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BSD Policy C2

# BURLINGTON SCHOOL DISTRICT POLICY

## CODE C2: STUDENT ALCOHOL AND DRUGS

### Purpose

Burlington School District recognizes that the use, possession of alcohol and/or drugs, constitutes a hazard to the welfare of students and faculty. It is the Board's responsibility to adopt policies and procedures which will minimize the hazard caused by the presence of these substances or devices in the schools or at any school sponsored functions.

### Definitions

1. **Substance Abuse** is the ingestion of drugs and or alcohol in such a way that it interferes with a person's ability to perform physically, intellectually, emotionally, or socially.[ii]
2. **Drug** means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal regulation or statute.[iii]

### Policy

It is the policy of Burlington School District that no student shall knowingly possess, use, sell, give or otherwise transmit, or be under the influence of any illegal drug, regulated substance, or alcohol on any school property, or at any school sponsored activity away from or within the school.[i] It is further the policy of the district to make appropriate referrals in cases of substance abuse.

The superintendent or his or her designee shall develop procedures for compliance with this policy.

### Educational Program

The (superintendent, principal, other) shall work with appropriate staff members to develop and conduct an alcohol and drug abuse educational program.[iv] The program shall be consistent with the Vermont Alcohol and Drug Education Curriculum Plan[v]. If the school district is a recipient of federal Safe and Drug-Free Schools and Communities Act funds, the Act will be considered in the development of the alcohol and drug abuse educational program.[vi]

### Support and Referral System

In each school the principal or his or her designee shall develop a support and referral system for screening students who refer themselves and students who are referred by staff for suspected drug and/or alcohol use and/or abuse problems.[vii] The support and referral system will include processes to determine the need for further screening, education, counseling or referral for treatment in each referred case.[viii] In addition, the principal shall establish procedures for administering emergency first aid related to alcohol and drug abuse.[ix]

**Cooperative Agreements**. [x] The superintendent shall annually designate an individual to be responsible for providing information to students and parents or guardians about outside agencies that provide substance abuse prevention services and to encourage the use of their services and programs when appropriate.

The Burlington School District may enter into a cooperative agreement with an outside agency for the purposes of providing substance abuse treatment to students who are referred through the school's support and referral system, or who refer themselves for treatment.

### **Staff Training**

The superintendent will work with appropriate staff to provide training for teachers and health and guidance personnel who teach or provide other services in the school's alcohol and drug abuse prevention education program. The training provided will meet the requirements of State Board Rules related to staff training.[xi]

### **Community Involvement**

The superintendent or designee will work with school staff and community members to implement a program to inform the community about substance abuse issues in accord with State Board of Education rules.[xii]

### **Annual Report**

In a standard format provided by the Agency of Education, the superintendent will submit an annual report to the Secretary of Education describing substance abuse education programs and their effectiveness.[xiii]

### **Notification**

The superintendent shall ensure that parents and students are given copies of the standards of conduct and disciplinary sanctions contained in the procedures related to this policy, and are notified that compliance with the standards of conduct is mandatory. Notice to students will, at a minimum, be provided through inclusion of these standards and sanctions in the student handbook distributed to all students at the beginning of each school year or when a student enrolls in the school.[xiv]

### **SUPPORTING DOCUMENTS:**

[i] 16 V.S.A. § 1165(a). See also 18 V.S.A. § 4237 making it unlawful for any person to sell or dispense any regulated drug to minors or to any other person on school property or property adjacent to a school

[ii] Vermont State Board of Education Manual of Rules and Practices, Rule 4211

[iii] See definitions of narcotic drugs and hallucinogenic drugs in 18 V.S.A. §4201; and controlled substance in 41 U.S.C. §706(3) and 21 U.S.C. §812.

[iv] 16 V.S.A. §131(9); SBE Rule 4213.1

[v] SBE Rule 4212.2 requiring that education program be consistent with this Plan.

[vi] 20 U.S.C. §§7101 et seq.

[vii] SBE Rule 4212.3

[viii] SBE Rule 4212.3D.

[ix] SBE Rule 4212.3B. SBE Rule 4212.3B requires that each "...school district policy...establish procedures for administering first aid related to alcohol and drug abuse. The procedures will define the roles of the personnel involved."

[x] SBE Rule 4212.3.

[xi]SBE Rule 4213.2. See also SBE Rule 4212.3C.

[xii] SBE Rule 4214 does not require that this paragraph be included in a school board policy.

The rule does require that schools engage in community programs “...to inform the community about the school’s alcohol and drug prevention education program, alcohol and drug abuse prevention issues, and community-wide responsibility for effective alcohol and drug abuse prevention.”. This paragraph could be included in administrative procedures developed in conjunction with this policy.

[xiii] SBE Rule 4215 does not require that this paragraph be included in a school board policy.

The rule does require that the school’s annual report include information on substance abuse education programs. This paragraph could be included in administrative procedures developed in conjunction with this policy.

[xiv] This section is not required by law, but could be included in a school board policy to ensure that adequate notice of the school district’s policy and procedures related to alcohol and drug abuse is given to students and parents.

**Legal Reference(s):**

20 U.S.C. §§7101 et seq. (Safe & Drug-Free Schools & Communities Act of 1994)

16 V.S.A. §909 (Drug & Alcohol Abuse Prevention Education Curriculum)

16 V.S.A. 131(9) (Comprehensive Health Education)

16 V.S.A. §1045(b)(Driver Training Course)

16 V.S.A. §1165 (Alcohol and drug abuse)

18 V.S.A. §4226 (Drugs: minors, treatment, consent)

Vt. State Board of Education Manual of Rules and Practices §§4200 -4215)

**Cross Reference:**

Student Conduct and Discipline (F1)

Search and Seizure (F3)

Interrogations or Searches of Students by Law Enforcement)

Officers or Other Non-School Personnel (F5)

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