

TOBACCO, DRUG AND ALCOHOL ABUSE

I. Statement of Purpose.

The Berlin Central School District Board of Education hereby affirms that a firm, unambiguous and clearly understood position on possession or use of illegal and dangerous drugs and alcohol on school premises is in the best interest of students, as well as District staff and the community served by the Berlin Central School District.

The Board recognizes that students must understand the seriousness of their possession, use or abuse of illegal and dangerous drugs and alcohol, and the commitment of the Board and the community to discouraging such possession, use, and abuse.

II. Prohibition of Use or Possession of Drugs or Alcohol.

A. ALCOHOL OR OTHER SUBSTANCES PROHIBITED

The Board hereby establishes that possession, sale, distribution, or use of tobacco, alcohol or other substances, or any drug paraphernalia, in any school building, or on any school property, or in any vehicle operated by the District or being used by the District, or at any activity, program, or function being sponsored by the District, whether on or off school grounds, within and outside of the United States of America, is strictly forbidden.

B. "ALCOHOL OR OTHER SUBSTANCES" DEFINED

The term "alcohol or other substances" in this policy shall include, but not be limited to all of the following: tobacco, alcohol, alcohol beverages, inhalants, marijuana, cocaine, LSD, PCP, heroin, amphetamines, steroids, "look-alike" drugs, and any substance that may commonly be referred to as a "designer drug." Substances prohibited hereunder shall also include inappropriately used over-the-counter or medically prescribed drugs.

C. USE OF PRESCRIPTION DRUGS UNDER A PHYSICIAN'S CARE

It shall not be deemed a violation of this policy for a student to possess or use any drug or other substance that is currently prescribed for that student's use by a physician, although the student's possession or use of such a drug or substance shall be subject to regulation by the District. See III, below.

D. VIOLATION OF THIS POLICY

A violation of this policy and any of its accompanying regulations by a student shall be deemed a violation of the rules for student conduct established by the District, and shall be dealt with accordingly. Violations of this policy by an employee of the District shall be dealt with in the manner prescribed by law and applicable employment or collective bargaining agreements. Violations of this policy by visitors to school premises shall be dealt with in a manner consistent with the Board policy on Public Use of School Facilities and violations thereof.

III. Conditions for Use of Prescription Drugs.

Students requiring medication during the school day must inform the health office and keep the medication in the health office. No medication of any sort will be administered to any student unless accompanied by a written order from their doctor and written permission from their parent / guardian. The medication should be in a properly labeled original container from the pharmacy.

IV. Prohibition of Certain Persons from Entering School Grounds.

The following persons shall not enter school grounds or any school-sponsored event: any person who exhibits behavior, conduct, or personal or physical characteristics indicative of being under the influence of alcohol or other substances and; or any person whom school personnel have reasonable grounds otherwise to suspect of being currently under the influence of said substance or substances.

V. Staff Observation of Use of Prohibited Substances

Any staff member of the Berlin Central School District who observes or otherwise learns of what that staff member believes to be the possession, use, sale, or distribution by a student of a substance prohibited by this policy shall report the observation or information at once to the Superintendent of Schools or the school building principal. The Superintendent or principal shall take immediate action.

VI. Administrative Action Upon Discovery of Prohibited Substance.

Any prohibited substance found in the possession of any student shall be confiscated immediately. The parent or guardian of any such student shall be notified as soon as the substance has been confiscated. Appropriate disciplinary action shall then be taken, up to and including permanent suspension. (See II.D, above).

VII. Referral of Students Found in Possession of Narcotics for Prosecution.

As part of its commitment to and efforts in maintaining all District facilities, programs, and activities as drug-free, the Board hereby establishes that any student found to be knowingly in possession of any narcotic substance shall be referred for prosecution by legal authorities. The District shall cooperate to the fullest extent possible with local, state, and federal law enforcement agencies in order to maintain a drug-free environment in the District.

VIII. Curriculum Implications

In order to assure that students are educated about the dangers associated with the abuse of alcohol and other substances, the District's health education curriculum for grades k-12 shall include instruction concerning tobacco, alcohol, drug and other substance abuse.

IX. Guiding Principles in Implementing This Policy

The Berlin Central School District shall employ the following principles in its substance and alcohol abuse prevention efforts, and for any disciplinary measures related to alcohol and other substances:

- A. Alcohol and other substance use are preventable, and the use and abuse of such substances is treatable;
- B. Alcohol and other substance use and abuse interferes with the District's ability to carry out its basic mission, which is the education of students;
- C. The behavior of the Board of Education, the administration of the District, and of all school staff should model the behavior that is being asked of students; and
- D. Although the District must and shall take a leadership role in preventing the use and abuse of alcohol and other substances by students, this goal will actually be accomplished only through coordinated, collaborative efforts involving parents, students, staff, and the community as a whole.

References:

20 USC 3171 et seq. (Drug-Free Schools & Communities Act)
34 CFR Part 86
Educ. L. Secs. 804; 912-a; 1709(2); 3214
Gen. Mun. L. Sec. 239-u
Mental Hygiene L. Sec. 19.07(c)

Penal L. Secs. 220.00 et seq.
Public Health L. Art. 33
8 NYCRR 100.2(c); 135.3
New Jersey v. T.L.O., 469 US 325 (1985)