

COLCHESTER SCHOOL DISTRICT

POLICY: ALCOHOL, TOBACCO AND OTHER DRUG ABUSE POLICY

DATE ADOPTED: September 4, 2012

PHILOSOPHY

Consistent with state and federal laws, the Colchester School District not only believes that every student has the right to a drug free school, but also affirms that it is our collective responsibility to achieve this goal. Alcohol, tobacco, and other drug use and abuse are detrimental to all students, adults, and to the education of other students as well as our entire school community. Alcohol, tobacco, and other drug use and abuse, and dependency, however, are treatable health problems. We assume responsibility for providing preventive education to all students as well as interventions (identification and referral) for students suspected as users.

POLICY STATEMENT

In support of our philosophy, Colchester prohibits the use, possession, distribution, and sale of alcohol, tobacco, other drugs, or any substance portrayed as a drug or any devices associated with these substances, in school and in all buildings and grounds owned, operated, or rented by the Colchester School District, or at any school sponsored activities.

All procedures described in this Policy shall comply with the federal and state laws referenced below including Vermont State Board of Education Rules 4200, Alcohol and Drugs; 4300, Disciplinary Action, due to suspension and expulsion; and 4312 and 4313, Long Term Suspension or Expulsion of Students with a Disability under the IDEA or Handicap under Section 504. Copies of these Rules are available in the Superintendent's office.

DEFINITIONS

ALCOHOL

Includes alcohol, spirits, and malt beverages as defined by 7 V.S.A. § 2 which includes but is not limited to beer, porter, stout, ale, wines, cordials, and liquors. Alcohol may also include medicinal products such as Listerine and Nyquil which contain high percentages of alcohol. If a student is using such a product for medicinal purposes, the medicinal purpose must be reported to the school nurse and the product kept by the nurse during school hours.

Last Adopted: April 1, 2003
Date Warned: May 11, 2012
First Reading: May 15, 2012
Second Reading: August 21, 2012
Third Reading: September 4, 2012

TOBACCO

Tobacco products include all items listed in 7 V.S.A. §1001 (4): cigarettes (including e-cigarettes), cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco, snuff, snuff flour, Cavendish, plug and twist tobacco, fine-cut and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings and sweepings of tobacco, and other forms of tobacco prepared in a manner suitable for chewing or smoking.

DRUG

Drugs include controlled substances identified in Schedules I, II, III, IV or V of the Controlled Substance Act, 21 U.S.C. § 812. If a student is using a drug for medical purposes and is under the supervision of a licensed healthcare professional, the medical purpose must be reported to the school nurse and the drug kept by the school nurse during school hours, unless indicated in writing by the physician that the student may have the medication with him/her. Controlled substances include, but are not limited to, cannabis (marijuana, hash); hallucinogens (LSD, psilocybin mushrooms, peyote, mescaline); stimulants (nicotine, cocaine, amphetamines i.e., "speed," ritalin); depressants (barbiturates, "quaaludes"); narcotics (opium, heroin, morphine); nitrous oxide, and anabolic steroids.

ALCOHOL/TOBACCO AND/OR OTHER DRUG ABUSE

These terms include the ingestion of alcohol, tobacco or other drugs in such a way that it impacts a person's ability to perform physically, intellectually, emotionally or socially.

TREATMENT

Treatment is a therapeutic process defined by a written individual treatment plan under the supervision of a physician, licensed psychologist, certified drug and alcohol counselor, or in a program approved by the Office of Alcohol and Drug Abuse Programs.

PROGRAMS AND SERVICES

I. EDUCATION AND PREVENTION

The school's primary function is to educate its students. All Colchester students receive comprehensive health education which includes alcohol/tobacco/drug use and abuse information and instruction. Such instruction provides students with knowledge and enables them to develop the skills necessary to make responsible choices. In accomplishing this objective, the Colchester School District ensures the development and periodic revision of the following:

- A. A coordinated alcohol/tobacco/drug curriculum which details the specific objectives to be taught at each grade level.
- B. Staff development programs to ensure that all staff members possess sufficient expertise to implement alcohol/tobacco/drug prevention programs and to

appropriately teach this material effectively. Such training includes awareness, beginning level activities and advanced training opportunities.

- C. Community awareness programs to provide Colchester citizens and businesses with alcohol/tobacco/other drug abuse information annually.

II. SUPPORT FOR STUDENTS EXPERIENCING ALCOHOL/TOBACCO/DRUG PROBLEMS

Our schools are committed to supporting students who may be experiencing alcohol/tobacco/other drug problems whenever it is possible to do so without jeopardizing the interests of other students. The purpose of this support is to help such students deal with their problems so they can succeed in school. All school personnel are expected to be aware and sensitive to problematic behaviors. Students exhibiting such behaviors are referred to the school's intervention team. School staff members are NOT expected to label or diagnose student behavior as being caused by alcohol and other drug use. Any staff member who knows or suspects a violation of law or this policy by any student, including illegal possession, use, or distribution of alcohol/tobacco/other drug, is required to report this knowledge or suspicion immediately to a school administrator. In order to facilitate this support and reporting responsibility, each Colchester school shall:

- A. Establish written procedures for the identification of students who are experiencing difficulty.
- B. Identify resources and offer support to students as a part of its regular education programs.
- C. Establish written cooperative arrangements with at least one outside agency, approved by the Vermont State Office of Alcohol and Drug Abuse Programs, whose expertise is in the areas of alcohol and other drug abuse treatment so that evaluations and treatment options are readily available to students.
- D. Establish an intervention team responsible for the following procedures:
 - 1. Reviewing each referral to gather and evaluate data documenting the problem.
 - 2. Recommending further action aimed at assisting students in resolving problems and improving behavior. Such recommendations may include in-school assistance or referral to outside agencies for evaluation and further recommendations for treatment, depending on the severity of the problem.
 - 3. Notifying parents when deemed to be in the best interest of the student and when legally necessary as defined below:

- a. Students 11 years old or under must have parental consent to receive treatment for their own alcoholism or drug dependence.
- b. Students under 18 years old must have parental consent to receive treatment for problems they are having because of someone else's alcohol and other drug abuse or dependence.

III. SELF-REFERRAL

When a student recognizes that s/he has a problem with alcohol, tobacco and other drug abuse and chooses to do something about this problem, school staff members shall support this student to the extent that they can without jeopardizing the interests of other students. Guidelines around confidentiality will be maintained in all interactions regarding the implementation of this policy.

- A. The employee to whom the student has self-referred shall make a referral to the school's intervention team. This does not preclude other supportive actions being taken.
- B. The student may receive support and assistance as long as s/he makes a commitment to abstain and fulfill a defined assistance plan.
- C. Self-referral does not negate the possibility of future disciplinary action if a student violates this policy.

IV. VIOLATIONS OF THE ALCOHOL, TOBACCO AND OTHER DRUG POLICY AND CONSEQUENCES

It shall be a violation of this Policy for anyone regardless of age to sell, distribute, or exchange, alcohol, tobacco, other drug products or any substance portrayed as such on school property (including buses) or at any school sponsored activity or field trip, including trips abroad. It shall also be in violation of this Policy for anyone to purchase, use, be under the influence, or possess any device reasonably related to alcohol, tobacco and other drugs. It is also a violation of this Policy for anyone to retaliate against any person who may have cooperated in an investigation of the above violations. Retaliation includes but is not limited to verbal threats and/or battery or an attempt to do so. Any person failing to comply with an investigation is in violation of this Policy.

The consequences for all violations of the policy, except retaliation, shall be twofold: disciplinary and rehabilitative/educational. An individual plan including both of these consequences shall be developed by the building administrator, and/or his/her designee, in consultation with the student, the student's guidance counselor or student assistance counselor if available and parent(s). All expenses for treatment shall be the responsibility of the parent(s).

All disciplinary action shall afford the student and parent the opportunity for an informal hearing before an appropriately designated school official. This informal hearing shall comply with the requirements of all due process rights.

Following an informal hearing, the school official shall provide the parent/guardian with a written decision including the consequences and recommendations. Whenever a student's conduct is deemed to be an immediate threat to him/herself, others, property or the school environment, however, the student may be immediately suspended, pursuant to State Rule 4311.3(1).

Students who are suspended for violating this policy may, at the discretion of the school administration, continue to receive educational services deemed to be in the best interest of the student.

This policy requires an expulsion hearing for a student found to be in violation of the following:

- First and subsequent alcohol or other drug violations in the category of sale, distribution or exchange.
- Second and subsequent alcohol or other drug violations in the category of purchase, use, possession, being under the influence, possession of a reasonably related alcohol or drug device, participation in a related incident, or refusal to cooperate with an investigation.

V. IDENTIFIED SPECIAL EDUCATION STUDENTS, 504 STUDENTS, OR OTHERS SUSPECTED OF BEING DISABLED

When disciplining disabled students (or those suspected of being disabled) the District shall comply with all state and federal laws, including State Rules 4312 and 4313.