

JOHN STARK REGIONAL SCHOOL DISTRICT

DRUG AND ALCOHOL USE BY STUDENTS POLICY

Prohibited Acts

The School Board is concerned with the health, welfare and safety of its students. Therefore, the following prohibitions apply to students on any school district property; students in any district-owned vehicle, or in any other district-approved vehicle used to transport students to and from school or district activities; or students participating in or attending any school-sponsored or school-approved activity, event, or function, including those not occurring on district property:

1. No student shall use, be under the influence of, sell, dispense, transfer, distribute, possess, or possess with intent to sell or dispense unauthorized prescription drugs, alcohol, narcotics, unauthorized inhalants, controlled drugs, or controlled drug analogs, or any combination of these substances or a preparation containing these substances.
2. No student shall sell, dispense, transfer, distribute, or possess with intent to sell or dispense any substance the student represents to be a controlled drug, controlled drug analog, or preparation containing a substance the student represents to be a controlled drug or controlled drug analog.
3. No student shall use, transfer, possess, or sell drug-related paraphernalia.

Prescription Drugs

1. "Prescription drug" means any medication or pharmaceutical substance prescribed for a student by a physician.
2. "Unauthorized prescription drug" means:
 - (a) any medication or pharmaceutical substance not prescribed by a physician for a student who is under the influence of the drug, or who sells, dispenses, transfers, distributes, possesses, or possesses with intent to sell or dispense the drug; or
 - (b) any medication or pharmaceutical substance prescribed by a physician for a student who uses the drug in a manner contrary to its prescribed dosage or use, or who sells, dispenses, transfers, distributes, or possesses with intent to sell or dispense the drug.
3. Any prescription drug a student carries onto school property for ingestion or use as prescribed shall be stored in the Nurse's or Principal's office and made available to the student for ingestion or use as prescribed.

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2nd Revised Reading: 11/10/2010
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Policy Violation

If a student is found by the administration to be in violation of this policy, the principal or the principal's designee shall:

1. Immediately report all incidents involving a controlled substance to the appropriate local law enforcement agency and the Superintendent.
2. Turn all controlled substances discovered in the course of the administration's investigation of the incident over to local law enforcement.
3. File a police report about the incident and refer all matters involving controlled substances to local law enforcement for prosecution.
4. Immediately inform the involved student's parent(s) or guardian(s) of the incident and the actions taken, and, when appropriate, direct the parent(s) or guardian(s) to remove the student from school property.
5. If a student is determined to be under the influence of drugs or alcohol and reasonably appears to be in need of immediate or emergency medical treatment, the Principal or the Principal's designee is authorized to call an ambulance to have the student transported to a hospital. The District shall not bear any financial responsibility for expenses incurred by the student as a result of such actions. The student's parent(s) or guardian(s) shall be notified immediately of such action.
6. The student will be suspended for no more than two school days while an investigation is performed.

Following an investigation of an incident, which shall include a meeting with the student, if a student is found to have violated this policy, the following disciplinary and remedial measures shall be imposed unless the administration or the student's IEP team determines that due to mitigating circumstances, which may include a determination of the relative severity of the violation, all or part of the following measures are not warranted (the Board will be notified if this flexibility is leveraged):

1. The student will be suspended for ten days inclusive of the initial suspension.
 - (a) The student, who may be accompanied by his or her parent(s) or legal guardian(s), will meet within the ten days of the suspension with the Superintendent who will review the incident and may assign up to another ten days of suspension.
 - (b) A John Stark counselor will attend this meeting. The student will be asked to choose between counseling with a private counselor, at the student's expense, or sessions with the school counselor. The purpose of the counseling is to assist the student in making healthy choices that do not include the use of alcohol or controlled substances.
2. If a student who is suspended for ten days is found to have sold, dispensed, transferred, or distributed, unauthorized prescription drugs, alcohol, narcotics, unauthorized inhalants, controlled drugs, or controlled drug analogs, or any combination of these substances or a preparation containing these substances, or if a student is found to have possessed with the intent to sell or dispense unauthorized

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prescription drugs, alcohol, narcotics, unauthorized inhalants, controlled drugs, or controlled drug analogs, or any combination of these substances or a preparation containing these substances, the Superintendent shall assign an additional ten days of suspension unless the Superintendent finds that due to mitigating circumstances, which may include a determination of the relative severity of the violation, an additional ten days of suspension is not warranted. When the Superintendent assigns an additional ten days of suspension, a disciplinary hearing before the School Board may be held, at which the Board may consider imposing a longer suspension or expulsion.

3. If the student is found to have been under the influence or in possession for a second time, all of the above apply and in addition, a disciplinary hearing will be scheduled with the School Board to consider a longer suspension or expulsion.
4. The student will meet with an administrator upon returning to school to develop a written plan for appropriate behavior and academic success.

Academic Working During Suspension

It is the student's responsibility to make arrangements to gather and complete assignments during the suspension. Work must be turned in weekly, each Friday, in order to have it credited against a possible failure in each class. While a classroom experience cannot be duplicated for a student on suspension, a suspended student has the same opportunity to pass each quarter as a student who is attending class.

Appeal

Any suspension in excess of 10 days by any person other than the School Board is appealable to the School Board, provided that the Superintendent receives written notice of the appeal within 10 days after the issuance of the decision being appealed. The Board shall hold a hearing on the appeal, but shall have the discretion to hear evidence or to rely upon the record of the hearing conducted by the administration. A suspension in excess of 10 days shall be enforced while the appeal is pending, unless the Board stays the suspension while the appeal is pending.

Definitions

Unless the term is defined in this policy or unless the context requires otherwise, the words and phrases relating to drugs and other substances used in this policy shall have the meaning ascribed to them in NHRSA 318-B:1.

Legal Reference:

- 21 U.S.C. § 812(c), Controlled Substances Act*
- RSA 318-B, Controlled Drug Act*
- RSA 571-C:2, Intoxicating Beverages at Interscholastic Athletic Contests*
- RSA 193:13, School Attendance*

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