

Board File: JICH

STUDENT INVOLVEMENT REGARDING DRUGS AND ALCOHOL

The Board of Education recognizes that the unlawful or unauthorized student distribution, gift/exchange, sale, use, possession, or purchase of drugs or alcohol constitute a hazard to students. Therefore, the Board assumes its responsibility for minimizing this hazard to students by providing drug and alcohol abuse prevention programs designed to educate students regarding the harmful effects of drug and alcohol abuse and to develop decision-making skills regarding the use of such substances. Because effective prevention requires the combined efforts of parents and the District, the Board supports the concept that parents have the responsibility to cooperate in efforts to prevent drug and alcohol abuse problems and to seek help from public and private agencies for students involved in drug and alcohol abuse.

As used in this policy, “drugs” are all substances defined under federal and state statutes as “drugs” or “controlled substances,” as well as counterfeit drugs, substances falsely represented as being drugs, and drug-containing paraphernalia.

As used in this policy, “legal drugs” are defined as over-the-counter and prescription drugs, including vitamins and other dietary supplements, that are properly possessed and used by the person for whom they are intended in accordance with all applicable District policies and regulations, including but not limited to Policy JLCD. However, marijuana dispensing, usage or possession authorized as per Amendment 20 (Colorado’s Medical Marijuana Amendment) is not considered a “legal drug” under federal law or District policy.

As used in this policy, “illegal drugs” are all drugs not defined herein as legal drugs.

Student distribution, gift/exchange, sale, use, possession, purchase or being under the influence of alcohol or illegal drugs is prohibited in all District schools, on all school grounds and District property, at any school-sanctioned activities, when students are being transported in vehicles dispatched by the District, and at any time or in any place where the student’s conduct interferes with or disrupts the educational program or operations of the District.

Compliance with the standards of conduct set forth in this policy and its accompanying regulations is mandatory for all students. A violation shall subject a student to appropriate disciplinary action, up to and including expulsion and referral for prosecution. The District reserves the right to expel students where there is a sufficient connection between the off-campus behavior and the school, notwithstanding other provisions in this policy and regardless of whether it is a first-time offense. Specific disciplinary guidelines shall be described in the regulation that guides the enforcement of this policy. In appropriate circumstances, disciplinary sanctions may include the completion of an approved drug or alcohol abuse rehabilitation program. The regulation shall be in keeping with applicable laws and shall be observed by all staff members. Appropriate procedures shall be followed by all school personnel in working with students who may:

1. be under the influence of alcohol or illegal drugs on school property, at school sanctioned activities, while being transported on school approved vehicles, or at any time or in any place where the student's conduct interferes with or disrupts the educational program or operations of the District;
2. use or possess alcohol or illegal drugs on school property, at school-sanctioned activities, while being transported on school approved vehicles, or at any time or in any place where the student's conduct interferes with or disrupts the educational program or operations of the District; and/or
3. be engaged in acts of giving/exchanging, selling, distributing, purchasing alcohol or illegal drugs on school property, at school-sanctioned activities, while being transported on school approved vehicles, or at any time or in any place where the student's conduct interferes with or disrupts the educational program or operations of the District.

The superintendent shall implement age-appropriate, developmentally based drug and alcohol education and prevention programs for all students in all the District's schools, from early childhood through grade 12, that inform students:

1. that the possession and/or use of illegal drugs and the unlawful possession and use of alcohol is wrong and harmful;
2. about the legal, social, and health consequences of drug and alcohol use and effective techniques for resisting peer pressure to use illegal drugs and alcohol;
3. about the standards of conduct and prohibitions on the distribution, gift/exchange, sale, use, possession, purchase or being under the influence of illegal drugs and alcohol set forth in this policy;
4. about available drug and alcohol counseling and rehabilitation programs;
5. about consequences that may result from the distribution, gift/exchange, sale, use, possession, purchase or being under the influence of illegal drugs and alcohol in violation of this policy.

The Board shall conduct a biennial review of its drug and alcohol abuse prevention program and this policy and accompanying regulations to determine their effectiveness, to implement required changes, and to ensure that disciplinary sanctions are consistently enforced.

Adopted: September 4, 1990
Revised: October 5, 1993
Revised: August 19, 1997
Revised: August 7, 2001
Revised: June 3, 2003
Revised legal references: October 21, 2003
Revised: May 4, 2010
Revised: February 5, 2019

LEGAL REFS.:

20 U.S.C. 7101 et seq. (*Safe and Drug-Free Schools and Communities Act*)
C.R.S. §22-32-109.1 (*Board of education – specific powers and duties – safe schools*)
C.R.S. §22-33-105 (*Suspension, expulsion, and denial of admission*)
C.R.S. §22-33-106 (*Grounds for suspension, expulsion, and denial of admission*)
C.R.S. § 18-18-420 (*Imitation Controlled substances – definition*)
21 U.S.C. 13 § 801 et seq. (“*controlled substances*” definition)
21 U.S.C. 13 § 812 (*Schedules of controlled substances*)

CROSS REFS.:

J1/JIA, Student Rights and Responsibilities/Due Process Rights
JIC/JICDA, Student Conduct (and sub codes)
JIH, Searches