

Policy 3315

Students

Drug, Alcohol and Nicotine Use

Philosophy

Drug, alcohol, and nicotine use is detrimental to a state of well-being and undermines the aim of education, which is to enable individuals to develop to their full potential. The district seeks to ensure the highest standards of learning in the classroom and recognizes that use of chemical substances—including alcohol, nicotine, and controlled substances—creates educational, economic, and legal problems.

Policy

Students attending school in this district will not use, ingest, possess, sell, buy, or distribute drugs, including alcohol, tobacco, simulated tobacco, nicotine vaping products, inhalants, controlled substances, or related paraphernalia, on school premises.

Any student will violate the district's drug, alcohol, and nicotine use policy when:

- He/she is on school premises, evidencing behavior that creates a reasonable suspicion that he/she may be illegally under the influence of drugs;
- He/she admits to using, possessing, selling, buying, or distributing drugs on school premises;
- He/she is found to use, ingest, possess, sell, buy, or distribute drugs, or related paraphernalia, on school premises;
- He/she is found to possess drugs, or related paraphernalia, or to have such substances on his or her person, or in his or her locker, vehicle, or other property on school premises;
- He/she is found to knowingly attempt to use, ingest, sell, buy, or distribute drugs or related paraphernalia on school premises;
- He/she is found to knowingly be present when drugs or related paraphernalia are being used, ingested, sold, bought, or distributed on school premises.

Definitions

"Controlled substances" include, but are not limited to, opiates, opium derivatives, hallucinogenic substances, including cocaine, methamphetamines, and cannabis and synthetic equivalents of the substances contained in the plant, any material, compound, mixture or preparation with substances having a depressant effect on the central nervous system, stimulants, or any other substance deemed unlawful by Idaho state statute.

"Drug" includes any alcohol or malt beverage, any tobacco product, simulated tobacco products, vaping products, inhalants, any controlled substance, any illegal substance, any abused substance, any substance which is intended to alter mood, and any medication not prescribed by a physician for the student in possession of the medication.

“Reasonable suspicion” means an act of judgment by a district employee or independent contractor that leads to a reasonable and prudent belief that a student is in violation of this policy or the “use” or “under the influence” provisions of Idaho Code Section 37-2732C, which defines controlled substances. Such act of judgment is based on the employee’s or independent contractor’s training in recognizing the signs and symptoms of alcohol and controlled substance use. The fact that a student has previously disclosed use of a controlled substance will not be deemed a factor in determining reasonable suspicion at a later date.

Alcohol or Controlled Substances: Referral to Law Enforcement

1. Any student exhibiting inappropriate behavior that suggests “using” or “being under the influence” of alcohol or controlled substances will be immediately escorted by a district employee to an administrative office for interviewing and observation by the principal, or designee. Except in the case of an emergency, the student will not be left unattended and will not be allowed to leave the school premises.
2. Once a student is reasonably suspected of being in violation of the law and this policy regarding alcohol or controlled substances, the building principal or designee will immediately notify the student’s parent or guardian and report the incident to the local law enforcement agency.
3. District employees will cooperate fully with any law enforcement investigation of a violation of this policy, including, but not limited to, providing access to lockers, desks, and other school property, and providing oral and/or written statements regarding the relevant events.
4. Suspension/Expulsion: Students who violate this policy will be suspended by the principal. Suspension for the first offense of this policy will be for three to five (3-5) days, unless extraordinary circumstances exist. The time period for suspension for the second or third offense will be determined at the discretion of the principal and/or the superintendent. The principal and/or the superintendent will determine whether or not the suspension will be served in school or out of school.
5. If deemed appropriate by the superintendent, He/she may request that the board expel a student who has violated this policy for a second or third offense.
6. Drug, Alcohol, and Nicotine Assessment/Treatment: The terms of the suspension and/or conduct contract may be modified, at the discretion of the principal or superintendent, if a student who has violated this policy voluntarily completes a drug, alcohol, and tobacco education course and/or undergoes assessment and treatment for drug, alcohol, and tobacco abuse.

Legal Reference:

Idaho Code Sections: I.C. § 20-516 Juvenile Corrections Act
I.C. § 33-205 Denial of School Attendance
I.C. § 33-210 Students Using or Under the Influence of Alcohol or
Controlled Substances
I.C. § 33-512 Governance of Schools
I.C. § 37-2705 Uniform Controlled Substances
I.C. § 37-2732C Using or Being Under the Influence - Penalties

Policy History:

Adoption: August 2013

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