

BP 5131.6 Alcohol and ~~Illegal~~ Other Drugs

Note: Districts must have in place written standards to address the needs of students for whom mental health or substance abuse may be a contributing factor to noncompliance with the school disciplinary and safety program. AS 14.33.120(a)(6). In addition, districts receiving funds for prevention programs pursuant to the Drug-Free schools and Community Act of 1986, as amended by the No Child Left Behind Act of 2001, are required to have policy on drug abuse prevention instruction and procedures for eliminating the sale or use of alcohol and other drugs. NCLB also requires that those districts inform and involve parents in violence and drug prevention efforts. Districts must make reasonable efforts to inform parents of the content of safe and drug-free school programs and activities other than classroom instruction. If a parent objects in writing, the district must withdraw the student from the program or activity. [AS 14.30.360](#) encourages districts to provide K-12 health education, including alcohol and drug abuse education.

Note: Despite the passage of AS 17.38, effective February of 2015, which authorizes the use of marijuana under certain conditions, all use, possession and distribution of marijuana by those under 21 is illegal. In addition, as a recipient of federal funds, the district is obligated to maintain a drug-free workplace consistent with federal law, which prohibits the manufacture, distribution, possession and sale of marijuana for all individuals, regardless of age. For purposes of the district's policy and legal obligation, marijuana is prohibited.

Because the use of alcohol and ~~illegal other~~ drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences, the School Board intends to keep district schools free of alcohol and ~~illegal-prohibited~~ drugs.

Alcohol, marijuana, and other controlled substances are prohibited for use or possession by students. Alcohol, like any other controlled substance, is illegal for use by minors. The Board desires that every effort be made to reduce the chances that our students will begin or continue the use of alcohol and ~~illegal other~~ drugs. The Superintendent or designee shall develop a comprehensive prevention program that includes instruction, intervention, recovering student support, and enforcement/discipline. The Superintendent or designee shall clearly communicate to students, staff and parents/ guardians all Board policies, regulations, procedures and school rules related to this prevention program. Special efforts shall be made to ensure that these materials are understood by parents/guardians and students of limited literacy or limited English proficiency.

Note: Drug use by students is not limited to illegal drugs and can also include abuse of prescription drugs and over-the-counter medications. There is also a growing problem of youth using what are commonly referred to as designer or synthetic drugs.

Designer or synthetic drugs come in various forms and may be a chemical compound, a plant-based substance, or a combination. Common names for these drugs include bath salts, K2, spice, salvia, and synthetic marijuana. These drugs have serious and dangerous effects. Synthetic marijuana is an illegal substance in Alaska. AS 11.71.040-.050, 11.71.160. The following optional language prohibits the possession, use, or distribution of "prohibited drugs," which includes all dangerous substances that pose a risk to district students.

Specifically, the Board prohibits the actual or attempted sale, distribution, use, or possession by a student of alcohol, prohibited drugs or inhalants, drug paraphernalia, substances that are designed to look or act like prohibited drugs or alcohol, or substances purported to be prohibited drugs or alcohol. Prohibited drugs are defined as:

1. Drugs that are illegal if possessed by those under 21, under any local, state, or federal law; or any drug that can be legally obtained but which has been obtained through illegal means.
2. Alternatives to illegal drugs such as designer or synthetic drugs, whether or not prohibited by law, which are purported to, designed to, or which do impair, restrict, or alter normal cognitive function when absorbed, ingested, injected, or inhaled.
3. Prescription drugs that are not legally obtained or prescribed, are not being used for the prescribed purpose, are being used in excess of the prescribed amount, are being used by other than the person to whom prescribed, or are being sold, traded or distributed.

Recognizing that keeping schools free of alcohol and ~~illegal~~ other drugs is a concern common to the district and community, the Board supports cooperation among schools, parents/guardians, law enforcement and other appropriate community organizations involved in preventing alcohol and ~~illegal~~ drug abuse.

(cf. 1410 Interagency Cooperation for Student & Staff Safety)

Note: Districts are required to establish a citizen advisory committee in order to receive Public Law 99-570 funds. Additionally, AS 14.33.110 requires that the school disciplinary and safety program maintain community standards of school behavior that are developed by members of each school, including students, parents, teachers, school administrators, and other responsible persons.

To obtain the widest possible input and support for district policies and programs, the School Board shall appoint a districtwide school-community advisory committee to make recommendations related to the prevention of alcohol and other drug abuse. The committee should make its recommendations based on input from students, parents, teachers, school administrators, and community members. The School Board also encourages the use of site-level advisory groups in this area.

(cf. 1220 - Citizen Advisory Committees)

Instruction

The district shall provide preventive instruction which helps students avoid the use of alcohol, ~~marijuana, or other~~ ~~or illegal~~ drugs and teaches students how to influence their peers to avoid and/or discontinue the use of alcohol or ~~illegal~~ drugs. Instruction shall be designed to answer students' questions related to alcohol and ~~illegal~~ drugs.

The instructional programs will help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and ~~illegal~~ drugs.

The curriculum will be K-12, comprehensive and sequential in nature and suited to meet the needs of students at their respective ~~grade ages and~~ levels. All instruction and related materials shall stress the concept ~~that alcohol and prohibited drugs can be dangerous and should never be used when such use is illegal~~ of "no unlawful use" of alcohol or ~~illegal~~ drugs and shall not include the concept of "responsible use" when such use is ~~illegal~~.

The Board encourages staff to display attitudes ~~and behaviors~~ which make them positive role models for students with regard to alcohol, ~~marijuana~~ and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

The Board recognizes that children exposed to alcohol or ~~illegal~~ ~~other~~ drugs prior to birth may have disabilities requiring special attention and modifications in the regular education program. The Superintendent or designee shall provide appropriate staff training in the needs of such students as required by law.

Note: AS 14.20.680 requires training for teachers, administrators, counselors and specialists on the needs of students with alcohol or drug-related disabilities, including medical and psychological characteristics, family issues, and specific educational needs.

(cf. 6142.2 - AIDS Instruction)

(cf. 6143 - Courses of Study)

(cf. 6159 - Individualized Education Program)

Intervention

The Board recognizes that there are students on our campuses who use alcohol and ~~illegal~~ ~~other~~ drugs and can benefit from intervention. The Board supports intervention

programs that include the involvement of students, parents/guardians and community agencies/organizations.

~~The Board finds it essential that s~~School personnel should be trained to identify symptoms which may indicate use of alcohol and ~~illegal~~other drugs. The Superintendent or designee shall identify responsibilities of staff in working with, intervening, and reporting students suspected of alcohol and ~~illegal~~other drug use.

Students and parents/guardians shall be informed about the signs of alcohol and ~~illegal~~other drug use and about appropriate agencies offering counseling.

(Revised 11/02)

~~Note: AS 14.20.680 requires training for teachers, administrators, counselors and specialists on the needs of students with alcohol or drug-related disabilities, including medical and psychological characteristics, family issues, and specific educational needs.~~

Nonpunitive Self-Referral

The Board strongly encourages any student who is using alcohol or ~~illegal~~ drugs to discuss the matter with ~~their~~his/her parent/guardian or with any staff member. ~~If the student is uncomfortable doing this, the student is encouraged to ask a friend to discuss the problem with a parent/guardian or staff member.~~ Students who self-disclose past use of alcohol or ~~illegal~~other drugs in order to seek help to quit using when seeking help from an intervention or recovery program shall not be punished or disciplined for such past use. State and local extra-curricular activities eligibility rules may apply further conditions related to the admission of drug or alcohol use.

Recovering Student Support

The Board recognizes the presence of recovering students in the schools and the necessity to support these students in avoiding reinvolvement with alcohol and illegal drugs. The Board shall provide ongoing school activities which enhance recovery.

Commented [CPH1]: Optional text that is not in AASB's Policy

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and ~~illegal~~prohibited drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. Students possessing, selling and/or using alcohol or marijuana or other or illegal drugs or related paraphernalia shall be subject to disciplinary procedures which may result in suspension or expulsion.

(cf. 5144.1 - Suspension and Expulsion/Due Process)

School authorities may search students and school properties for the possession of alcohol-, marijuana and other ~~and illegal~~ drugs as long as such searches are conducted in accordance with law.

(cf. 5145.12 - Search and Seizure)

Note: [AS 47.37.045](#)(statutes of 1990) establishes the community action against substance abuse grant fund, which may be used to fund Police-In-School Liaison programs and other preventative or education programs.

Commented [CPH2]: Optional text not is AASB policy. The statute is currently in effect.

Legal Reference:

ALASKA STATUTES

[04.16.080](#)*Sales or consumption at school events*

[14.20.680](#)*Training required for teachers and other school officials*

[14.30.360](#)*Curriculum (Health and Safety Education)*

[14.33.110-.140](#)*Required school disciplinary and safety program*

[17.38.010-900](#)*The regulation of marijuana*

[47.37.045](#)*Community action against substance abuse grant fund*

UNITED STATES CODE

Elementary and Secondary Education Act, [20 U.S.C. 7116, 7163](#), as amended by the No Child Left Behind Act of 2001 ([P.L. 107-110](#))

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Southeast Island School District