

# United Public School District



**SAFE AND DRUG FREE SCHOOLS POLICY**

**UPDATED  
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# Philosophy Statements



- All students have a right to attend school in an environment conducive to learning. Since alcohol, tobacco, and other drug use is illegal and interferes with both effective learning and the healthy development of children and adolescents, United Public School District recognizes its basic legal and ethical obligation to prevent alcohol, tobacco, and other drug use to maintain a safe and drug free educational education.
- The school also has an obligation to provide drug prevention education units which are an integral part of the standard curriculum at all grade levels. These units are necessary to prepare students for decision making against alcohol, tobacco, and other drug use. These units are based on accurate information concerning health and developmental hazards.
- United Public School District, in accordance with the Safe and Drug Free Schools Act Guidelines, recognizes that the unlawful possession, use, or distribution of illicit drugs, alcohol, or tobacco by students on school premises or as part of any of its activities, is wrong and harmful. It is mandatory that students refrain from the use of possession of illicit drugs, alcohol, or tobacco.
- The rationale for regulating possession and use of tobacco is that the health hazards of tobacco use have been well established. This policy is established to reduce the high incidence of tobacco use in North Dakota to protect the health and safety of all students, employees, ad the general public and to set a non-tobacco-use example by adults.

# Definitions



- **Abstinence:** Restraining from an activity including the use of alcohol, tobacco, and other drugs.
- **Dependency:** A state of psychological or physical need, or both. This state arises from repeated use of a substance on a periodic or continuous basis.
- **Illicit drug:** The Federal Government has a special list of illicit drugs. These illegal, controlled substances must not be brought into any United Public School District workplace. Some of the specific drugs in the government list include, but are not limited to, the following: marijuana, cocaine, heroin, hallucinogens.
- **Inhalants:** Substances, often found in the home, which are abused by inhaling. Use can have immediate and very harmful results. These substances, when used for other than their intended purpose, at school or school related activities, will be considered as drugs. For specific examples, see the SDFS coordinator.
- **Legal, but harmful drugs:** Many legal drugs are very dangerous if not used appropriately. These types of drugs, which are potentially dangerous, are banned from the school district. They include prescription drugs not taken as prescribed and over the counter medications not taken as recommended.
- **Paraphernalia:** Objects, which are used when using drugs, alcohol, or tobacco.

- **Prevention education:** Alcohol, tobacco, and other drug prevention education will be incorporated into the district’s K-12 comprehensive health curriculum so that students will be aware of the health and social consequences of use and abstinence. Teachers whose instructional assignments include these units will receive training in order that students will be afforded the most effective delivery of the district’s classroom-based prevention education. All education units will contain a definite “abstinence” message for those under legal age.
- **Possession:** Having a substance, such as alcohol, tobacco, or other drugs on district property, in district vehicles, and/or at school-sponsored events both whether on or off district property.
- **Probable cause:** Legal term used to describe the amount of evidence necessary for police to conduct a search and seizure.
- **Reasonable suspicion:** Belief that there is a violation of law or school rules. This is the lesser standard of evidence necessary for a school to begin an in-house investigation.
- **Referral:** To send or direct a person for information, support, or treatment.
- **Suspected use:** When indicators show alcohol, tobacco, or other drug use is possible.
- **Tobacco:** For purposes of this policy, “tobacco” is defined to include any lit or unlit cigarette, and any other tobacco product in any form.

- **Use:** Includes the consumption, chewing, or lighting of any quantity of alcohol, tobacco, or other drugs except for accepted medicinal purposes. Use also includes smoking, which means carrying or having in one's possession, a lighted cigarette, cigar, pipe, or other object giving off or containing any substance giving off smoke.
- **Volunteered information:** When information is given without coercion or threat and is based on knowledge that consent can be denied.

# Searches, Confiscation, Medical Emergencies, and Helpful Resources



- **Searches:** See the student handbook for information
- **Confiscation of a substance by school official:** The presence of possession of any alcohol, tobacco, or other drugs or paraphernalia should be brought to the immediate attention of administration.
- **Medical emergencies:** In an alcohol or drug-related emergency, staff members should follow the procedure listed below:
  1. Do not leave the affected person unattended.
  2. Contact administration.
  3. Call 911 or other appropriate number listed below for advice on how to care for student.
- **Helpful resources**

<b>Fire, Police, Ambulance:</b> 911	<b>Trinity Emergency Room:</b> 857-5260
<b>Poison Control:</b> 1-800-222-1222	<b>North Central Human Service Center:</b> 888-470-6968
<b>First District Health Unit:</b> 852-1376	<b>Community Services North Dakota</b> 211

*To other resources, look in the Yellow Pages of the telephone directory under “alcoholism” and “counseling”.*

# Confidentiality



- Records on the use of student assistance should be confidential and not be made part of the educational record. North Dakota law requires these records be confidential and that they may not be released without the written consent of the student, or if the student is less than fourteen years of age, without the written consent of the student's parent or guardian.
- Minors who are 14 years of age or older may obtain alcohol and other drug treatment counseling without parental consent and without notification of the minor's parent under North Dakota Century Code 14-10-17.
- Matters discussed as part of student assistance will be treated as confidential, unless there is a clear and imminent danger to the student or others.

# Treatment and Reentry Programs



- Information about drug and alcohol dependency counseling can be obtained by calling the numbers in the “resources” section, or other institutions and counselors as listed in the yellow pages of the telephone directory.
- When a student enters treatment for drug or alcohol dependency treatment, the following steps will be followed:
  1. Administration and other staff, as determined by student, school, and treatment facility, will be notified about placement in treatment center.
  2. Contact with student will be maintained during treatment, if possible.
  3. Support and encouragement for student will be provided as deemed necessary and appropriate by student, treatment facility, and administration.
  4. School counselor will act as an advocate for the needs of recovering students.



# Tobacco Use and Possession Prohibitions



- The United Public School District, inclusive of all its buildings and property, shall be tobacco free 24 hours a day, 365 days per year. This includes all days when school is not in session and all events and other activities not associated with, or sponsored by, the school.
- Possession or use of tobacco products by students on district property, in district vehicles, and at school-sponsored events (whether on or off district property) is prohibited at all times.
- The use of tobacco products by all employees on district property or in district vehicles and at school-sponsored events (whether on or off district property) is prohibited at all times.
- The use of tobacco products by all visitors to the school district property is prohibited. This includes non-school hours and at all events sponsored by the school or others (whether on or off district property).
- Advertising of tobacco products is prohibited in school buildings, on school property, at school function and in all school publications. This includes, but is not limited to clothing that advertising tobacco products. Further, the acceptance of gifts (such as curricula, book covers, etc.) or funds from the tobacco industry is prohibited.

# Communicating Policy to Students, Staff, and Public



- Copies of this policy will be available in the high school office, and on the school district website.

# Employee Assistance Program



- The United Public School District will provide an Employee Assistance Program for employees who are experiencing personal difficulties that are affecting, or may affect the employee's job performance. The purpose of the program is to assist employees in obtaining help to resolve such problems in an effective and confidential manner. This program recognizes that the primary obligation to seek assistance and to resolve the problem rests with the employee.
- The School Board recognizes that a wide range of problems that are not directly associated with an employee's job function may have an effect on an employee's job performance. The problems may involve physical illness, mental or emotional illness, alcohol abuse or alcoholism, drug abuse or dependency, or personal problems such as those of a marital, family, or financial nature.
- The employee assistance program assures employees that if such personal problems are the cause of unsatisfactory job performance, they will receive careful consideration and an offer of assistance in an effective and confidential manner. This service will provide information for counseling and treatment referral so that employees may seek and get counseling for chemical dependency, financial, marital, or other personal problems at any time without fear of reprisal and with assurance of confidentiality. Providing information for referral or treatment, when needed, should be a constructive and not a punitive action.

- Supervisors and/or colleagues will implement this policy in such a manner that no employee will have his or her job security or promotional opportunity affected by the use of the employee assistance program. This policy, and any related procedures, will not alter or supersede the normal employment, rules, policies, regulations, corrective disciplinary procedures, performance evaluation, guidelines and/or provisions of collective bargaining agreements. The employees right to confidentiality will be protected.

# Tobacco Policy for Faculty and Staff



- This policy applies to all employees of the United Public School District. These individuals may not display or use tobacco products on school property, in school vehicles, or at any school-sponsored events, both indoor and outdoor, and both off and on school property. Those staff members violating this policy will be subject to the following procedures:
- First offense: A verbal warning to the staff member, and referral to cessation services will be offered. This warning will be documented, but will not be included as a part of the teacher's personal file.
- Second offense: A written warning will be issued to the staff member with a copy placed in his or her district personnel file, and referral to cessation services will be offered.
- Third offense: Shall be considered insubordination and shall be dealt with accordingly based on established policies and procedures.

# Tobacco Policy for Visitors



- Visitors to the district facilities are expected to comply with regulations set forth by the United Public School District. Smoking or the use of tobacco products by visitors is prohibited. This includes non-school hours and all functions of the school, athletic department, or otherwise. This also includes organizations using school property.

# Safe and Drug Free Schools Policy

## Situation and Response Overview – Page 1

*This policy is subject to administrative discretion and refers to the normal school year. Federal Special Education law takes precedence over school policy.*

Situation	Action and Investigation	Notification, discipline and/or rehabilitation
<b>1.</b> Student uses or possesses any form of tobacco on district policy or at a school function. First offense	A. Incident reported to administration. B. Parents and police notified. C. Tobacco confiscated.	A. Meeting and assessment with designated staff. B. 3 days out of school suspension, participation in cessation program (if available), and/or community service as decided by administration.
<b>2.</b> Student uses or possesses any form of tobacco on district property or at a school function. Second offense.	A. Incident reported to administration. B. Parents and police notified. C. Tobacco confiscated.	A. Meeting and assessment with designated staff. B. 5 days out of school suspension. C. Participation in cessation program encouraged.
<b>3.</b> Student uses or possesses any form of tobacco on district property of at a school function. Third offense.	A. Incident reported to administration. B. Parents and police notified. C. Tobacco confiscated.	A. Meeting and assessment with designated staff. B. 10 days out of school suspension, participation in cessation program (if available), and/or community service as decided by administration.
<b>4.</b> Student suspected of possible alcohol/drug use. No violation or physical evidence	Students and parents informed of appropriate help that is available s is appropriate.	Referral to administration and counselor.
<b>5.</b> Student contacts staff person about alcohol/drug use of another student.	A. Administration is notified. B. Parents notified as is appropriate	Student and/or parent are informed of available services and encouraged to seek assistance as is appropriate.

# Safe and Drug Free Schools Policy

## Situation and Response Overview – Page 2

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<p><b>6.</b> Student voluntarily informs about personal alcohol/drug use. Asks for help.</p>	<p>A. Administration and counselor notified. B. Parents notified, but only with the consent of student, unless there is clear and imminent danger to student or others</p>	<p>B. Student and/or parent are informed of available services and encouraged to seek assistance.</p>
<p><b>7.</b> Student possesses drug related paraphernalia on district property or at a school function</p>	<p>A. Administration summoned. B. Parents and police notified. C. Paraphernalia confiscated. D. Incident reported</p>	<p>A. Required meeting with counselor. B. 3 days out of school suspension.</p>
<p><b>8.</b> Student possesses, uses, or is under the influence of alcohol or drugs on district property. First offense. Cooperative</p>	<p>A. Administration summoned. B. Parents and police notified. C. Student relinquished to the custody of parent/guardian. D. Incident reported.</p>	<p>A. Parents requested to come to school as soon as possible. B. Informal meeting. C. 3 days out of school suspension, drug/alcohol education, and/or evaluation (administrative discretion).</p>
<p><b>9.</b> Student possesses, uses, or is under the influence of alcohol or drugs on district property. First offense. Uncooperative</p>	<p>A. Administration summoned. B. Parents and police notified. C. Student relinquished to the custody of parent/guardian. D. Incident reported.</p>	<p>A. Informal meeting. B. 5 days out of school suspension. . Recommended participation in drug/alcohol education and/or evaluation.</p>



# Safe and Drug Free Schools Policy

## Situation and Response Overview – Page 3

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<p><b>10.</b> Student possesses, uses, or is under the influence of alcohol or drugs on district property. After the first offense within the same school year.</p>	<p>A. Administration summoned. B. Parents and police notified. C. Student relinquished to the custody of parent/guardian. D. Incident reported.</p>	<p>A. Informal meeting. B. 5 days out of school suspension. C. Possible recommendation for expulsion. D. Evaluation by and in compliance with recommendation of licensed drug/alcohol facility before return to school, dependent on legal ramifications.</p>
<p><b>11.</b> Student possesses, uses, or is under the influence of alcohol or drugs off district property, at a school function.</p>	<p>A. Chaperone/advisor will contact administration. B. Parents and police notified. C. Student relinquished to custody of parent, guardian, or police. D. Incident reported.</p>	<p>A. Further discipline as provided by appropriate category. B. Administrative discretion regarding future attendance at school related functions.</p>
<p><b>12.</b> Student distributing alcohol, drugs, or other controlled substance on district property or at a school function.</p>	<p>A. Administration summoned. B. Parents and police notified. B. Student relinquished to custody of parent or guardian. D. Incident reported.</p>	<p>A. 10 days out of school suspension. B. Recommendation for expulsion.</p>
<p><b>13.</b> Student has alcohol/drug-related emergency on district property or at a school function.</p>	<p>A. Administration summoned. B. Parents and police notified. C. 911 called. D. Instructions followed. E. Incident reported.</p>	<p>See appropriate category above.</p>