

## **Student Use or Possession of Alcohol and Drugs**

### **Philosophy on Substance Abuse**

The Board recognizes that student use of alcohol and illegal drugs is both harmful and unlawful. The use of alcohol and other drug use within the school community is detrimental to those involved and the educational environment. Therefore, the Board is committed to achieving an environment free of chemical use, abuse, and dependency within our student community.

### **A Comprehensive Program**

It is the district's policy to conduct a comprehensive program, K-12, to include prevention education, early intervention and referral, and development of coping skills and alternatives to drug and alcohol use. In grades K-10, an age-appropriate curriculum that is an integral part of health education is taught to students. Available sources of funding, including federal and state, are pursued to support the program.

Because the use of alcohol and illegal drugs typically hinders a student's academic success, it is the district's policy to provide assistance to those students. The intervention program is to refer students so identified to appropriate resources for assistance and to involve parents and guardians as early as possible. The goal of intervention is the restoration of the student to productive academic activity. However, the district incurs no responsibility to obtain or pay for any intervention or treatment program.

#### **1. Alcoholic Beverages**

- a. Possession, use, or evidence of use, or sale or supply of any alcoholic beverage on or about school premises or at any school-sponsored activity, or use before attending any school-sponsored activity is prohibited.
- b. Evidence of use may include admission of use by the student, verified oral or written statements of a witness or witnesses, or signs of use including but not limited to odor of alcohol, slurred speech, staggering, and vomiting.
- c. The district shall conduct an annual review of its alcohol abuse prevention program.

#### **2. Drugs**

- a. The unlawful possession, use, or evidence of use, or sale or supply of marijuana or any substance classified as a narcotic, dangerous drug, or other controlled substance on or about school premises or at any school-sponsored activity, or use before attending any School-sponsored activity is prohibited. As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy JHCD - Administering Noninjectable Medicines to Students, JHCDA - Administering Injectable Medicines to Students and any accompanying administrative regulations.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony, as provided by ORS 475.999.

- b. Possession, use, except as prescribed by a physician, providing for others, or sale of performance-enhancement drugs, misuse of prescription or over-the-counter drugs, and misuse of solvents and other dangerous substances is prohibited.
- c. Evidence of use may include admission of use by the student, verified oral or written statements of a witness or witnesses, or signs of use including but not limited to odor, behavior, staggering, or disorientation.
- d. Possession, supply, or sale of a “look-alike” drug will be treated the same as a drug.
- e. Possession, supply, offering for sale, or sale of any substance represented as a drug is prohibited.
- f. Possession, supply, offering for sale or sale of any drug paraphernalia is prohibited.
- g. The district shall conduct an annual review of its drug abuse prevention program.

### 3. **Consequences of Violation**

- a. Violators shall:
  - (1) Receive written notice of the violation, with a separate copy of the notice mailed to the student’s parents/guardians, including a notice of the scheduled meeting required by 3. a. (3)
  - (2) Meet with a Drug and Alcohol Counselor employed by the district, prior to the meeting required by 3. a. (3).
  - (3) Along with the student’s parents/guardians, meet with the student’s principal.
- b. Violators shall be suspended for up to 10 school days and be subject to an expulsion hearing unless the administrator determines circumstances do not warrant a hearing. For second and/or subsequent offenses, violators shall be notified that a mandatory expulsion hearing shall be held, with a recommendation to expel.
- c. The district considers sale or distribution of drugs or alcohol to be a more serious offense than use or possession of drugs or alcohol. Students who are involved in the sale or distribution of drugs or alcohol will be subject to an expulsion hearing on the first offense.
- d. In cases of possession, use, or selling alcohol or drugs, violators shall be referred to legal authorities or to the appropriate law enforcement agency unless there is a compelling reason not to refer.
- e. If a student agrees to complete an assessment for alcohol or drug dependency, this may be considered when determining the length of suspension or expulsion.
- f. As a strategy for reducing suspension or expulsion, violators may be encouraged to:
  - (1) Perform such school or community service as appropriate to the severity of the violation.
  - (2) Enroll in an appropriate intervention or diversion program.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.605](#)

[ORS 161.625](#)

[ORS 332.107](#)

[ORS 336.067](#)

[ORS 336.222](#)

[ORS 336.227](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS Chapter 475](#)

[OAR 581-021-0050 to -0075](#)

[OAR 581-021-0110](#)

[OAR 581-022-0413](#)

[OAR 581-053-0015](#)

[OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)

[OAR 581-053-0550\(5\)\(q\)-\(s\)](#)

[OAR 584-020-0040](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).