

**Burlington School District  
F 10R: SUBSTANCE ABUSE – STUDENTS**

**Former Policy JFCI**

**I. DRUG AND ALCOHOL**

**A. Philosophy**

The Burlington School District recognizes that the use of drugs and alcohol is an unfortunate reality in contemporary society. It further recognizes that such use is not appropriate and is detrimental to the educational environment and related school activities. While health problems are primarily the responsibility of the home and community, the school district shares in this responsibility when these problems interfere with student learning, safety, behavior, or development. To this end, the Burlington Board of School Commissioners supports the establishment and implementation of school policies and procedures, which protect the rights of students to learn within a school environment free of drugs and alcohol.

The School District acknowledges a responsibility to provide a program of drug and alcohol prevention education within the curriculum, to make referrals to appropriate agencies, and to provide support to students affected by drug and alcohol related problems while taking into consideration the right of all students to an education.

**B. Education/Prevention**

The Burlington School Department will support continued implementation/review of the comprehensive K-12 substance abuse curriculum in compliance with the regulations specified in 16 V.S.A. §1165. Staff development and in service will be provided to insure that professional staff maintains a sufficient level of knowledge and skills to implement the curriculum.

**C. Possession, Use, or Distribution**

1. Students who possess, are under the influence of, use, sell, distribute, attempt to sell or distribute drugs or alcohol, or possess with the intent to distribute or sell drugs or alcohol or drug paraphernalia on school property or while at a school sponsored activity are in violation of established school board policy and will be disciplined in accordance with established school board procedures. All violations involving possession, selling, distribution, or attempt to sell or distribute will be referred to the police for appropriate action. Actions involving use or under the influence may be referred to the police for appropriate action.

2. All employees of the school district (including teachers, custodians, educational assistants, tutors, secretaries, food service employees, and administrators) shall report immediately to the principal or his/her designee any violation or apparent violation of law or this policy, including incidents and/or behavior of students or visitors under the influence of, in possession of, using, or distributing drugs or alcohol. Willful failure to so report, or to cooperate in school investigations may result in disciplinary action.

3. In order to maintain an environment conducive to learning and to ensure the welfare of students, any visitor in a school building, on school property, or at a school sanctioned activity having possession of alcohol, drugs or drug paraphernalia, using or distributing alcohol or drugs, under the influence of alcohol or drugs, or knowingly and willfully assisting another person in using or distributing alcohol or drugs in the school buildings or on school property, or at a school sanctioned activity, will be in violation of school board policy and will be removed from the premises. Police assistance may be utilized to assist the administration in the enforcement of this procedure.

4. In determining the appropriate disciplinary measure with respect to an offense under Section C.1. above, distribution, sale, attempted distribution or sale or possession with the intent to distribute or sell alcohol or drugs on school premises shall be considered the most serious violation of this Policy, and may result in serious disciplinary action up to and including expulsion from school. Possession and/or use of alcohol or drugs on school premises, depending on the circumstances, will also be considered as serious violations.

D. Immediate Procedures

In dealing with violations, the welfare and rights of the individual violator will be emphasized by district personnel to the extent that such consideration does not jeopardize the welfare and rights of others. A student found to be possessing, under the influence of, using, or distributing drugs or alcohol will be reported to the school administrator(s) immediately. School procedures will be provided for the handling of any drug-related incident until the student is discharged to the parent, guardian, social services, medical, or law enforcement agencies.

E. Emergency Procedures

In the event of an emergency involving alcohol or drug use, efforts shall be taken to protect the health and well being of the student while at the same time safeguarding the remaining school population. To protect the health of the student, appropriate emergency procedures, including those for administering emergency first aid, will be followed and, if necessary, he/she will be brought to the office by a staff member. The principal or his/her designee will be contacted and school procedures will be followed.

F. Follow-up Procedures

It is recognized that retaining a student with a drug or alcohol use problem in, or returning a student to, the school setting is desirable whenever such action is consistent with the individual's own rehabilitation and well-being, and whenever such action does not interfere with the educational process for other students and the maintenance of discipline and safety at the school. See Substance Abuse Administrative Procedures and the Student Conduct and Discipline Policy and Procedures, F 13.

Under the Policy and Procedures set forth for Burlington Schools, students may be required to obtain professional assessment, guidance and/or rehabilitation as a condition of attendance or enrollment in school or other alternative educational program provided by the District. Where such a requirement is imposed, refusal to obtain such professional care may result in suspension until a conference among the parents, student, and school administration can develop a satisfactory solution. Continual non-compliance with this requirement will result in initiation of disciplinary procedures up to and including expulsion. See Policy F 13, Student Conduct and Discipline.

G. Performance or Behavior Related Problems

Any employee of the School district will report incidents/behaviors of students to the school administration when those actions cause suspicion of a drug and alcohol related problem. A minimum of two staff persons (one of whom must be the principal or his/her designee) will be consulted regarding a student whose behavior or performance may indicate a drug and alcohol related problem. These staff persons shall determine the need for further screening, education, counseling, or referral to treatment.

Following appropriate consultation and deliberation, the parent or guardian of any student suspected of being affected by a drug and alcohol related problem will be notified by the principal or his/her designee. A course of action will follow leading to the further determination of facts, and if necessary, referral, treatment, and rehabilitation of the student.

H. Support and Referral Systems and Cooperative Agreements

The Burlington School Department will work cooperatively with appropriate local health agencies, medical personnel, prevention specialists, and law enforcement officials. Information required by appropriate officials will be provided in a manner consistent with the student's rights and with the Burlington Board of School Commissioners' Policy "F 3R" and procedures.

Each school within the District will develop procedures for initial assessment, "in-school" support, and referral to community resources for students affected by drug and/or alcohol related problems. This policy shall not be interpreted to require a school or the District to employ counselors for treatment or rehabilitation or be financially responsible for any treatment recommended for the student as a result of intervention or referral. The District also will have a minimum of one written referral agreement with an ODAP approved community substance abuse treatment provider.

I. Community Involvement/Information

The Burlington School District will inform the community annually about the school's substance abuse prevention curriculum, intervention programs, prevention issues, and the community-wide responsibility for effective alcohol and drug abuse prevention. Parents, community members and service organizations will be encouraged to participate through established and appropriate activities.

II. PRESCRIPTION MEDICATIONS

Prescription medications may only be possessed and used on school premises and at school functions to the extent provided by Burlington Board of School Commissioners' Policy F 20 and accompanying procedures, and by state and federal law.

III. DEFINITIONS

For the purposes of this Policy the following words and phrases shall be defined as stated below:

A. "Alcohol" means alcohol, spirits and malt beverages as defined by 7 V.S.A. §2. "Alcohol" as used in this Policy includes, but is not limited to, beer, porter, stout, ale, wines, cordials and liquors. Alcohol may also include medicinal products such as Listerine and Nyquil, which contain alcohol. If a student is using such a product for medicinal purposes, the medicinal purpose must be reported to the school nurse and the product kept by the nurse during school hours. If the District discovers a student in possession of such medicinal product and the nurse has no prior knowledge of the student's medicinal need of the product, the product shall be considered "alcohol" for the purposes of this Policy.

B. "Drug" (i) means a controlled substance identified in Schedules I, II, III, IV or V of the Controlled Substance Act, 21 U.S.C. §812(c); but (ii) does not include such a substance that is legally possessed and used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision. See Section II re Prescription Medications. Controlled substances include, but are not limited to, cannabis (marijuana, hash); hallucinogens (LSD, psilocybin mushrooms, peyote, mescaline); stimulants (cocaine, amphetamines i.e., "speed," ritalin); depressants (barbiturates, "quaaludes"); narcotics (opium, heroin, morphine); nitrous oxide and anabolic steroids.

C. "Students affected by drug or alcohol related problems." The phrase refers to problems brought about in either of two ways: 1. The student's own personal drug and/or alcohol abuse; or 2. The effects of another's drug and/or alcohol abuse (i.e. a parent or siblings' drug and alcohol problems) on the student.

D. "ODAP" = Office of Drug and Alcohol Prevention

Cross Reference: Board Policy F 13, Student Conduct and Discipline  
Board Policy F 20, Administering of Medicines to Students  
Board Policy F 3R, Student Records

Legal Reference: 16 V.S.A. Sections 140; 906; 1162, 1165  
18 V.S.A. §1741 et seq.  
State Department of Education Regulations, Sec. 4200. et seq.

POLICY ADOPTED: October 14, 1986  
POLICY REVISED: November 28, 1989  
POLICY REVISED: December 12, 1995  
POLICY REVISED: July 16, 1996  
POLICY REVISED: April 13, 1999  
SECOND AND FINAL READING: September 14, 1999