

Substance/Drug Abuse**

Alcohol and Other Drug Use

Substance abuse or the possession, use, sale or supply of any unlawful drug, including drug paraphernalia, or any substance purported to be an unlawful drug on or near the district premises or at any school-sponsored activity is prohibited.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony as provided by ORS 475.904.

The consequences for student use, possession, or distribution of a controlled substance and/or a dangerous drug or an imitation controlled substance or possession of “drug paraphernalia” are detailed below.

a. Use or Possession or Intent to Purchase/Solicit Purchase

Students who use or possess or have the intent to purchase or solicit purchase of narcotics, alcohol or other dangerous drugs or imitations, or drug paraphernalia to other students or persons on or near district property or at any school-sponsored activity may be subject to disciplinary action as defined in Board policy JFCI - Substance/Drug Abuse and are subject to immediate suspension and/or expulsion to the maximum extent allowed by law.

In the event of a violation of these rules and related district policy, the administrator (or designee) shall adhere to the following guidelines:

- 1) All Offenses (See also: First Offense and Second or Subsequent Offenses)
 - a) Confiscate alcohol, narcotics, other dangerous drugs, imitation substances and drug paraphernalia;
 - b) Provide the student with school due process;
 - c) Notify the appropriate law enforcement agency;
 - d) Notify the student, parent(s) and schedule a conference within 24 hours or at the beginning of the next school day following the offense, if the incident is during a time when school is not in session;
 - e) Parent(s) or student must schedule an appointment for the student to be evaluated, at parent expense, for potential substance abuse or other problems by a qualified and district approved drug and alcohol assessor;
 - f) If the student and/or parent(s) refuse to permit the drug and alcohol assessment, or recommended treatment, a recommendation for expulsion for a minimum of three weeks or a maximum of one calendar year may be implemented. The refusal to comply will be reported to appropriate juvenile authorities;
 - g) Co-curricular activities: Additional consequences for violation of the Code of Ethics will be imposed, as applicable. (Board Policy IGDJ-Interscholastic Athletics)
- 2) First Offense

- a) Suspend the student (In School or Out of School) on the day of violation and up to three days following;
 - b) Schedule a re-entry meeting with student, parent(s) and administrator to take place on day of return to school;
 - c) At the re-entry conference, the student will be placed on a behavior plan to include probation (36 months for grades 9-12, 12 months for grades K-8) for first violation. A second offense within the probation period may result in expulsion up to maximum extent allowed by law or as determined by the hearings officer
 - d) A suspended student will be given an opportunity to maintain course work for credit.
- 3) Second or Subsequent Offenses
- a) Suspend the student for 10 school days, with an expulsion recommendation pending, beginning with the first day school is in session following the incident;
 - b) Notify parent(s) of the suspension pending expulsion, and the following requirements:
 - i. Drug and alcohol assessment (see ‘All Offenses’ above);
 - ii. A certified urinary analysis (UA) for drugs and alcohol, at parent(s) expense, is required;
 - iii. The student and the parent(s) must provide the building administrator and hearings officer with the results of a certified UA and the recommendations of the drug and alcohol assessor for consideration at the expulsion hearing;
 - c) Prepare an expulsion recommendation and appropriate student data and submit to the district office;
 - d) The parent(s) may request the expulsion hearing be expedited by contacting the Expulsion Hearings Officer at the district office;
 - e) The student may be placed on probation, expelled, or transferred to an alternative setting for a time period determined by the Expulsion Hearings Officer. Parent(s) will be required to pay for transportation and any related expenses.
 - f) If recommendations are fulfilled to the Hearings Officer’s satisfaction, the building administrator may recommend a reduction of the expulsion term;
 - g) Any expulsion term will be followed by the student being placed on a behavior plan to include a probation term (36 months for grades 9-12, 12 months for grades K-8);
 - h) A suspended/expelled student will be given an opportunity to maintain course work for credit.

b. Distributing

Students who share and/or distribute narcotics, alcohol or other dangerous drugs or imitations, or drug paraphernalia to other students or persons on or near district property or at any school-sponsored activity may be subject to disciplinary action as defined in Board policy JFCI - Substance/Drug Abuse and are subject to immediate suspension and/or expulsion to the maximum extent allowed by law.

In the event of a violation of these rules and related district policy, the administrator (or designee) shall adhere to the following guidelines:

- 1) Confiscate alcohol, narcotics, other dangerous drugs, and imitation substance and drug paraphernalia;

- 2) Provide the student with school due process;
- 3) Notify the appropriate law enforcement agency;
- 4) Notify the student, parent(s) and schedule a conference within 24 hours of the offense, or at the beginning of the next school day if the offense occurred at a time when school was not in session;
- 5) Suspend the student for 10 school days, with an expulsion recommendation pending, beginning with the first day school is in session following the incident;
- 6) Notify parent(s) of the suspension pending expulsion, and the following requirements:
 - a) Parent(s) or student must schedule an appointment for the student to be evaluated, at parent expense, for potential substance or other problems by a qualified and district approved drug and alcohol assessor;
 - b) A certified urinary analysis (UA) for drugs and alcohol, at parent(s) expense, is required
 - c) The student and parent(s) must provide the results of the certified UA and the recommendations of the drug and alcohol assessor for consideration at the expulsion hearing;
 - d) If the student or parent(s) refuses to provide the appropriate UA or assessment and/or treatment, the student shall be expelled for the full extent the law provides. The Hearings Officer, at his/her discretion, may expel or transfer the student to another LCSD school or alternative program.
- 7) Prepare an expulsion recommendation and appropriate student data and submit to the district office;
- 8) The parent(s) may request the expulsion hearing be expedited by contacting the Expulsion Hearings Officer at the district office;
- 9) The student may be placed on probation, expelled or transferred to an alternative setting for a time period determined by the Expulsion Hearings Officer;
 - a) First Offense: If recommendations are fulfilled to the hearings officer's satisfaction, the principal may recommend a reduction of the expulsion term and/or probation in lieu of expulsion (36 months for grades 9-12, 12 months for grades K-8);
 - b) Second or Subsequent Offenses: The student is to be expelled or transferred to an alternative setting for a time period determined by the Hearings Officer.
- 10) Any expulsion term will be followed by the student being placed on a behavior plan to include a probation term (36 months for grades 9 – 12, 12 months for grades K – 8);
- 11) A suspended/expelled student will be given an opportunity to maintain course work for credit.
- 12) Co-curricular activities: Additional consequences for violation of the Code of Ethics will be imposed, as applicable. (Board Policy IGDJ-Interscholastic Athletics)

c. Purchase, Sale or Offer of Sale of Controlled Substances

Students who purchase, sell, or offer to sell narcotics, alcohol or other dangerous drugs or imitations, or drug paraphernalia to other students or persons on or near district property or at any school-sponsored activity may be subject to disciplinary action as defined in Board policy JFCI - Substance/Drug Abuse and are subject to immediate suspension and/or expulsion to the maximum extent allowed by law.

In the event of a violation of these rules and related district policy, the administrator (or designee) shall adhere to the following guidelines:

- 1) Confiscate alcohol, narcotics, other dangerous drugs, and imitation substance and drug paraphernalia;
- 2) Provide the student with school due process;
- 3) Notify the appropriate law enforcement agency;
- 4) Notify the student, parent(s) and schedule a conference within 24 hours of the offense, or at the beginning of the next school day if the offense occurred at a time when school was not in session;
- 5) Suspend the student for 10 school days, with an expulsion recommendation pending, beginning with the first day school is in session following the incident;
- 6) Notify parent(s) of the suspension pending expulsion, and the following requirements:
 - a) Parent(s) or student must schedule an appointment for the student to be evaluated, at parent expense, for potential substance or other problems by a qualified and district approved drug and alcohol assessor;
 - b) A certified urinary analysis (UA) for drugs and alcohol, at parent(s) expense, is required
 - c) The student and parent(s) must provide the results of the certified UA and the recommendations of the drug and alcohol assessor for consideration at the expulsion hearing;
 - d) If the student or parent(s) refuses to provide the appropriate UA or assessment and/or treatment, the student shall be expelled for the full extent the law provides. The Hearings Officer, at his/her discretion, may expel or transfer the student to another LCSD school or alternative program.
- 7) Prepare an expulsion recommendation and appropriate student data and submit to the district office;
- 8) The parent(s) may request the expulsion hearing be expedited by contacting the Expulsion Hearings Officer at the district office;
- 9) The student will be expelled or transferred to an alternative setting for a time period determined by the Expulsion Hearings Officer;
 - a) First Offense: If recommendations are fulfilled to the hearings officer's satisfaction, the principal may recommend a reduction of the expulsion term.
 - b) Second or Subsequent Offenses: The student is to be expelled or transferred to an alternative setting for a time period determined by the Hearings Officer.
- 10) Any expulsion term will be followed by the student being placed on a behavior plan to include a probation term (36 months for grades 9 – 12, 12 months for grades K – 8);
- 11) A suspended/expelled student will be given an opportunity to maintain course work for credit.
- 12) Co-curricular activities: Additional consequences for violation of the Code of Ethics will be imposed, as applicable. (Board Policy IGDJ-Interscholastic Athletics)

END OF POLICY

Legal Reference(s):

[ORS 161.605](#)
[ORS 161.625](#)
[ORS 332.107](#)
[ORS 336.067](#)
[ORS 336.222](#)
[ORS 336.227](#)

[ORS 339.240](#)
[ORS 339.250](#)
[ORS Chapter 475](#)

[OAR 581-021-0050 to -0075](#)
[OAR 581-021-0110](#)

[OAR 581-022-0413](#)
[OAR 581-053-0230\(9\)\(s\),\(t\)](#)
[OAR 581-053-0330\(1\)\(n\),\(o\)](#)
[OAR 581-053-0430\(13\),\(14\)](#)
[OAR 581-053-0531\(12\),\(13\)](#)
[OAR 581-053-0630](#)

[OAR 584-020-0040](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

Cross Reference(s):

JFCH - Alcohol