

POLICY TITLE: SUBSTANCE AND ALCOHOL ABUSE

The Board recognizes that use of alcohol and drugs is a serious problem and that the presence of drugs in school is detrimental to the educational environment and harmful to the health, safety, and welfare of students and staff. The Agency wishes to help those in need of alcohol and drug intervention and at the same time to protect others that are affected by the presence of alcohol and drugs and to enforce the policies of the Agency relating to use, possession, or being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C).

Voluntary Disclosure

The Agency shall strive to create an environment free from alcohol and illicit drugs. In the case of students who come forward and voluntarily disclose using and/or being under the influence of alcohol and/or drugs while on school property or at a school function, prior to the Agency having reasonable suspicion, they will immediately notify the student's parent/guardian, and the Agency will work with the parent in the establishment of a plan to assist the student in whatever means are deemed necessary and appropriate. The incident shall be reported to law enforcement.

The mere fact that a student previously disclosed use of alcohol or controlled substances, in and of itself, shall not establish reasonable suspicion at a later date.

Use of Alcohol/Drugs Not Disclosed Voluntarily

If the Agency has reasonable suspicion (based upon reliable information received or the personal observations of staff) that a student is using or is under the influence of alcohol or a controlled substance and the student has not voluntarily disclosed such use or influence, the Agency may take whatever action is deemed appropriate, including but not limited to suspension, and/or expulsion. The Agency shall notify the student's parent/guardian as well as local law enforcement. The following shall be used as a guide in determining what procedures may be followed when this occurs, however, the specific procedure may, in large part, depend upon the circumstances in each case:

1. Upon reasonable suspicion, the student will be asked if they have used and/or are under the influence of alcohol and/or drugs;
2. If the student admits to the use, the student's parent/guardian will be immediately called. The student will be asked to reveal the circumstances involving the use of alcohol and/or drugs and asked if any other students were involved;
3. The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to 20 days and/or recommended for expulsion.

4. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk, or any other school property used by the student. In addition, law enforcement will be called immediately as will be the parent/guardian. The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion may be made to the Board of Trustees. The student will be entitled to full due process prior to being expelled from school.

Only persons who have a "need to know" may receive information regarding a voluntary disclosure, except when deemed reasonably necessary to protect the health and safety of others.

Resources

When a student admits to using alcohol or drugs or is reasonably suspected of doing so, the student's parent/guardian will be notified of available opportunities for counseling for the student.

When a student is expelled for such substance use, the Board may require, as a condition of readmission, that the student undergo assessment and counseling for alcohol and/or drug use if qualified Agency staff are available to provide these services.

The Agency shall provide written annual notification of the voluntary disclosure provisions of this policy as well as counseling availability and any other pertinent information in the student handbook or other reasonable means.

The Board shall review this policy annually.

Legal References

IC § 33-210

IC § 33-6000

IC 37-2732C

IDAPA 08.02.03.160

Pub. L. 100-690

Description

Attendance at Schools —Students Using or Under the Influence of Alcohol or Controlled Substances

Parental Rights

Using or Being Under the Influence - Penalties

Safe Environment and Discipline

The Anti-Drug Abuse Act of 1988 (as amended)