Policy FEAA–Administering Medicine to Students, which requires a prior permission signed by the parent for aspirin and/or Tylenol and the signed request of the physician and parent for any other medication.

Violation

Disciplinary sanctions will be imposed on any student violating this policy. These sanctions may include suspension or expulsion and notification of proper authorities for prosecution. Prohibited substances will be confiscated and illegal substances will be turned over to law enforcement authorities. The student may be referred to the school counselor.

Any student who is observed to be under the influence of a prohibited substance will be taken immediately to the Principal’s office. The student’s parents will be notified and asked to pick up the student. If there appears to be imminent danger to other students, school personnel and/or the student involved, the Principal may have the student removed from the school by school, medical, or law enforcement personnel.

Intervention

We also recognize the responsibility to assist students in recognizing their own addiction. It is realized that the public school has neither the authority nor the responsibility to make medical or health determinations regarding chemical dependency. However, when observed behavior indicates that a problem exists which may affect the student's ability to learn or the educational climate of the school, the school has a right and responsibility to refer the student for a formal chemical dependency diagnosis. To this end the Apple Creek School District encourages faculty members to be observant of student behavior and to participate in a program of intervention. Faculty members may use the attached checklist to determine whether observed behavior should be reported. If the faculty member decides that the behavior indicates a possible prohibited activity, the student should be (1) referred to the school counselor (2) reported to the Principal.

If the counselor or Principal believes that the student indeed is in need of assistance, the counselor or Principal may call the student in for a conference. The counselor or Principal may receive assistance in how to confront students from a certified addiction counselor.

If, after conferring with the student, the counselor or Principal believes that there is a probability that the student may be chemically dependent, the student and/or the student's parent(s)/guardian will be told that it is necessary that the student receive a formal chemical dependency diagnosis.

The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The school will have the option of requiring that the student attend the suggested therapy at school district expense as a condition for continuing to attend school.

The School Board of the Apple Creek School District believes that if a student is involved in a chemical dependency program and is successfully addressing his/her harmful involvement with chemicals, he/she may continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Apple Creek School District School Board and the North Dakota High School Activities Association.

The school may, through the use of available resources, provide follow-up counseling and supportive assistance to those students who return after successfully completing a therapeutic regimen, realizing that the student may need assistance in dealing with other environmental factors beyond the school's control which may remain unchanged.

A student can expect that any personal problem he/she discusses with an administrator, faculty member, social worker, Core Team Member or counselor will be strictly confidential.

There are four exceptions:

1. Whenever a staff member learns of a condition, which may adversely affect another student, he/she will have to act on that information.
2. If a student is experiencing health and/or emotional problems because of controlled substance use or abuse and is unable or unwilling to seek assistance, then referral should be made. Confidentiality will be maintained subject to the welfare of the student.
3. If a staff member has reasonable cause to suspect child abuse, the staff member must report to the Children and Family Services Division of the Department of Human Services.
4. If a staff member is called to testify in a judicial proceeding.

Policy Implementation

A copy of this policy will be given annually to each student. In addition, student handbooks will be used to inform students that the use of alcohol and other drugs is wrong and harmful and is not permissible. Students, employees, and parents will be given a copy of the standards of conduct and the statement of sanctions required concerning the possession, use or distribution of illicit drugs and alcohol. Compliance with these standards of conduct is mandatory. The handbook will include a form for parents to sign and return indicating that the information in the handbook has been received and read by the student and the parents. The Principal will maintain a file a returned forms.

The Principal or his designee will annually conduct in-service training sessions for all school district employees, which will include a review of this policy and procedures for implementation thereof. In the event an employee is unable to attend such in service training sessions, the Principal or his designee will cause this policy to be individually reviewed with such employee.

The Principal will maintain a list of all employees with whom this policy has been reviewed, whether individually or through in service training, along with the dates of such review or training.

The Apple Creek School District will review this policy and its implementation annually to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse. Minutes of the School Board meeting at which this review takes place shall document the review.

Cross Reference: Policy DADE/FHCFA/KAFC/KAHA Tobacco Use in the Schools*
Policy FEF Student Assistance Program
Policy FFD Automobile Use
Policy FFEA Reporting Child Abuse and Neglect
Policy FHBC Searches of Lockers
Policy FHDA Suspension and Expulsion

*If no separate policy addressing tobacco is in place, tobacco should be referenced in the Drug Use/Abuse policy. If a separate policy is in effect, it should be cross-referenced.

Legal Reference: PL 101-647 Drug-free School and Communities Act of 1986
34 CFR Part 86 Regulations
NDCC 14-10-17 Minors – Treatment for sexually transmitted disease - Drug Abuse – Alcoholism
NDCC Ch. 15-21.1 Chemical Abuse Prevention Programs
NDCC 15-34.1-03(4) Compulsory attendance – Exceptions
NDCC 15-38-05 Temperance Day – Duty of school officers and teachers
NDCC 15-38-07 Required subjects in all schools
NDCC 15-47-31 Membership in high school league – Cost of protection payments out of school funds - Manner of disbursements
NDCC Ch. 19-03.1 Uniform Controlled Substance Act - Prohibited Acts – Paraphernalia/Possession
NDCC 31-01-06.1 School counselors shall be immune from disclosing information given by pupils
NDCC 31-01-06.3 Addiction counselors shall be immune from disclosing information given by pupils
NDCC 50-25.1-03 Persons required and permitted to report – To whom reported

REFERENCE : 05/93

**POLICY ADOPTED: 26 Feb 96
POLICY AMENDED: 18 Aug 09**