

F7-R: STUDENT ALCOHOL AND DRUGS

It is the policy of the Harwood Union High School District that, *except in accordance with school procedures for student medications*, no student shall knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any drug, regulated substance, *drug paraphernalia, tobacco paraphernalia, tobacco substitute*, or alcohol on any school property, or at any school sponsored activity *that is* away from or within the school.² It is further the policy of the district to make appropriate referrals in cases of substance abuse.

Definitions

Substance Abuse is the ingestion of drugs and or alcohol in such a way that it interferes with a person's ability to perform physically, intellectually, emotionally, or socially.³

Drug A drug is any non-food substance that alters body chemistry and is taken with the intent to alter mood and/or behavior when ingested. This includes, but is not limited to, **tobacco products**, means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal regulation or statute.⁴

Drug Paraphernalia is any handmade or commercial gadget that assists or is used for the intake of a substance. Examples include, but are not limited to, rolling papers, pipes, needles and manipulated lab equipment.

Tobacco Paraphernalia has the same meaning as set forth in 7 V.S.A. 1001(7). That is, any device used, intended for use, or designed for use in smoking, inhaling, ingesting, or otherwise introducing into the human body, including devices for holding tobacco, rolling paper, wraps, cigarette rolling machines, pipes, water pipes, carburetion devices, bongs, and hookahs.

Tobacco Substitute has the same meaning as set forth in 7 V.S.A. 1001(8). That is, products including electronic cigarettes or other electronic or battery-powered devices that contain and are designed to deliver nicotine or other substances into the body through inhaling vapor and that have not been approved by the United States Food and Drug Administration for tobacco cessation or other medical purposes.

Educational Program. The Principal shall work with appropriate staff members to develop and conduct an alcohol and drug abuse educational program.⁵ The program shall be consistent with the Vermont Alcohol and Drug Education Curriculum Plan⁶. If the school district is a recipient of federal Safe and Drug-Free Schools and Communities Act funds, the Act will be considered in the development of the alcohol and drug abuse educational program.⁷

Support and Referral System. In each school the principal or his or her designee shall develop a support and referral system for screening students who refer themselves and students who are referred by staff for suspected drug and/or alcohol use and/or abuse problems.⁸ The support and referral system will include processes to determine the need for further screening, education, counseling or referral for treatment in each referred case.⁹ In addition, the principal shall establish procedures for administering emergency first aid related to alcohol and drug abuse.¹⁰

Staff Training. The Principal will work with appropriate staff to provide training for teachers and health and guidance personnel who teach or provide other services in the school's alcohol and drug abuse prevention education program. The training provided will meet the requirements of State Board Rules related to staff training.¹¹

Community Involvement. The Principal will work with school staff and community members to implement a program to inform the community about substance abuse issues in accord with State Board of Education rules, when appropriate.¹²

Annual Report. In a standard format provided by the Vermont Department of Education, the Principal will submit an annual report to the Commissioner of Education describing substance abuse education programs and their effectiveness.¹³

Notification. The Principal shall ensure that, at a minimum, reference to this policy will be included in the annual parent/student handbook. Schools may also share the standards of conduct and disciplinary sanctions contained in the procedures related to this policy.¹⁴

Cooperative Agreements.¹⁵ The Principal shall annually designate an individual to be responsible for providing information to students and parents or guardians about outside agencies that provide substance abuse prevention services and to encourage the use of their services and programs when appropriate.

¹ This policy is required by 16 V.S.A. 1165(c) and SBE Rule 4212. Unless otherwise noted in the following notes, the State Board rule requires that the policy include the elements contained in this model.

² 16 V.S.A. § 1165(a). See also 18 V.S.A. § 4237 making it unlawful for any person to sell or dispense any regulated drug to minors or to any other person on school property or property adjacent to a school .

³ Vermont State Board of Education Manual of Rules and Practices, Rule 4211

⁴ See definitions of narcotic drugs and hallucinogenic drugs in 18 V.S.A. §4201; and controlled substance in 41 U.S.C. §706(3) and 21 U.S.C. §812.

⁵ 16 V.S.A. §131(9); SBE Rule 4213.1

⁶ SBE Rule 4212.2 requiring that education program be consistent with this Plan.

⁷ 20 U.S.C. §§7101 et seq.

⁸ SBE Rule 4212.3

⁹ SBE Rule 4212.3D.

¹⁰ SBE Rule 4212.3B. SBE Rule 4212.3B requires that each "...school district policy...establish procedures for administering first aid related to alcohol and drug abuse. The procedures will define the roles of the personnel involved."

¹¹ SBE Rule 4213.2. See also SBE Rule 4212.3C.

¹² SBE Rule 4214 does not require that this paragraph be included in a school board policy. The rule does require that schools engage in community programs "...to inform the community about the school's alcohol and drug prevention education program, alcohol and drug abuse prevention issues, and community-wide responsibility for effective alcohol and drug abuse prevention." This paragraph could be included in administrative procedures developed in conjunction with this policy.

¹³ SBE Rule 4215 does not require that this paragraph be included in a school board policy. The rule does require that the school's annual report include information on substance abuse education programs. This paragraph could be included in administrative procedures developed in conjunction with this policy.

¹⁴ This section is not required by law, but could be included in a school board policy to ensure that adequate notice of the school district's policy and procedures related to alcohol and drug abuse is given to students and parents.

¹⁵ SBE Rule 4212.3

Date Warned:

Date Adopted:

Legal Reference(s): 20 U.S.C. §§7101 et seq. (Safe & Drug-Free Schools & Communities Act of 1994)
16 V.S.A. §909 (Drug & Alcohol Abuse Prevention Education Curriculum)
16 V.S.A. 131(9) (Comprehensive Health Education)
16 V.S.A. §1045(b)(Driver Training Course)
16 V.S.A. §1165 (Alcohol and drug abuse)
18 V.S.A. §4226 (Drugs: minors, treatment, consent)
Vt. State Board of Education Manual of Rules and Practices §§4200 -4215)

Cross Reference:

Student Conduct and Discipline (F1)
Search and Seizure (F3)
Searches, Seizures and Interrogation of Students (F4)