



Book	Policy Manual
Section	5000 STUDENTS
Title	Alcohol and Other Drugs
Code	BP 5131.6
Status	Under Review/Revision
Cross References	<a href="#">BP 5144.1 - Suspension and Expulsion</a> <a href="#">BP 5144.11 - Due Process</a> <a href="#">E 4020 - Drug and Alcohol-free Workplace Notice to Employee</a> <a href="#">BP 5145.12 - Search and Seizure</a>
Last Revised	August 6, 2012

It is the intent of the Kenai Peninsula Borough School District to maintain a drug-free school environment so learning can take place; to educate students so they are aware of the issues and problems related to the use of drugs, alcohol, and controlled substances; to identify students who have chemical abuse problems; to refer students for treatment services which are beyond the scope of the schools; and to remove students possessing, distributing or selling drugs or alcohol in the school setting from that environment.

### **Prohibited Substances and Items**

The substances and items prohibited by this policy include, but are not limited to: alcohol; prescription drugs (except as authorized by BP 5141.21); anabolic steroids; narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, or any other controlled substance; intoxicants or depressants of any kind; items used as an inhalant, including paints, gasoline, glue, or similar items; over the counter stimulants of any kind, including caffeine-based substances other than beverages, substances containing phenylpropanolamine (PPA), or other similar drugs; drug paraphernalia, and imitation or designer drugs (i.e., "bath salts") or synthetic drugs (K2, Spice, etc). Imitations or synthetic drugs mean pills, capsules, tablets, powders, liquids, inhalants or other items which are designed to look like or are represented to be prohibited drugs or alcohol.

### **Possession/Use/Under the Influence During School**

A student who is determined to have used, to be in possession and/or under the influence of prohibited substance or item as defined by this policy at school or at any school-sponsored activity shall be reported to the appropriate law enforcement personnel, his/her parent(s)/guardian(s), and shall be subject to suspension for up to 45 student school days by the school administrator following a due process hearing pursuant to applicable School Board policies. In more serious cases, violators may be recommended for expulsion to the Board of Education.

Refusal to submit to a Breathalyzer and/or urinalysis, or any other lawful, reasonably reliable test as authorized by the Superintendent as required by this policy to determine whether a student has used alcohol or other drugs in violation of School Board policies will result in a suspension of not less than 30 student school days and not to exceed 45 student school days. Refusal to submit to such a test will be treated as a positive determination of drug or alcohol use per this policy.

Prior to re-admittance to school, the student shall participate in a conference with his/her parents(s)/guardian(s) and the school administrator to determine conditions for re-admittance.

## **Selling, Offering for Sale, Agreeing to Purchase or Distributing**

A student selling, offering for sale, agreeing to purchase, or distributing prohibited substances or items defined in this policy shall be reported to the appropriate law enforcement personnel and his/her parent(s)/guardian(s), and will be suspended immediately following a due process hearing pursuant to applicable School Board policies, and may be recommended for expulsion to the Superintendent who will review the matter. Based on this review, the Superintendent may recommend to the Board of Education that the student be expelled from the Kenai Peninsula Borough School District.

### ***Legal Reference:***

#### ***ALASKA STATUTES***

***04.16.080 Sales or consumption at school events***

***14.20.680 Training required for teachers and other school officials***

***14.30.360 Curriculum (Health and Safety Education)***

***14.33.110-140 Required school disciplinary and safety program***

***47.37.045 Community action against substance abuse grant fund***

***Elementary and Secondary Education Act, 20 U.S.C. §§ 7116, 7163, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)***

Because the use of alcohol and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences, the Board intends to keep district schools free of alcohol and prohibited drugs.

Alcohol, marijuana, and other controlled substances are prohibited for use or possession by students. The Board desires that every effort be made to reduce the chances that our students will begin or continue the use of alcohol and other drugs. The Superintendent or designee will clearly communicate to students, staff and parents/guardians all Board policies, regulations, procedures and school rules related to this prevention program. Special efforts will be made to ensure that these materials are understood by parents/guardians and students of limited literacy or limited English proficiency.

Specifically, the Board prohibits the actual or attempted sale, distribution, use, or possession by a student of alcohol, prohibited drugs or inhalants, drug paraphernalia, substances that are designed to look or act like prohibited drugs or alcohol, or substances purported to be prohibited drugs or alcohol. Prohibited drugs are defined as:

1. Drugs that are illegal if possessed by those under 21, under any local, state, or federal law; or any drug that can be legally obtained but which has been obtained through illegal means.
2. Alternatives to illegal drugs such as designer or synthetic drugs, whether or not prohibited by law, which are purported to, designed to, or which do impair, restrict, or alter normal cognitive function when absorbed, ingested, injected, or inhaled.
3. Prescription drugs that are not legally obtained or prescribed, are not being used for the prescribed purpose, are being used in excess of the prescribed amount, are being used by other than the person to whom prescribed, or are being sold, traded or distributed.

Recognizing that keeping schools free of alcohol and other drugs is a concern common to the district and community, the Board supports cooperation among schools, parents/guardians, law enforcement and other appropriate community organizations involved in preventing alcohol and drug abuse.

## **Opioid Overdose Protection**

In accordance with AS 14.30.145, the Superintendent will ensure that:

1. A person trained to administer an opioid overdose drug is on site when the main school building of each school in the school district is open to students or staff, including periods when the school building is open before and after school hours and during weekend activities; and during each school-sponsored event conducted on school grounds.
2. The main school building of each school in the school district has at least two doses of an opioid overdose drug available on site; and

3. At least one dose of an opioid overdose drug is available during a school-sponsored event conducted on school grounds.

Per AS 14.30.145, a school district, school, or individual is not liable for civil damages for an injury to another individual resulting from a failure to possess or maintain an opioid overdose drug as required by the statute.

### **Instruction**

The district will provide preventative instruction which helps students avoid the use of alcohol, marijuana, or other drugs and teaches students how to influence their peers to avoid and/or discontinue the use of alcohol or drugs. Instruction will be designed to answer students' questions related to alcohol and drugs.

The instructional programs will help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and drugs.

The curriculum will be K-12, comprehensive and sequential in nature and suited to meet the needs of students at their respective grade levels. All instruction and related materials will stress the concept that alcohol and prohibited drugs can be dangerous and should never be used when such use is illegal.

The Board encourages staff to display attitudes and behaviors which make them positive role models for students with regard to alcohol, marijuana and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

The Board recognizes that children exposed to alcohol or other drugs prior to birth may have disabilities requiring special attention and modifications in the regular education program. The Superintendent or designee will provide appropriate staff training in the needs of such students as required by law.

### **Intervention**

The Board recognizes that there are students on our campuses who use alcohol and other drugs and can benefit from intervention. The Board supports intervention programs that include the involvement of students, parents/guardians and community agencies/organizations.

School personnel should be trained to identify symptoms which may indicate use of alcohol and other drugs. The Superintendent or designee will identify responsibilities of staff in working with, intervening, and reporting students suspected of alcohol and other drug use.

Students and parents/guardians will be informed about the signs of alcohol and other drug use and about appropriate agencies offering counseling.

### **Nonpunitive Self-Referral**

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who self-disclose past use of alcohol or other drugs in order to seek help to quit using will not be punished or disciplined for such past use. State and local extra-curricular activities eligibility rules may apply further conditions related to the admission of drug or alcohol use.

### **Enforcement/Discipline**

The Superintendent or designee will take appropriate action to eliminate possession, use or sale of alcohol and prohibited drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. Students possessing, selling and/or using alcohol, marijuana or other drugs or related paraphernalia will be subject to disciplinary procedures which may result in suspension or expulsion.

School authorities may search students and school properties for the possession of alcohol, marijuana and other drugs as long as such searches are conducted in accordance with law.

### **Legal Reference:**

#### **ALASKA STATUTES**

**04.16.080 Sales or consumption at school events**

**14.20.680 Required alcohol and drug related disabilities training**

14.30.145 Opioid overdose drugs

14.30.360 Curriculum (Health and Safety Education)

14.33.110-.140 Required school disciplinary and safety program

17.38.010-900 The regulation of marijuana

47.37.045 Community action against substance abuse grant fund

**UNITED STATES CODE**

Elementary and Secondary Education Act, 20 U.S.C. §§ 7116, 7163, as amended by the Every Student Succeeds Act, P.L. 114-95