



AMES DRUGS AND ALCOHOL POLICY

Legal Authority/Requirement

BOARD DIRECTIVE

The Board recognizes that the possession, use, or distribution of illegal drugs, alcoholic beverages, or other prohibited substances constitutes a hazard to students and is disruptive to the educational process.

The Board delegates to the Administration, responsibility for providing:

- A. Disciplinary procedures and consequences for students who possess, use, or distribute illegal drugs, alcoholic beverages, or prohibited substances on school district property, during school hours, or at school functions.
- B. Support for students and families in drug and alcohol use identification and prevention efforts
- C. Use of appropriate restorative practices.

ADMINISTRATIVE POLICY

The Administration recognizes the need to prevent the possession, use, and distribution of any substance listed in this policy on school property, during school hours, and at any school-sponsored extra-curricular program or activity, including those held off school property.

Listed Below are the Various Types of Violations

A. Alcohol Violations

Definition: Alcoholic beverages or products as defined in [Utah Code §32B-1-1-102](#)

Possessing (personal or property), using (consuming, inhaling, or injecting), or being under the influence of alcoholic beverages.

a. First Violation

A student possessing, using, or under the influence of alcohol for the first time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting the student and parent(s) or guardian(s) will be given the following disciplinary consequence:

- The student will be placed in a home-based alternative education program for up to ten (10) school days. Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative.

b. Second Violation

A student possessing, using, or under the influence of alcohol for the second time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for forty-five (45) school days pending referral to the AMES Board of Trustees. In addition, the student who has a second violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

c. Third Violation

A student possessing, using, or under the influence of alcohol for the third time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for one-hundred eighty (180) school days pending referral to the AMES Board of Trustees. In addition, the student who has a third violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

Distributing Alcoholic Beverages (Selling, Sharing, or Delivering)

a. First Violation

A student distributing alcohol for the first time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for forty-five (45) school days pending referral to the AMES Board of Trustees. In addition, the student who has a distribution violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

b. Second Violation

A student possessing, using, or distributing alcohol following a first distribution violation will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for one-hundred eighty (180) school days pending referral to the AMES Board of Trustees. In addition, the student who has a second violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

B. Illegal Substance Violations

Definition: Any substance use defined as illegal, including violations under [Utah Code § 76-10-107](#), [Utah Code 58-37-4](#) or [Utah Code 58-37-8](#) in (e.g. illegal use of marijuana, narcotics, opiates, psychotic drugs).

Possessing (personal or property), using (consuming, inhaling, or injecting), or being under the influence of illegal substances

a. First Violation

A student possessing, using, or under the influence of illegal substances for the first time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s).

The student will be placed in a home-based alternative education program for up to ten (10) school days. Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative.

b. Second Violation

A student possessing, using, or under the influence of illegal substances for the second time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for up to forty-five (45) school days pending referral to the AMES Board of Trustees. In addition, the student who has a second violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

c. Third Violation

A student possessing, using, or under the influence of illegal substances for the third time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for up to one-hundred eighty (180) school days pending referral to the AMES Board of Trustees. In addition, the student who has a third violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

Distributing Illegal Substance Violations (Selling, Sharing, or Delivering)

a. First Violation

A student distributing illegal substances for the first time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for up to forty-five (45) school days pending referral to the AMES Board of Trustees. In addition, the student who has a distribution violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

b. Second Violation

A student possessing, using, or distributing illegal substances following a first distribution violation will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for up to one-hundred eighty (180) school days pending referral to the AMES Board of Trustees. In addition, the student who has a second violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

C. Counterfeit Substances Violations

Definition: Any substance that is falsely represented to be any legally or illegally manufactured controlled substance that a reasonable person would believe to be a legal or illegal controlled substance. This is to include but not limited to the drugs listed on the DEA Drug Fact Sheet. <http://www.dea.gov/druginfo/factsheets.shtml> and counterfeit substances as defined in the Utah Controlled Substances Act, [Utah Code § 58-37-2](#).

Possessing Counterfeit Substances (Personal Property)

a. First Violation

A student possessing counterfeit substances for the first time will be suspended pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, this policy will be reviewed and written documentation of the violation will be placed in the student's disciplinary file. The student will be readmitted to school after the meeting.

b. Second Violation

A student possessing counterfeit substances for the second time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting the student and parent(s) or guardian(s) will be given the following disciplinary consequences:

- i. The student will be placed in a home-based alternative education program for up to ten (10) school days. Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative.

Distributing Counterfeit Substances (Selling, Sharing, or Delivering)

a. First Violation

A student distributing counterfeit substances for the first time will be suspended pending a meeting with the school administrator parent(s) or guardian(s). At the meeting, this policy will be reviewed.

b. Second Violation

A student distributing counterfeit substances for the second time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for up to ten (10) school days.

c. Third Violation

A student distributing counterfeit substances for the third time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for up to forty-five (45) school days pending referral to the AMES Board of Trustees. In addition, the student who has a distribution violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

D. Medication Substance Violations

Definition: Medications in excess of a recommended eight (8)-hour dosage for which an individual has a prescription, or in any amount if the individual has no prescription or over-the-counter medications in excess of a recommended eight (8)-hour dosage.

Possessing Medication Substance (Personal or Property)

a. First Violation

A student possessing medication substances as described above for the first time will be suspended pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, this policy will be reviewed and written documentation of the violation will be placed in the student's disciplinary file. The student will be readmitted to school after the meeting.

b. Second Violation

A student possessing medication substances in excess of a recommended eight (8)-hour dosage for the second time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting the student and parent(s) or guardian(s) will be given the following disciplinary consequence:

- The student will be placed in a home-based alternative education program for up to ten (10) school days. Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative.

Distributing Over the Counter Medication

a. First Violation

A student distributing any over-the-counter medications for the first time will be suspended pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, this policy will be reviewed. Disciplinary consequences for distributing over-the-counter medication will be determined by the school administration based on the severity of the violation.

A student distributing prescription medications (for which the student distributing has a prescription) for the **first** time or over-the-counter medications for the **second** time

a. First/Violation

Student will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for up to forty-five (45) school days pending referral to the Board of Trustees. In addition, the student who has a distribution violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

b. Second Violation

A student distributing prescription medications (for which the student distributing has a prescription) for the second time will be suspended from school pending a meeting with the school administrator and parent(s) or guardian(s). At the meeting, the student will be placed in a home-based alternative education program for up to one-hundred eighty (180) school days pending referral to the AMES Board of Trustees. In addition, the student who has a distribution violation must submit to a written assessment for potential substance dependence. A confirmation of the assessment must be received by an AMES administrator before the student is readmitted to school.

E. Tobacco/Nicotine Violations

Definition: Illegal possession of cigarettes or any oral device that is composed of a heating element, battery, or electronic circuit and marketed, manufactured, distributed, or sold as an e-cigarette, vapor sticks, e-pipe, or any other product name or descriptor, if the function of the product meets the definition of an electronic oral device. ([Utah Code §76-10-1-101, 104, 105, 111](#)).

- a. Tobacco, tobacco/nicotine products, e-cigarettes, and paraphernalia will be confiscated. Illegal items will not be returned.
- b. Parent(s) or guardian(s) will be contacted by the school administrator

Possessing Tobacco/Nicotine (Personal Property), Using (Consuming, Inhaling).

a. First Violation

A student using or possessing tobacco/nicotine as per definition may be suspended.

b. Subsequent Violations

A student using or possessing tobacco/nicotine as per definition may be suspended.

Distributing Tobacco/Nicotine (Selling, Sharing or Delivering)

a. First Violation

A student using or possessing tobacco/nicotine as per definition may be suspended.

b. Subsequent Violations

A student distributing selling, sharing or delivering to others may be referred to court.

PROCEDURES

1. Due process procedures outlined in policy Discipline of Students will be followed in the administration of this policy.
2. All illegal activity covered by this policy will be reported to an appropriate law enforcement Agency. AMES will enforce the disciplinary consequences outlined in this policy independent of any court action.
3. Students apprehended by school district employees or law enforcement officials for illegal violations covered by this policy while off-campus during regular school hours shall be subject to the provisions of this policy.
4. Resorting occurs when a student is apprehended by school district employees or law enforcement officials for being present where alcohol or illegal substances as defined in this policy are being used or possessed and the use or possession is open, obvious, apparent, and not concealed. Resorting violations may result in suspension.
5. Students found in possession of drug paraphernalia as defined in [Utah Code §58-37a-3](#) will be dealt with according to the “possession and use of illegal substances” section of this policy.
6. During the time a student is on the home-based alternative education program, the student may not be a spectator or participant in any school-sponsored extra-curricular program or activity including those held off school property. This includes Cottonwood High School activities.
7. If the designated days of home-based alternative education cannot be completed by the end of the regular school year, the home-based alternative education program must be completed at the beginning of the following school year.
8. If a senior is placed on the home-based alternative education program, and that placement coincides with the end of the school year, the student will not be allowed to participate in graduation exercises. The diploma will be awarded upon completion of the home-based alternative education program and all other graduation requirements.
9. AMES personnel will assist with identifying appropriate agencies qualified to make written assessment of potential substance dependence for students who violate the provisions of this policy. These assessments will be at the expense of the parent(s) or guardian(s).
10. Records will be maintained on all violations. A student with more than one violation will be considered a repeat offender even if the earlier violation(s) occurred in a prior school year.
11. In addition to the disciplinary consequences outlined in this policy, a student will be suspended or removed from participation in leadership positions, candidacy for leadership positions, school organizations, and athletic teams upon violations of the provisions covered in this policy. This will include Cottonwood High School activities and positions.

12. [Utah Code §53G-8-503](#) requires educators to report information of suspected substance abuse among students to their parent(s) or guardian(s).
13. AMES will award credit for education when students are in drug and/or alcohol use treatment programs. The treatment program must meet the Utah State Department of Human Services license qualifications.
 - a. One (1.0) elective credit may be earned for completion of an in-patient treatment program.
 - b. Required and elective credit may also be earned during in-patient treatment through participation in an accredited educational program. A maximum of five one-half (5.5) instructional hours per day may be applied toward credit.
3. One (1.0) elective credit may be earned for participation in an approved aftercare program. The student must submit a schedule of the aftercare program and certification of regular attendance. One-quarter (.25) credit will be awarded for each forty-five (45) hours of aftercare participation.