

TOBACCO, ALCOHOL AND DRUG ABUSE EDUCATION INTERVENTION

I. GENERAL STATEMENT OF POLICY

Tobacco, alcohol and drug abuse are serious problems in society, and schools are not immune to these problems. It is statistically predictable, and it is within the experience of Sweetwater County School District Number One, State of Wyoming ("the District"), that some students have used tobacco products or alcohol illegally or used controlled substances such as marijuana, look-alike drugs or other drugs or may do so during their school years. Also, some students may be tempted to experiment with or use so-called "performance enhancing" controlled substances, such as steroids, in misguided attempts to increase strength or endurance. The District recognizes the adverse effects that use of such illegal or controlled substances may have on individual, academic success and in the development and maintenance of good mental and physical health.

For the safety and best interests of the students of Sweetwater County School District Number One, State of Wyoming and to promote a tobacco-free, alcohol-free and drug-free school environment, the Board of Trustees adopts this policy to emphasize rehabilitation when violations are determined to have occurred. The purposes of this policy are to prevent use of illegal or controlled substances such as tobacco products, alcohol or drugs, to educate students to the serious physical, mental and emotional harm caused by use of illegal or controlled substances and to prevent further injury, illness and harm as a result of use of illegal or controlled substances.

II. ILLEGAL OR CONTROLLED SUBSTANCES DEFINED

- A. "Alcohol" means any alcoholic liquor or malt beverage, including, but not limited to, liquor, wine, spirits, fermented beverages, beer or brewed beverages containing alcohol. Wyo. Stat. § 12-1-101(a)(i), 12-1-101(a)(vii), & 12-1-101 (a)(x).
- B. "Controlled substances" means (a) a controlled substance as defined by state and/or federal law, including substances identified in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C.A. 812 and Wyo. Stat. § 35-7-1014-1022 (b) a look-alike drug or (c) drug also known as a "designer drug".
- C. "Drug" also known as a "designer drug" means a substance not identified in state or federal law as a controlled substance that has a chemical structure similar to that of a controlled substance which produces an effect substantially similar to that of a controlled substance.
- D. "Drug-related paraphernalia" includes any utensil or item, which in the judgment of the District, can be associated with the possession, use, manufacture or distribution of a controlled substance, including, but not limited to, roach clips, pipes, bowls and spoons.
- E. "Electronic cigarette" means a product that employs any mechanical heating element, battery or electronic circuit, regardless of shape or size, that can be used to deliver doses of nicotine vapor by means of heating a liquid nicotine solution contained in a cartridge or other delivery system. Wyo. Stat. § 14-3-301.

- F. "Look-alike drug" means any substance not identified in state or federal law as a controlled substance that (a) has a stimulant or depressant affect on humans, other than a prescription drug, which substantially resembles a specific controlled substance, or (b) is or has been represented to be a controlled substance, or stimulant or depressant.
- G. "Tobacco products" means any substance containing tobacco products, leaf, or any product made or derived from tobacco products that contain nicotine, including, but not limited to, cigarettes, electronic cigarettes, cigars, pipe tobacco products, snuff, chewing tobacco products or dipping tobacco products. Wyo. Stat. § 14-3-301.
- H. "Unauthorized medications" means any capsules, pills, syrups or other form of medication not registered with the school nurse and documented in the student's health record and given in accord with Policy File JHCD for the administration of medication to students.

III. PROHIBITED CONDUCT

- A. A student is prohibited from being under the influence of alcohol, controlled substances, drugs, unauthorized medications or look-alike drugs while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property.
- B. A student who violates Policy File JFC by possessing, using, manufacturing, or distributing of tobacco products, alcohol, controlled substances, drugs, unauthorized medications, look-alike drugs or drug-related paraphernalia in violation of Wyoming law, while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, is subject to suspension or expulsion from school under Policy File JFC.

IV. PENALTIES

TYPE I – ALCOHOL

- A. A student who, in a first offense, violates Section III by possessing, using, manufacturing, or distributing of alcohol, while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall be suspended from school for up to eight (8) days and may receive additional disciplinary action up to and including expulsion from school for the remainder of the school year depending on the circumstances.
- B. A student who, in a second offense, violates Section III by possessing, using, manufacturing, distributing of alcohol, while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall be suspended from school for up to ten (10) days and may receive additional disciplinary action up to and including expulsion from school for up to one (1) year depending on the circumstances.
- C. A student who, in a third offense, violates Section III by possessing, using, manufacturing, or distributing alcohol, while on school property, in transit to or from school, at a school function, or

while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall receive disciplinary action up to and including expulsion from school for up to one (1) year depending on the circumstances.

TYPE II –TOBACCO PRODUCTS

- A. A student who, in a first offense, violates Section III by possessing, using, manufacturing, or distributing of tobacco products, while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall be suspended from school for up to eight (8) days and may receive additional disciplinary action up to and including expulsion from school for the remainder of the school year depending on the circumstances. **Students who are of legal age to be in possession of tobacco products, eighteen (18) years of age or older, may not have tobacco products on their person on school property.
- B. A student who, in a second offense, violates Section III by possessing, using, manufacturing, distributing of tobacco products, while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall be suspended from school for up to ten (10) days and may receive additional disciplinary action up to and including expulsion from school for up to one (1) year depending on the circumstances. **Students who are of legal age to be in possession of tobacco products, eighteen (18) years of age or older, may not have tobacco products on their person on school property.
- C. A student who, in a third offense, violates Section III by possessing, using, manufacturing, or distributing of tobacco products, while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall receive disciplinary action up to and including expulsion from school for up to one (1) year depending on the circumstances. **Students who are of legal age to be in possession of tobacco products, eighteen (18) years of age or older, may not have tobacco products on their person on school property.

TYPE III – CONTROLLED SUBSTANCE, UNAUTHORIZED MEDICATIONS, LOOK ALIKE DRUGS OR DRUG PARAPHERNALIA

- A. A student who, in a first offense, violates Section III by possessing or using, controlled substances, drugs, unauthorized medications, look-alike drugs or drug related paraphernalia in violation of Wyoming law, while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall be suspended from school for up to eight (8) days and may receive additional disciplinary action including expulsion from school for the remainder of the school year depending on the circumstances.
- B. A student who, in a second offense, violates Section III by possessing or using, controlled substances, drugs, unauthorized medications, look-alike drugs or drug related paraphernalia in violation of Wyoming law, while on school property, in transit to or from school, at a school

function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall be suspended for up to ten (10) days and may receive additional disciplinary action including expulsion from school for up to one (1) year depending on the circumstances.

- C. A student who, in a third offense, violates Section III by possessing or using, controlled substances, drugs, unauthorized medications, look-alike drugs or drug-related paraphernalia in violation of Wyoming law, while on school property, in transit to or from school, at a school function, or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall receive disciplinary action up to and including expulsion from school for up to one (1) year depending on the circumstances.

TYPE IV – MANUFACTURING OR DISTRIBUTING OF CONTROLLED SUBSTANCE, UNAUTHORIZED MEDICATION, LOOK-ALIKE DRUGS OR DRUG PARAPHERNALIA

- A. A student who violates Section III by manufacturing, or distributing controlled substances, drugs, unauthorized medications, look-alike drugs or drug related paraphernalia in violation of Wyoming law, while on school property, in transit to or from school, at a school function or while a participant in any activities sponsored, sanctioned or controlled by the school or the Wyoming High School Activities Association, whether on or off school property, shall receive disciplinary action up to and including expulsion from school for up to one (1) year depending on the circumstances.

In all instances, medical assistance may be obtained if deemed necessary based upon the circumstances known to the District at the time of discovery of the alleged infraction. If medical assistance is deemed necessary, the building administrator or designee, at the first available opportunity, will notify parents or legal guardians of the condition of the student.

Disciplinary action for violations of this policy shall be cumulative during a student's elementary or secondary educational career.

Alleged violations of this policy may constitute possible, reportable conduct under federal or state law. If so, reporting may be made, as deemed appropriate, to law enforcement agencies, county attorneys' offices, and child welfare agencies. Parents or legal guardians will be notified of any violations of the Code of Student Conduct specified under provisions of Policy File JFC.

V. MITIGATION OF PENALTIES AND SUBSTANCE AWARENESS PROGRAM

The penalties described in Section IV may be mitigated by the student's agreement to participate in and successfully complete a District approved substance awareness program. Consent to participate in a District approved substance awareness program shall be obtained from the student's parent or legal guardian if the student is a minor.

Specific recommendations may also include referral to other District or community services as deemed appropriate. Aftercare recommendations may also be made.

In the alternative, a student with the consent of a parent or legal guardian may arrange for an independent substance abuse assessment from a licensed, professional counselor or physician with the prior agreement of the building principal or a designee. The student and parent or legal guardian must agree, prior to the independent substance abuse assessment, to sign any requested waivers for release of confidential

information to the designated representative of the school, including the verification of completion of a substance awareness program. The student must submit evidence to be eligible for mitigation under this provision. All costs and expenses associated with such independent substance abuse assessment and any resulting treatment shall be the responsibility of the student or parents or legal guardians.

A student who agrees to participate in and successfully completes a District approved substance awareness program under this provision may have the suspension from school reduced. Participation in a District approved substance awareness program will not affect the policies, practices or rights of the District in dealing with tobacco products, alcohol or controlled substance use or possession where reasonable suspicion is obtained by other means.

VI. REFERRAL PROCEDURES

Any person who believes he or she has witnessed a student engage in tobacco products, alcohol or controlled substance abuse under this policy, or any person with knowledge or belief of conduct by a student which may reasonably constitute evidence of tobacco products, alcohol or controlled substance abuse under this policy may refer that student to a District approved substance awareness program.

A referral may be made by all staff members, including teachers, coaches, substitutes, and classified staff, having contact with the student who is the subject of the referral. A referral may also be made by fellow students, parents, legal guardians or community representatives having contact with the student who is the subject of the referral. Referral to a District approved substance awareness program does not constitute evidence of violation of this policy.

Students may also voluntarily refer themselves to a District approved substance awareness program. A student who voluntarily enters a District approved substance awareness program and who makes continuing, satisfactory progress in meeting treatment recommendations will not be subject to suspension, expulsion or other disciplinary action for behavior in violation of this policy that occurred prior to the self-referral. Voluntary referral to a District approved substance awareness program cannot be made after a violation of this policy is observed or reported by District personnel. Voluntary referral to the District approved substance awareness program can only be made by a student not engaged in distribution or manufacturing of substances outlined in Section II and who also has not been observed or reported by District personnel.

Participation in the District approved substance awareness program is voluntary. A student or parent or legal guardian may withdraw from the District approved substance awareness program or approved alternative services at any time. Students who withdraw from the District approved substance awareness program or approved alternative services prior to successful completion are subject to disciplinary action for any proven violations of this policy.

Adopted: 4/11/88

Revised: 1/22/90; 6/8/98; 8/19/02; 5/9/05; 5/12/14

Cross REF: GBCB, Staff Conduct (Drug Free Workplace)
JFC, Student Conduct