

Prevention of Unlawful Possession, Unlawful Manufacture,
Use or Distribution of Illicit Drugs and Alcohol by Students and Employees

The Board of Education of the Chenango Valley Central School District is committed to the prevention of alcohol, tobacco and other substance use/abuse. This policy describes the philosophy of the school district and the program elements the school district will use to promote healthy lifestyles for its staff and students to inhibit the use/abuse of alcohol, tobacco and other substances.

The Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226 requires that as a condition for receiving funds or any other form of financial assistance under any federal program, the district must certify that it has adopted and implemented a program to prevent the unlawful possession, unlawful manufacture, use or distribution of illicit drugs and alcohol by students and employees. The purpose of this policy is to comply with the requirements of the relevant federal statutes and regulations.

Definitions

'Illicit drugs and alcohol' shall be construed throughout this policy to refer to the use of all substances including but not limited to alcohol, tobacco, inhalants, marijuana, cocaine and its derivatives (i.e., crack), LSD, PCP, amphetamines, heroin, steroids, 'look alikes,' any of those substances commonly referred to as counterfeit and 'designer drugs,' and any drug or substance that the manufacture, possession or distribution can result in criminal consequences. The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

'Unlawful possession, use or distribution of illicit drugs on school premises or as a part of any school activity' includes the use, possession, sale or gift of any drug or controlled substance including marijuana or any instruments for the use of such drugs, controlled substance or marijuana such as a pipe, syringe or other paraphernalia while on school premises (including buildings or grounds) or on a bus going to or from a school function or at a school-sponsored function. An exception is any drug taken in accordance with a current prescription signed by a physician that is to be taken by that particular person as permitted by the school nurse.

'Possession, use or distribution of alcohol on school premises includes being under the influence of an alcoholic beverage, drinking an alcoholic beverage or being in possession of an alcoholic beverage on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function. Alcoholic beverages shall mean and include alcohol, spirits, liquor, wine, beer, hard cider, and any substance containing alcohol.

Drug Prevention Program for Employees

The program is hereby adopted for all employees of the Chenango Valley Central School District. The following Standards of Conduct, consequences and procedures apply to all employees of the district:

- (a) The unlawful possession, unlawful manufacture, use or distribution of illicit drugs as well as the possession, unlawful manufacture, use or distribution of alcohol on school premises or as a part of any of the activities of the school is prohibited.
- (b) Any employee who violates the Standards of Conduct set forth in this notice is subject to disciplinary sanctions. Disciplinary sanctions in accordance with statutes of the State of New York up to and including termination of employment and referral for prosecution will be imposed on employees who violate the Standards of Conduct set forth in (a). Such disciplinary sanctions shall be imposed in accordance with the statutes of the State of New York and, if applicable, the labor contract pertaining to the bargaining unit in which the employee functions. As a condition of employment, the employee will abide by the terms of this statement and notify the employer in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction.
- (c) Information about any drug and alcohol counseling, rehabilitation and re-entry programs that are available to employees will be available upon request from a District.
- (d) Employees shall be sent a copy of the attached notice. This notice contains the Standards of Conduct set forth in (a) a statement of disciplinary sanctions as well as the programs available in the community.
- (e) Distribution to the employees of the attached notice is mandatory. The Superintendent is hereby directed to adopt a procedure to give notice to each present employee and each employee hired in the future. A record shall be kept that such notice was given.
- (f) The Board shall periodically conduct a review of this program with the Superintendent to:
 - (i) Determine the effectiveness of the program and implement changes if they are needed; and
 - (ii) Ensure that the disciplinary sanctions for violation of the Standards of Conduct are consistently enforced.
- (g) Inservice programs to familiarize the professional staff with the provisions and purposes of the discipline policy and procedures shall be conducted periodically in each school of the district by the building principal.

Drug Prevention Program for Students

- (a) Age appropriate developmentally based drug and alcohol education and prevention programs address the legal, social and health consequences of drug and alcohol abuse and provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol. These programs are for all students in all grades, kindergarten through twelve.
- (b) Students will be informed that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.
- (c) Standards of Conduct are hereby adopted which clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students on school premises or as part of any of the school's activities.
- (d) Disciplinary sanctions up to and including expulsion as well as referral for prosecution will be imposed on students who violate the Standards of Conduct.
- (e) Information about any drug and alcohol counseling, rehabilitation and re-entry programs that are available to students will be given to students and parents upon request.

The Standards of Conduct set forth in (c), the statement of disciplinary sanctions described in (d), and the programs available described in (e) are set forth in the 'Notice to Students and Parents – Standards of Conduct Regarding Illicit Drugs and Alcohol,' which follows this policy. Such notice shall be given annually to each student and to the parents of such student and, if appropriate, to the person with whom the student resides.

The Board shall periodically (minimum of at least once every three years) conduct a review of this program with the Superintendent, administration and staff to:

- (i) Determine the effectiveness of the program and implement changes if needed; and
- (ii) Ensure that the disciplinary sanctions are consistently enforced.

Notice to Students and Parents

The unlawful possession, unlawful manufacture, use or distribution of illicit drugs and the possession, unlawful manufacture, use or distribution of alcohol by students on school premises or as part of any of the activities of the school district is prohibited.

The range of penalties, which may be imposed for a violation of the Standards of Conduct, is as follows:

Verbal warning; written warning; written notification to parent; counseling; probation; reprimand; detention; suspension from transportation; suspension from athletic participation; suspension from social or extracurricular activities; suspension from other privileges; exclusion from a particular class; in-school suspension; involuntary transfer; suspension or expulsion as well as referral for prosecution or other appropriate action.

The type and extent of punishment shall be determined by the building principal or Superintendent and/or present Student Disciplinary Code. Such disciplinary measures shall be appropriate to the seriousness of the offense and where applicable to the previous disciplinary record of the student. Any suspension from attendance upon instruction may be imposed only in accordance with Education Law §3214(3).

The school district administrative employees may conduct searches of the person or property of any student where there are reasonable grounds for suspecting that the search will provide evidence that the student has violated or is violating the law or the rules of the school. A search may be conducted for the presence of drugs or alcohol or other contraband where there is reasonable suspicion that such drugs, alcohol or contraband are present on the person, property in the locker or on the premises of the school district. Parents will be notified of the search. If the search is positive, authorities will be called immediately. Upon return to school the student will be counseled by the Counselor/Social Worker and informed of available community assistance. (Refer to drug and alcohol counseling, rehabilitation and re-entry programs as listed as part of the notice to employees).

This notice is given in conjunction with the Student Code of Conduct which has been previously adopted by the Board of Education. The code prohibits among other things the following:

The use, possession, sale or gift of any drug or controlled substance including marijuana or any instruments for the use of such drugs, controlled substance or marijuana such as a pipe, syringe or other paraphernalia while on school premises (including buildings or grounds) or on a bus going to or from a school function or school-sponsored function. An exception is any drug taken in accordance with a current prescription signed by a physician that is to be taken by that particular person as administered by the school nurse. Being under the influence of an alcoholic beverage, drinking an alcoholic beverage or being in possession of an alcoholic beverage on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function. Alcoholic beverages shall mean and include alcohol, spirits, liquor, wine beer and cider having alcoholic content.

The Standards of Conduct set forth in this notice shall be considered part of the Student Code of Conduct and these standards shall be construed in harmony with each other.