

## **P1465 PUPIL BEHAVIOR - ALCOHOL, DRUGS, DRUG PARAPHERNALIA, AND/OR OTHER CONTROLLED SUBSTANCES**

### **BOARD POLICY:**

Any pupil who intends to or is selling, manufacturing or trafficking (as defined in AIP #1) alcoholic beverages, drugs, drug paraphernalia, inhalants and/or other controlled or uncontrolled substances, such as, but not limited to, over the counter medications or unauthorized prescription drugs, or any pupil who possesses such substances in an amount that exceeds the reasonable personal need of the average user of the substance possessed (as determined in accordance with AIP #2), at school, on school property, or at a school supervised activity shall receive a mandatory expulsion from the Wichita Public Schools for 186 school days. For information about the request for school assignments pending a final decision of an extended suspension/expulsion, please see BOE P1472 – *Pupil Makeup Work*.

Any pupil who uses or appears to be affected by or whose conduct appears to be altered by alcoholic beverages, drugs (except as medically prescribed) and/or other controlled substances, such as, but not limited to, unauthorized prescription drugs, any pupil who possesses any of such substances in amounts that do not exceed the reasonable personal needs of the average user of the substance or any pupil who possesses drug paraphernalia at school, on school property, or at a school supervised activity will receive one of the following disciplinary actions:

#### **1<sup>st</sup> Offense:**

1) Pupils will be placed on a short-term suspension for ten (10) school days when found to be in possession or use of drugs and/or alcohol. Such pupils shall be recommended for an extended suspension, and an extended suspension of twenty-five (25) days shall be imposed, if the pupil is found by a district-level hearing officer to have been in possession and/or to have used drugs and/or alcohol.

2) At the time of the imposition of a short-term ten (10) day suspension for possession and/or use of alcohol and/or drugs, the parents and/or legal guardians will be afforded the option to have the suspended pupil meet with a community source (which may include, as appropriate, a mental health agency counseling program, an alcohol and drug service agency, a physician, a U.S.D. 259 substance abuse specialist, etc.) to discuss the pupil's problem with drugs/alcohol. Upon receipt of written documentation that the pupil is complying with such agency's recommended action, a suspension imposed under Paragraph 1 (above) shall immediately be revoked and the pupil allowed back in school. A district-level due process hearing for violation of possession and/or use of drugs/alcohol for first-time offenders will be scheduled on the fifth day of a pupil's short-term suspension if written documentation that a pupil is complying with an agency's recommended action has not been received by such time.

3) In lieu of the procedures outlined in 1) and 2), at the time of suspension, parents and/or legal guardians will be afforded the option to have the suspended pupil meet with a community source (which may include mental health agency counseling program, an

alcohol and drug service agency, a physician, USD No. 259 Substance Abuse Specialists, etc.) to discuss the pupil's problem with drugs/alcohol. Upon receipt of written documentation that the pupil is complying with the agency's recommended action, the suspension shall immediately be revoked and the pupil allowed back in school.

#### **Subsequent Offenses:**

**On a second or subsequent offense a pupil will be placed on a short-term suspension of ten (10) school days. Such pupil shall be recommended for an extended suspension for a term of twenty-five (25) school days up to and including expulsion from the Wichita public schools for one hundred eighty-six (186) school days, and such suspension/expulsion of between twenty-five (25) school days up to and including expulsion for one hundred eighty-six (186) school days shall be imposed if the pupil is found by a district-level hearing officer to have been in possession of or to have used drugs and/or alcohol.**

#### **Administrative Implemental Procedures:**

1. Trafficking means any pupil who intends to or who is intentionally selling, giving or delivering to others controlled/illegal substances, such as, alcoholic beverages, inhalants, over the counter medications, unauthorized prescription drugs and/or drug paraphernalia. The building principal or principal designee will determine questions regarding the intent to traffic. In making a determination regarding the intent to traffic, the principal or principal designee may take into account, without limitation, such things as equipment found, place found, multiple containers, large amounts of money, opinion of others, etc.
2. The principal or principal designee, based on personal knowledge or the knowledge of others, shall determine when a student possesses a quantity of drugs, drug paraphernalia, inhalants and/or other controlled or uncontrolled substances, such as but not limited to, over the counter medications or unauthorized prescription drugs at school, on school property, or at a supervised school activity in amounts that exceed the reasonable personal need of the average user of the substance possessed.
3. Any disciplinary action taken by a building administrator will be based on the best and most satisfactory information available, including searches conducted under BOE Policies P1469 Search and Seizure - School Facilities, and P1470 Search and Seizure - Pupils and Their Personal Possessions.
4. The appropriate law enforcement agency will be advised of any and all violations of laws in accordance with policy entitled School Safety and Security Incident Reporting.
5. Any pupil who appears to be affected by or whose conduct appears to be altered by the use of alcohol, drugs, or other controlled substances, or admits same, and gives evidence of need for medical attention, shall be released as soon as possible to the care and supervision of his/her lawful custodian or any other person so named to act in the event of a health related emergency. Basic procedures relating to all illnesses shall be followed. Any information available shall be released to lawful custodian, physician, and others responsible for care and treatment.

6. Staff members shall request the assistance of a building administrator when they observe a pupil who appears to be in a state of disorientation or who does not have normal control of self.
7. The building administrator, in addition to the above, shall administer appropriate disciplinary action. It is expected that the lawful custodian(s), as well as the pupil, will be notified of any charges (allegations) under this policy and the results of a violation of the policy may carry a maximum penalty up to and including a recommendation for an extended suspension or expulsion in accordance with policy entitled Suspension and/or Expulsion of Pupils.
8. Every pupil and parent will be informed and required to sign a weapons/drugs policy statement yearly regarding the disciplinary action that can and will be taken if a pupil is found to be in violation of this policy.
9. Should any pupil seek the guidance or assistance of any staff member for the purpose of improving his/her behavior or responses to the involvement with controlled substances, such pupil's request for confidentiality should be respected unless staff personnel is required to reveal such information through legal processes. When such requirement is necessitated, the lawful custodian of the pupil will be so advised.
10. Suspension or expulsion of special education pupils shall be subject to and governed by the State statutes and regulations and the Individuals with Disabilities Education Act Amendments of 1997 (20 U.S.C. 1400 et seq.) implementing regulations thereto.
11. Proper use of a drug prescribed by a licensed physician is permitted if used as prescribed. (See policy entitled Administering Prescribed Medication During School Hours.)
12. Inhalants are defined as but not limited to:

Gasses, solvents, butane, propane, adhesives, any other item that provides a fume that is improperly used by students.

Board counsel has approved this policy in legal form and content.

Administrative Responsibility: Safety Services

Latest Revision Date: December 2010

Previous Revision Date: April 2005 P1465