

SAFETY ABUSE OF ALCOHOL OR DRUGS BY STUDENTS

SELLING, DISTRIBUTING, POSSESSING AND/OR BEING UNDER THE INFLUENCE OF ILLEGAL DRUGS, NON PRESCRIBED PRESCRIPTION DRUGS OR ALCOHOL ON SCHOOL PROPERTY OR AT A SUPERVISED SCHOOL FUNCTION IS PROHIBITED. IN ADDITION, ANY VIOLATION OF NEW YORK STATE PENAL LAW OR PUBLIC HEALTH CODE RELATING TO CONTROLLED SUBSTANCES IS ALSO PROHIBITED.

Violation of this policy shall result in:

1. Immediate suspension and prompt notification of a parent or guardian.
2. Notification of police when appropriate.
3. Adherence to the following procedures:
4. Potential initiation of procedures to identify use of illegal substances.

3.1 Students Suspected of Being Under the Influence of Drugs or Alcohol

- 3.11 Where a student is suspected of being under the influence of drugs during the school day, he/she should be escorted, as if he/she were sick, to the Nurse's office, or to the Building Principal if no Nurse is available. Teachers should not attempt to decide whether a student is under the influence of drugs, sick, having some kind of attack, or merely drowsy.
- 3.12 The School Nurse will decide what to do to meet the student's medical needs including contacting the school physician or assistance as needed.

3.2 Searches

- 3.21 No searches of an individual shall be conducted without reasonable suspicion that the student has drugs or alcohol on his or her person or in his/her vehicle. All other searches of individuals are illegal. Lockers, desks, closets, and similar areas are considered to be under school control, and may be searched at any time. This rule holds true whether or not the student has been issued a lock.
- 3.22 An illegal search exposes the district and the official who conducts the search to substantial legal liability. Therefore, the Board of Education shall commit itself to making current legal information on search and seizure available to all administrators.
- 3.23 A general guide to searches and seizures will be found in Administrative Procedure 5504.1.

3.3 Procedure When a Student has Illegal Drugs, Non Prescribed Prescription Drugs or Alcohol on School Premises

- 3.31 If a student is found to be selling, distributing, to have in his/her possession, or determined to be under the influence of illegal drugs, non prescribed prescription drugs or alcohol on school property or at a supervised school function, the following steps will be taken:
 - a. The student's parents will be notified immediately.
 - b. The student will immediately be suspended from classes for up to five (5) days. A conference between the Building Principal and the student and parents will be required within this time period prior to reinstatement to classes.
 - c. The student will be recommended to the appropriate police agency for violation of any penal law.
 - d. The student may be recommended to a Superintendent's Hearing to determine possible further consequences including extended suspensions.
 - e. The Building Principal shall determine with input from the student and parents whether, and under what conditions, the student should return to classes.

- 3.4 If the student violates this policy a second time, he/she will be suspended in accordance with New York State Education Law.
 - 3.41 The suspension may be until the end of the school year. Students under 16 years of age will receive home instruction pursuant to New York State Education Law.
 - 3.42 The student will be referred to an appropriate counseling service as a condition of re-entry to regular classroom instruction.
 - 3.43 The student shall have the right to a hearing on the suspension.
- 3.5 The Building Principal or the administrator in charge shall have the sole responsibility for determining whether a student's actions, behaviors, or possession in school are violation of this policy.
- 3.6 The Town Board of the Town of Webb has, by resolution, declared the "school grounds" as a Drug Free School Zone. Such designation places into force increased criminal penalties for the sale of controlled substances within the real property boundary of the school, to include any building, athletic playing field, playground or land together with the area within 1,000 feet of said property boundary line.

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