



JICH - STUDENT CONDUCT INVOLVING DRUGS AND ALCOHOL

Poudre School District shall promote a healthy environment for students by providing education, support and decisionmaking skills in regard to alcohol, drugs and other controlled substances. In order to accomplish this goal, District personnel shall cooperate with law enforcement, social services and other agencies and organizations, parents, and any other recognized community resources committed to reducing the incidents of unauthorized use of drugs and alcohol by students.

As used in this policy, "drugs" are all substances defined under state or federal law as "drugs" or "controlled substances," as well as analogues, counterfeit drugs and substances falsely represented as being drugs. As used in this policy, an "analogue" is a substance that has a stimulant, depressant, hallucinogenic or other effect on a person similar to that of a drug or controlled substance.

As used in this policy, "authorized drugs" are defined as over-the-counter and prescription drugs, including vitamins and other dietary supplements, that are properly possessed and used by the person for whom they are intended in accordance with all applicable District policies and regulations including but not limited to District Policy JLCD.

As used in this policy, "unauthorized drugs" are all drugs not defined herein as authorized drugs.

As used in this policy, marijuana is considered an unauthorized drug not sold over the counter.

As used in this policy, the words "purchasing," "selling" and "sale" refer to a student's involvement in the exchange of drugs or alcohol for anything of value, including but not limited to money, commodities or services. There need be no use or intent to use the drugs or alcohol involved in the sale.

As used in this policy, "drug paraphernalia" includes but is not limited to vape pens and other devices used to inhale a vaporized liquid.

As used in this policy, "parent" also includes a student's guardian or legal custodian.

Student possession of drug paraphernalia and possession, use, distribution, gift, purchase, exchange, sale or being under the influence of alcohol or unauthorized drugs is prohibited on all District property, on all District vehicles, at all District or school-sponsored activities or events, and off District property when such conduct has a reasonable connection to school or any District curricular or non-curricular activity or

event. Compliance with the standards of conduct set forth in this policy is mandatory for all students.

Disciplinary action, independent of court action, shall be taken in cases involving student possession of drug paraphernalia and possession, use, distribution, gift, purchase, exchange, sale or being under the influence of alcohol or unauthorized drugs on any District property, on any District vehicle, and at any District or school-sponsored activity or event. Disciplinary action, independent of court action, shall also be taken in cases involving student possession of drug paraphernalia and possession, use, distribution, gift, purchase, exchange, sale or being under the influence of alcohol or unauthorized drugs off District property when such conduct has a reasonable connection to school or any District curricular or non-curricular activity or event.

As required by Colorado law, primary caregivers are permitted to administer medical marijuana in a nonsmokeable form to students on District property and at District or school-sponsored activities and events in accordance with the terms and conditions specified in District Policy JLCD. Notwithstanding any provision of this Policy JICH to the contrary, students shall not be considered in violation of this Policy JICH and shall not be subject to discipline for acting in compliance with Policy JLCD.

The principal will provide full cooperation of the administration and faculty in appropriate police investigations relative to student possession of drug paraphernalia and possession, use, distribution, gift, purchase, exchange or sale of alcohol or unauthorized drugs.

CONSEQUENCES FOR VIOLATION OF THIS POLICY BY POSSESSION, USE AND/OR BEING UNDER THE INFLUENCE OF ALCOHOL OR UNAUTHORIZED DRUGS SOLD OVER THE COUNTER AND FOR POSSESSION OF DRUG PARAPHERNALIA:

(Note that possession, use and/or being under the influence of unauthorized drugs not sold over the counter, and purchasing or selling over-the-counter drugs or alcohol, may count toward the first, second or third offense under this section.)

FIRST OFFENSE

1. The student shall be suspended from school for five days upon the first offense within any three-year period. This period of suspension may be deferred in whole or in part if suitable arrangements are made for the student's participation in an appropriate drug and/or alcohol program, and if the student participates in good faith and completes the program, all as determined by the principal.
2. A parent conference will be held.

3. The school official will attempt to develop with the parent and the student a procedure that will outline the responsibilities of the parent, the student and the school in an effort to keep any further offenses from occurring.
4. The principal may request or recommend a different consequence, depending upon the circumstances of the offense.

SECOND OFFENSE

1. The student shall be suspended from school for ten days upon the second offense within any three-year period.
2. Information concerning available and appropriate drug or alcohol counseling, treatment and rehabilitation programs may be given to student and parent.
3. Evidence of the student's participation in appropriate drug or alcohol counseling will be requested at the time the student is readmitted to school.
4. The principal may request or recommend a different consequence, depending upon the circumstances of the offense.

THIRD OFFENSE

1. The student shall be expelled upon the third offense and all subsequent offenses within any three-year period.

CONSEQUENCES FOR VIOLATION OF THIS POLICY BY POSSESSION, USE AND/OR BEING UNDER THE INFLUENCE OF UNAUTHORIZED DRUGS NOT SOLD OVER THE COUNTER, AND FOR PURCHASING OR SELLING OVER-THE-COUNTER DRUGS OR ALCOHOL:

FIRST OFFENSE

1. The student shall be suspended from school for ten days upon the first offense within any three-year period. This period of suspension may be deferred in whole or in part if suitable arrangements are made for the student's participation in an appropriate drug and/or alcohol program, and if the student participates in good faith and completes the program, all as determined by the principal.
2. A parent conference will be held.
3. The school official will attempt to develop with the parent and the student a procedure that will outline the responsibilities of the parent, the student and the school in an effort to keep any further offenses from occurring.

4. The principal may request or recommend a different consequence, depending on the circumstances of the offense.

SECOND OFFENSE

1. The student shall be expelled upon the second offense and all subsequent offenses within any three-year period.

CONSEQUENCE FOR VIOLATION OF THIS POLICY BY PURCHASING OR SELLING ALL DRUGS EXCEPT FOR THOSE SOLD OVER THE COUNTER:

1. The student shall be considered for expulsion for the first offense.
2. The student shall be expelled for the second and all subsequent offenses within any three-year period.

Adopted by Board: February 1974

Revised by Board: June 1982

Revised by Board: August 1982

Revised by Board: June 1988

Revised by Board: August 1989

Revised by Board: August 14, 1995

Revised by Board: August 12, 1996

Revised by Board: August 11, 1997

Revised by Board: August 14, 2000

Revised by Board: June 11, 2001

Revised by Board: October 11, 2004

Revised by Board: April 24, 2006

Revised by Board: May 26, 2009, effective July 1, 2009

Revised by Board: April 13, 2010, effective July 1, 2010

Revised by Board: June 21, 2011, effective July 1, 2011

Revised by Board: June 12, 2012, effective July 1, 2012

Revised by Board: May 27, 2014, effective July 1, 2014

Revised by Board: June 14, 2016, effective July 1, 2016

Revised by Board: June 12, 2018, effective July 1, 2018

LEGAL REFS:

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

Colo. Const. art. XVIII, 14 & 16

C.R.S. 18-18-102(5) & (13)

C.R.S. 18-18-201 et seq.

C.R.S. 22-32-109.1(2)(a)(I)(G)

C.R.S. 22-33-106(1)(d)(II)

C.R.S. 25-14-103.5

CROSS REFS:

ADC, Tobacco-Free and Marijuana-Free District

JIH, Searches

JKD/JKE, Suspension/Expulsion of Students

JLCD, Administering Medicine to Students/Asthma, Food Allergy and Anaphylaxis
Health Management