

NONMEDICAL USE OR ABUSE OF DRUGS OR ALCOHOL

Employee Drug Use, Abuse or Possession

The nonmedical use, abuse or possession of drugs and/or use or possession of alcohol is forbidden on District property or at District sponsored activities. Employees determined to be in possession of, using, or abusing drugs or alcohol on school district property or at school events shall be reported immediately to the employee's supervisor. The Superintendent shall also be notified immediately.

The Superintendent shall direct an investigation as necessary. Employees that violate this policy may be disciplined up to and including termination. If the investigation discloses evidence to suggest that the employee was involved with distribution or was otherwise in violation of law, law enforcement authorities shall be notified.

Medical Marijuana

The District recognizes Arizona's medical marijuana law and shall not discriminate against a person in hiring, termination or imposition of any term or condition of employment or otherwise penalize a person on the basis of the person's status as an eligible medical marijuana cardholder, or as a registered qualifying patient, having a positive drug test for marijuana components or metabolites, unless the person used, possessed or was impaired by marijuana on District property, at a District event, or during the hours of the person's regular or extended hours of employment, or in any manner otherwise prohibited by state or federal law.

Adopted: TBD

LEGAL REF.: A.R.S. 13-2911

13-3401et seq.

15-341

23-493

23-493.03

36-2801et seq.

41 U.S.C. 702, Drug-free Workplace Requirements for Federal Grant Recipients.

34 C.F.R. Part 85

CROSS REF.: EEAEAA- Drug and Alcohol Testing of Transportation Employees

DRUG AND ALCOHOL USE BY STUDENTS

Students on school property or at school events shall not knowingly breath, inhale or drink a vapor-releasing substance containing a toxic substance, nor shall a student sell, transfer or offer to sell or transfer a vapor-releasing substance containing a toxic substance to a person under eighteen (18) years of age.

The nonmedical use, possession, or sale of alcohol, drugs, synthetic drugs, counterfeit drugs, or imitation drugs on school property or at school events is prohibited. *Nonmedical* is defined as "a purpose other than the prevention, treatment, or cure of an illness or disabling condition" consistent with accepted practices of the medical profession.

Students in violation of the provisions of the above paragraph shall be subject to removal from school property and shall be subject to prosecution in accordance with the provisions of the law.

Students attending school in the District who are in violation of the provisions of this policy shall be subject to disciplinary actions in accordance with the provisions of school rules and/or regulations.

For purposes of this policy, "drugs" shall include, but not be limited to:

- All dangerous controlled substances prohibited by law.
- All alcoholic beverages.
- Any prescription or over-the-counter drug, except those for which permission to use in school has been granted pursuant to Board policy.
- Hallucinogenic substances.
- Inhalants.
- Synthetic, counterfeit or imitation drugs.
- A compound or substance, regardless of its contents, compound or substance, that produces in the user an experience, effect, and/or display of effects that mimic the experience, effect and/or display of effects produced by substances controlled or prohibited by law, or that is represented as producing in the user such experiences or effects.

Medical Marijuana

The conditions which follow are applicable to a District student who holds an identification as a medical marijuana cardholder issued by the Arizona Department of Health Services for the medical use of marijuana as set out in the Arizona Revised Statutes (A.R.S.).

The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana cardholder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.

A student medical marijuana cardholder shall not possess or engage in the use of marijuana on District property, in a District vehicle, or at a District sponsored event.

A student medical marijuana cardholder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all students ~~attending the school.~~

~~A student medical marijuana cardholder shall not:~~

- ~~● Undertake any task under the influence of marijuana that would constitute negligence.~~
- ~~● Possess or engage in the medical use of marijuana.~~
 - ~~○ On a school bus.~~
 - ~~○ On the grounds of any preschool, elementary school or secondary school.~~
- ~~● Smoke marijuana,~~
 - ~~○ On any form of public transportation, or~~
 - ~~○ In any public place.~~
- ~~● Operate, navigate, or be in actual physical control of any motor vehicle, aircraft or motorboat while under the influence of marijuana.~~
 - ~~○ Except that a registered qualifying student cardholder shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment.~~
- ~~● Use marijuana in any manner not authorized by Title 36, Chapter 28.1 of the Arizona Revised Statutes, or~~

- ~~• Offer to give, sell, or dispense medical marijuana to another student or other individual on school property, in school provided vehicles, at school events, or when functioning as a representative the school.~~

If District officials have a reasonable belief a student may be under the influence, in possession of or distributing medical marijuana in a manner not authorized by the medical marijuana statutes, law enforcement authorities ~~will~~shall be informed.

~~A student who violates may be subject to warning, reprimand, probation, suspension, or expulsion, in addition to civil and criminal prosecution.~~

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 4-101
 4-241
 4-244
 13-3401 through 13-3461
 15-345
 36-2801 *et seq.*, Arizona Medical Marijuana Act
20 U.S.C. 7101 *et seq.*, Safe and Drug-Free Schools and
Communities Act

CROSS REF.: JICH – Drug and Alcohol Use by Students
 JLC - Student Health Services and Requirements
 JLCD - Administering Medicines to Students

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PUBLIC CONDUCT ON SCHOOL PROPERTY

No person shall engage in conduct that may cause interference with or disruption of an educational institution. Interference with or disruption of an educational institution includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

A person commits interference with or disruption of an educational institution by doing any of the following:

- Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of an educational institution by either:
 - Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution.
 - Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.
- Intentionally or knowingly entering or remaining on the property of an educational institution for the purpose of interfering with or denying lawful use of the property to others.
- Intentionally or knowingly refusing to obey a lawful order given by the Superintendent or a person designated to maintain order.

The above identified acts need not be directed at a specific individual, the District, or specific property of the District to constitute a violation of this policy.

Restitution for any financial loss caused by a violation of the policy may be required. Furthermore, an individual who interferes with or disrupts an educational institution is subject to misdemeanor or felony charges as provided in A.R.S. 13-2911.

A person may also interfere with or disrupt the District function by committing any of the following:

- Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by this Board.

- Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.
- Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- Illicit use, possession, distribution, or sale of tobacco, alcohol, or drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
- Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
- Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
- Knowing violation of a District rule and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.
- Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.
- Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.

Additional Requirements of the General Public

The definition of *general public* is anyone who does not come under the definition of student, faculty member, staff member, or employee.

- No person shall visit or audit a classroom or other school activity, nor shall any person come upon or remain upon school premises, without approval by the principal or the principal's authorized representative. Nor shall any person conduct or attempt to conduct any activity on school premises without prior approval by the Superintendent or the Superintendent's authorized representative.
- Any member of the general public considered by the Superintendent, or a person authorized by the Superintendent, to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey the instruction may subject the person to criminal proceedings pursuant to A.R.S. 13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.

- Persons attending special functions shall confine themselves to the specific part of the facility assigned in the permit.
- Persons who engage in disorderly conduct of any kind may be subject to removal and exclusion from the facility.
- The use of facilities shall be granted only for legitimate purposes. Therefore, the permit holder shall assume full responsibility for any unlawful act committed during the exercise of the permit.

- No person shall possess or engage in the use of medical marijuana on District property, at a District event, or in a District vehicle.

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Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 13-2905

13-2911

13-3102

15-341

15-507

CROSS REF.: GBEB - Staff Conduct

GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members

GDQD - Discipline, Suspension, and Dismissal of Support Staff Members

JIC - Student Conduct

JK - Student Discipline

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