

Integrated Day Charter School

Governing Board



Policy Series: 5000

Policy Number: 5131.6

## Administrative Regulation

### Students

### Alcohol, Drugs and Tobacco

#### A. Definitions

**1. Controlled Drugs:** Controlled drugs (including alcohol) are those drugs which contain any quantity of a substance which has been designated as subject to federal drug laws, or which has been designated by the Public Health Council and Commissioner of Consumer Protection pursuant to Section 21a-243 of the Connecticut General Statutes as having a stimulant, depressant or hallucinogenic effect upon the higher function of the central nervous system as having a tendency to promote abuse and/or psychological dependence [C.G.S. Sec. 21a-240(8)].

1. **Professional Communication:** Any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the latter's employment [C.S.G. sec. 10-15(a)(4)].

2. **Professional Employee:** A person employed by a school who:

- a. holds a certificate from the State Board of Education,
- b. is a member of a faculty where certification is not required,
- c. is an administrator of a school, or
- d. is a registered nurse, social worker or doctor on call employed by or assigned to a school [C.G.S. sec. 10-154(a)(2)] and trained to recognize the signs of drug or alcohol use.

3. **Drug Paraphernalia:** Any object or device used, intended for use, or designed for use in ingesting, inhaling, injecting or otherwise introducing controlled or restricted substances into the human body (i.e. bong, pipes, roach clips, miniature cocaine spoons, crack vials, tobacco rolling papers) or any object or container used, intended for use, or designed for use in sorting, concealing or distributing controlled substances.

#### II. Procedures

A student who, while on school grounds, during a school session, or anywhere at a school-sponsored activity is under the influence of or possesses, uses, dispenses, sells or directly aids in the procurement of a controlled substance or alcohol shall be subject to discipline pursuant to the procedures outlined below.

##### 1. Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral)

The following procedures will be followed when a student privately, at the student's initiative and in confidence, discusses with a professional employee his/her use, possession, or sale of a controlled substance.

- a. Any such professional employee shall use discretion when disclosing any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student [C.G.S. Sec. 10-154a(b)].
- b. Any physical evidence obtained from such student indicating that a crime has been or is being committed by the student must be turned over to school administrators or law enforcement officials

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within two school days after receipt of such physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained [C.G.S. Sec. 10-154a(b)].

- c. Although the school district is conscious of some level of confidentiality, guarantees are not possible and disclosures made to school officials will be handled on a case to case basis.
- d. When a professional employee obtains knowledge of a student's use, possession or sale of a controlled substance (including alcohol), he/she will immediately report the information to the director or the designee.
- e. Any physical evidence (alcohol, drugs or drug paraphernalia) obtained from a student indicating that the student has committed a crime must be turned over to the director or the designee or law enforcement officials as soon as possible. Because the physical evidence was not obtained through a confidential disclosure, the name of the student must be disclosed to the director or the designee.

## **2. Search and Seizure of Students for Possession:**

Because the Fourth Amendment, prohibition of unreasonable searches and seizures, applies to searches conducted by public school officials, professional employees who reasonably suspect that a student is violating state/federal law or a school substance abuse policy must immediately report their suspicion to the director or the designee.

The director or the designee may then search a student's person or possessions connected to that person, if they have reasonable suspicion from the inception of the search that the student has violated or is violating either the law or the school's substance abuse policy. Such a search is permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

The director or the designee may search a student's cubbie and personal space in order to maintain discipline and protect the welfare of all students in that building.

Any physical evidence suggesting that the student is violating or has violated a state or federal law obtained in the search of a student or their possessions by an administrator must be turned over to the law enforcement officials immediately after receipt of such evidence [C.G.S. Section 10-154a(c)].

## **3. Consequences for the Use Possession or Aiding in the Procurement of Controlled Substances or Alcohol:**

Any student in the IDCS using, possessing or aiding in the procurement of controlled substances, alcohol or drug paraphernalia on school property, during a school day, or at a school sponsored activity shall automatically be subject to the provisions of state law, board policy, student/parent handbook and/or other collateral rules and regulations of the school.

1. Any student who is found to be in possession of a controlled substance for the first time will be suspended for ten days and may be recommended to the Governing Board for expulsion from the IDCS pursuant to Section 10-233d(a)-(c) of the Connecticut General Statutes.
2. If the director chooses to recommend expulsion for possession, the following procedures will be utilized:
  - (a) Any student who is found to be in possession of drugs or alcohol for the first time during his/her tenure at the IDCS will be referred by the director to an appropriate agency licenses to assess and treat drug/alcohol involved individuals at the student's own expense. Law enforcement officials will be notified. The violator will be suspended for ten days.
  - (b) The student and his/her parents(s)/guardian(s) must agree that the student will be assessed by a licensed drug/alcohol agency and complete the program prescribed by the agency in coordination with the school's crisis intervention team. Completion of a prescribed program involves written verification of program completion signed by the treatment agency.

(c) Failure to complete a prescribed program may result in expulsion for up to 180 days.

3. Any student found to be in possession of a controlled substance for a second or subsequent time during his/her tenure in the IDCS, will be suspended for ten days and recommended for expulsion to the Governing Board and referred to law enforcement officials. If the expulsion is less than 180 days, the student must agree to be assessed by a licensed drug/alcohol agency at the student's expense and complete the program prescribed by the agency at the student's own expense. Completion of a prescribed program involves written verification of program completion signed by the treatment agency.

#### **4. Consequences for the Distribution or Sale of Controlled Substances:**

Any student who is found to be distributing or selling a controlled substance shall be suspended for ten days and recommended to the Governing Board for expulsion from the IDCS pursuant to Section 10.233d(a)-(e) of the Connecticut General Statutes.

#### **5. Drug and Alcohol Distribution at the School**

School personnel are forbidden to act in a law enforcement capacity. All individuals suspected of drug or alcohol distribution on school property or at a school sponsored activity must be reported to the director or lead supervisor who, after determining that distribution has occurred, will call a law enforcement official.

In all cases of emergency or of clear danger, the schools will cooperate with the police.

Whenever a student is expelled for the possession, sale or distribution of drugs or alcohol for less than 180 days, the student will be referred for counseling and rehabilitation at the parent's expense. In addition, the name of any student expelled will be sent to the commissioner of education within thirty days after the student is expelled. Whenever the Governing Board notified a student between the ages of sixteen and eighteen or the parents or guardians of such students that an expulsion hearing will be held, the notification will include a statement that the Board is not required to offer an alternative educational opportunity to any student who is found guilty of offering for sale or distribution alcohol or controlled drugs on school property or at a school sponsored activity.

### **Emergencies**

If a student's condition or behavior creates an emergency situation which may be due to drug or alcohol activity, the actions toward the student should be channeled through the school nurse under the direction of the director. In the event that an after school supervising adult is responsible, they must notify the director within 12 hours.

A professional staff person perceiving a student to be under the influence of alcohol, drugs or other substances will immediately notify the principal and the school nurse giving all pertinent information. Written records of the incident will be kept in the director's confidential file.

The school nurse will advise the school's director of the severity of the emergency.

- A. If it is determined that a student under the influence of drugs or alcohol is in need of immediate medical attention, the student will be transported to an area hospital and the parent notified.
- B. If immediate medical attention is not required, the parent or guardian will be called and asked to take the student home.

In the event that a student is hospitalized for alcohol, drug, or substance abuse related problems, the school staff will consult with the student's medical and/or psychiatric advisers, his & her parents or guardian and, if feasible, with the student to plan an individualized education program.

### **Instruction**

The professional staff shall become more aware of the problem, and become more expert in recognition of the symptoms of such use. Annually, teachers in each grade shall emphasize the effect of alcohol, nicotine, tobacco and drugs on health, character and personality development wherever appropriate in the health education program and such other contacts which touch on the subject.

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It is desired that the administration make use of in-service training sessions for both certified and non-certified staff in order to achieve the goals of this Board adopted regulation and that full cooperation with community agencies be given wherever such cooperation can work to the advantage of the student.

Legal Reference: Connecticut General Statutes

10-16b Prescribed courses of study.

10-19 Effect of alcohol, nicotine or tobacco and drugs to be taught. Training of personnel. Study of prevention program. Report of findings and recommendations.

10-154a Professional communications between teacher or nurse and student. Surrender of physical evidence obtained from students.

10-220b Policy statement on drugs. [10-221 (d)] Boards of education to prescribe rules.

10-233d Expulsion of students. Hearing format. Age limitation for the provision of an alternative educational opportunity; exceptions. 21a-240 Definitions. (8) "Controlled drugs".

21a277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing.

21a-278 Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person.