

McMinnville School District #40

Code: JFCG/JFCH/JFCI-AR
Revised/Reviewed: 11/08/10; 12/14/15
Orig. Code: JFCG/JFCH/JFCI-AR

Substance Abuse by Students

Student Rights and Responsibilities

The district will provide each student and his/her parent(s) or guardian(s) with a copy of the *Student Rights and Responsibilities Handbook*. This handbook specifies the standards of conduct for student behavior in the district and prohibits the unlawful possession, use, or distribution of illegal drugs, alcohol, or controlled substances on school premises or as a part of any school activities. These standards of conduct and the district's policy relating to substance abuse by students shall be provided to each student at the beginning of each school year. Students will be informed of possible penalties up to and including long-term suspension and expulsion. In addition, students may be referred to appropriate authorities for prosecution.

The following definitions apply to this policy:

1. "Substance abuse" means the use of any substance with abuse potential which is toxic, corrosive, an irritant, a strong sensitizer, flammable, combustible, generates or is used to generate pressure, if such substance or mixture of substances is used in a manner that may cause substantial personal injury or severe illness when induced by any means into the human body;
2. "Unlawful drug" means any illegal substance intended to affect the structure or function of the body that is not prescribed by a licensed medical practitioner;
3. "Drug paraphernalia" means all equipment, products and materials of any kind which are marketed for the use or designed for the use in manufacturing, compounding, producing, processing, preparing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise inducing a controlled substance or intoxicant into the human body.

If possession or use occurred on school grounds or while participating in school-sponsored activities, students will be subject to discipline up to and including expulsion.

Disciplinary action may include removal from any or all student activities, extracurricular athletics and/or forfeiture of any school honors or privileges (e.g. valedictorian, salutatorian, office positions within a class or club, student body officer positions, prom, etc.) Appropriate health and law enforcement agencies may be involved in at least a consultative and investigative capacity. Parents will be notified.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony. Punishment is a maximum of 20 years of imprisonment, \$300,000 fine, or both, as provided by ORS 475.904.

Any person under age 18 possessing a tobacco product or inhalant delivery system commits a Class D violation and is subject to a court-imposed fine as provided by ORS 167.400.

Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco-burning device, or inhalant delivery system, to a person under 18 years of age is in violation of state law and is subject to a court-imposed fine.

School Official Responsibilities

The principal shall have the overall responsibility within the school for the handling of substance abuse violations. All referrals of substance abuse within the school shall be made to the principal, assistant principal, or counselor. A substance abuse assessment shall be required for all offenders and the student shall be expected to follow the recommendations of the assessor.

Students who participate in athletics are subject to the building athletic policy which may set higher standards for athletes.

Disciplinary Procedures

In the event of disciplinary proceedings against a student for violation of Board policy JFCG/JFCH/JFCI - Substance or Drug Abuse by Students, the following guidelines shall be implemented by school personnel:

1. If substance use and/or abuse are suspected:
 - a. The teacher or staff member will inform the principal, assistant principal or counseling department.
 - b. School officials will confer with the student.
 - c. If indicated, school officials will contact the parents
 - d. A strong recommendation will be given to the student and his/her parent for the student to obtain a substance abuse assessment.

2. If a student commits a first substance abuse violation:
 - a. The principal, assistant principal, or counselor shall be notified immediately.
 - b. The student will be interviewed and given an opportunity to respond.
 - c. If it is determined that a student is under the influence or in possession of an illegal substance or in possession of drug paraphernalia, then:
 - d. Parent(s) or guardian(s) will be called, medical assistance will be summoned if needed, and legal authorities may be contacted.
 - e. School officials will arrange for a parent or guardian conference as soon as possible.
 - f. The student shall be suspended (minimum of five school days).
 - g. A substance abuse screening will be required and obtained by an outside agency for re-admittance to school. A list of local resource agencies will be provided.
 - h. The student must participate in a basic drug and alcohol education program provided by the district.
 - i. The student must comply with the recommendations from the assessment provided by an outside agency in order to continue attendance at school. Failure to maintain compliance may result in a request by the principal for an expulsion hearing.

3. If a student commits a second substance abuse violation within a 4-year (school calendar) time period:
 - a. The principal, assistant principal, or counselor shall be notified immediately.
 - b. The student will be interviewed and given an opportunity to respond.
 - c. If it is determined that a student is under the influence or in possession of an illegal substance or in possession of drug paraphernalia, then:
 - d. Parent(s) or guardian(s) will be called, medical assistance will be summoned if needed, and legal authorities may be contacted.
 - e. The student shall be suspended (minimum of five school days and up to a maximum of 10 days).
 - f. A substance abuse screening will be required and obtained by an outside agency. A list of local resource agencies will be provided.
 - g. Upon receiving the recommendations of the substance abuse assessment provided by an outside agency, parent and student will be notified of district Diversion Program. In lieu of expulsion, parents and students can agree to waive their rights to an expulsion hearing and agree to enroll in the district Diversion Program which would involve the following:
 - (1) Drug and Alcohol Screening to be completed by outside agency.
 - (2) Enter into district Diversion Program and complete successfully per school expectations outlined in the Diversion Program Contract.
 - (3) If student does not successfully complete the Diversion Program Contract, the contract will be terminated, and the principal shall recommend expulsion for a period of not less than a full term but may recommend expulsion for up to one full year.
4. If a student commits subsequent substance abuse violation
 - a. The principal, assistant principal, or counselor shall be notified immediately.
 - b. The student will be interviewed and given an opportunity to respond.
 - c. Parent(s) or guardian(s) will be called, medical assistance will be summoned if needed, and legal authorities may be contacted.
 - d. The student shall be suspended immediately, pending an expulsion hearing.
 - e. The principal shall recommend expulsion for a period of not less than a full term but may recommend expulsion for up to one full year.
5. If a student is apprehended dealing or distributing drugs or alcohol: (ORS 475.904)
 - a. The principal, assistant principal, or counselor shall be notified immediately.
 - b. The student will be interviewed and given an opportunity to respond.
 - c. School officials shall notify the student's parents and the appropriate law enforcement agency.
 - d. The student shall be suspended immediately, pending an expulsion hearing.
 - e. The principal shall recommend expulsion for a period of not less than a full term but may recommend expulsion for up to one full year.
 - f. Upon re-entry into school, the student will enter into the district Diversion Program.
 - g. If the student, upon re-entry into school, fails to comply with the district Diversion Program, the principal shall recommend expulsion for a period of no less than a full term but may recommend expulsion for up to one full year.