

SUBSTANCE ABUSE RULES AND REGULATIONS

Definitions

Drugs are defined as any substance other than food or water that is intended to be taken or administered (ingested, injected, applied, implanted, inhaled, etc.) for the purpose of altering, sustaining, or controlling the recipient's physical, mental, or emotional state. Drugs include, but are not limited to, alcoholic beverages; controlled substances such as marijuana (cannabis), hallucinogens, cocaine, barbiturates, amphetamines, narcotics; and non-authorized prescription drugs.

Controlled substances include all controlled substances prohibited by federal and state law, look-alike drugs, alcoholic beverages, anabolic steroids, drug paraphernalia, any volatile solvents or inhalants, such as but not limited to glue and aerosol products, and prescription or patent drugs, except those for which permission for use in school has been granted pursuant to LEARN policy.

Under the influence includes any consumption or ingestion of controlled substances by a student.

Electronic nicotine delivery system means an electronic device that may be used to simulate smoking in the delivery of nicotine, cannabis or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.

Liquid nicotine container means a container that holds a liquid substance containing nicotine or cannabis that is sold, marketed, or intended for use in an electronic nicotine delivery system or vapor product, except "liquid nicotine container" does not include such a container that is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.

Vapor product means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine or cannabis that is inhaled by the user of such product.

CBD is defined under federal law as a cannabis product with less than 0.3% tetrahydrocannabinol (THC) on a dry weight basis.

Rules The manufacture, distribution, sale, dispensing, possession or use of controlled substances, including cannabis, CBD, other illegal drugs, performance-enhancing substances, alcohol or tobacco, including electronic nicotine delivery systems and vapor products, is prohibited in school, on school grounds, on school transportation, and at school sponsored activities.

A student who, on school grounds, during a school session, on school transportation, or anywhere at a school-sponsored activity, is under the influence of alcohol, drugs, mood-altering substances, or controlled substances; or who possesses, uses, dispenses, sells or aids in the procurement of alcohol, tobacco, narcotics, restricted drugs, mood altering substances, controlled substances, restricted substances, or over the counter drug shall be subjected to the process pursuant to the provisions and procedures outlined below.

The parent(s)/guardian(s) of any student who is required to take medication (prescribed by a physician) during the school day shall so inform the school nurse, LEARN staff, or the person designated to act in the absence of a nurse. Such medication will then be administered under the supervision of the school nurse or the designated individual.

For special education students of LEARN laws relating to the PPT process must be followed. In addition, LEARN students are placed in host schools that may have their own substance abuse policy. It is important that the policies of the LEA and LEARN are considered and applied together for the benefit of the host school and its students.

Regulations

- I. Any teacher or other school personnel who believes that any student is not functioning properly, should contact the designated administrator who will take responsibility to see that the student is immediately seen by a nurse or other individual capable of evaluating the student. This individual and the teacher will document the referral. Staff members are not being asked to evaluate, label, or diagnose, but to report behavioral observations that might signal the need for more assessment.
- II. The nurse will determine whether the student is in need of urgent medical attention. If so, the nurse will administer any first aid required and/or immediately request emergency services and will immediately notify the student's parent(s)/guardian(s) and LEARN administration.
- III. If urgent medical attention is not required, the nurse will inform the administrator of the student's condition. The administrator will then contact and inform the student's parent(s)/guardian(s) of the situation, including physical and behavioral observations.

CONSEQUENCES FOR THE USE, SALE, OR POSSESSION OF INTOXICANTS OR MOOD-ALTERING DRUGS IN A MANNER NOT PRESCRIBED BY A PHYSICIAN

Any student using, in possession of, or under the influence of intoxicants, mood altering drugs, or look-alike drugs, or in possession of related drug paraphernalia during a school session, on school premises, on school transportation, or anywhere at a school-sponsored activity shall automatically be subject to the following actions:

First Violation

The student shall be suspended. The police will be notified in the case of possession, if appropriate. The sending LEA will be contacted, and a PPT will be convened as soon as possible, if appropriate. In some cases the school administrator may make a referral to appropriate agencies licensed to assess and treat drug and alcohol abuse.

The PPT for identified students will consider the following options for action:

- a. In School counseling;
- b. Involvement in alcohol and other drug abuse groups in the school;
- c. Referral to self-help groups within the community that are specifically set up to assist the person involved with alcohol or other drugs; and
- d. Referral to appropriate agencies (i.e. agencies licensed to assess and treat drug including alcohol, abuse).

The PPT will set the guidelines for failure to comply.

Second Violation

The student shall be suspended. The police will be notified in the case of possession, if appropriate. The LEA will be notified, and a PPT will be convened as soon as possible.

- a. The PPT will give serious consideration to the following actions, requiring the student to:
 - I. Seek and complete an assessment by a physician or appropriately licensed related agency;
 - II. Demonstrate compliance with the treatment program as recommended after the assessment;
 - III. Successfully complete the treatment program; and
 - IV. Agree to a behavioral contract between the student, school administration and a representative of the assessment group as a condition of readmittance to the program.
- b. Review PPT recommendations and student actions up to present.
- c. As a result of the second violation, the PPT will give due consideration to the appropriateness of LEARN as a placement.
- d. The PPT shall develop guidelines for failure to comply.

Third Violation

The police will be notified. The student will be suspended. The PPT will be called as soon as possible if appropriate. The PPT will examine the appropriateness of LEARN as a placement and take into consideration (a) impact on other students (b) other available options (c) student's perceptions.

Reentry to LEARN will be determined with PPT process.

Student Enrollment in Other Non-Public or Public Education During the Period of Rules Enforcement

Any student who elects to enroll in any other non-public or public education during the period of time affected by operation of this regulation and then wishes to re-enroll in LEARN will be enrolled only under the conditions specified by agreement with LEARN administration during the placement PPT.

Any student found to be exchanging, distributing, selling, or possessing with the intent to exchange, distribute, or sell an intoxicant, mood altering drug, controlled substance, look-alike drugs or paraphernalia on school premises, school transportation, or while participating in or attending any school sponsored activity, will be subject to discipline, as outlined above, including, when appropriate and/or required by law, recommendation for expulsion; and the police will be notified.

Student Owned/Operated Vehicles

Any student who owns and/or operates a vehicle on school grounds or for school sponsored activities is subject to the provisions of this regulation and accompanying policy and must accept responsibility for the vehicle and the contents of the vehicle.

- 1) Designated school personnel may search a student's car, locker, and bag and may demand that a student empty his/her pockets if there is reasonable cause to believe that the student possesses objects or chemicals which may endanger the health, safety, and welfare of themselves, and/or others.