

## **Policy 5530 443 – Substance Abuse Prevention**

**Revised policy and repeal of Policy 5531 (Student Assistance Programs) effective upon passage**

*1<sup>st</sup> reading*      July 11, 2019

*2<sup>nd</sup> reading*

*3<sup>rd</sup> reading*

**Statutory authority**      West Virginia Board of Education Policy 4373

### **Administrative Guidelines**

(none)

The Board of Education recognizes that the misuse of drugs, including alcohol, is a serious problem with legal, physical, and social implications for the whole school community.

As the educational institutions of this community, the schools should strive to prevent drug abuse and help drug abusers by educational means, where practicable.

For purposes of this policy, "drugs" shall mean:

- A. all controlled substances as so designated and prohibited by West Virginia statute;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- E. anabolic steroids (as defined by State law);
- F. any substance that is a "look-alike" to any of the above;
- G. any "bogus" drugs.

Under the Student Code of Conduct, the Board prohibits being under the influence, the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia as the term is defined by law, or the misuse of a product containing a substance that can provide an intoxicating or mood-altering effect on school grounds, in school vehicles, or at any school-sponsored event.

The Superintendent shall prepare guidelines to address prohibited drug use in the schools under this policy. Such guidelines shall:

- A. emphasize preventative measures;
- ~~B. require implementation of the substance abuse and tobacco control portions of West Virginia State Board of Education Policy 4373 at the school level;~~
- C. provide clear procedures for identification, intervention, and referral of students with substance abuse problems;
- ~~D. provide for a comprehensive, age appropriate, developmentally based drug and alcohol education and prevention program which:~~
  - ~~1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;~~
  - ~~2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;~~

- E. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- ~~F. provide standards of conduct that are applicable to all students and which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity, noting the same are prohibited by the Student Code Conduct;~~
- G. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions;

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.

- H. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- I. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- J. require the notification to parents and students that compliance with the standards of conduct is mandatory;
- K. provide an annual review of the Board's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;
- L. with respect to student substance abuse/addiction, the following actions will be taken:
  - 1. conference with the parent/guardian and appropriate law enforcement representatives in an effort to direct the student to appropriate addiction services; and
  - 2. referral to tobacco cessation services/treatment and substance abuse treatment services shall be a priority intervention strategy for these behaviors.
- M. include procedures for communicating the terms of these guidelines to students, school staff, parents or families, visitors and the community at-large through reasonable means, such as:
  - 1. staff development,
  - 2. employee and student handbooks,
  - 3. parent/guardian notification,
  - 4. general public notification (e.g., signs, announcements),
  - 5. attaching a summary of this policy on all requests for school facility use;
- ~~N. include a plan for implementing required kindergarten through 12th grade preventive education, as outlined in West Virginia State Board of Education policy 2520.5, and shall be coordinated with Safe and Drug-Free School (Goals and Objectives) to provide a comprehensive kindergarten through 12th grade substance abuse prevention curriculum for all children;~~

~~School administrators, Local School Improvement Councils and school curriculum teams shall assure that prevention education are comprehensive, coordinated, and age appropriate. Examples include: developmental guidance, advisor-advisee, peer involvement, after school programs and integration into instructional objectives.~~

- ~~O. explain the manner in which the Board plans to provide or make referral to voluntary support programs (such as a local mental health provider or tobacco cessation program or hotline programs): address the physical, psychological and social issues associated with addiction; provide on-going support and reinforcement necessary for desired behavior change; and provide information about available programs to all 4th through 12th grade students and staff on a regular basis and:
  - 1. contain enforcement provisions for the public, which may include, but are not limited to: request to stop use or leave premises, deny access to school property and/or police notification;~~

~~2. shall in taking action against a student for violation of this policy, provide for appropriate due process procedures:~~

~~If the student is an Eligible Disabled Student according W. Va. 126CSR16, West Virginia State Board of Education policy 2419: Regulations for the Education of Exceptional Students, (hereinafter policy 2419), any action taken against the student must comply with, and must not be in violation of policy 2419. All disciplinary action taken against the student shall be in accordance with local, State and Federal law.~~

~~3. identify responses and/or interventions that are consistent with the levels specified in West Virginia State Board of Education policy 4373 to address violations.~~

~~The specific procedures to be followed when any staff member observes any violations outlines in this policy shall be outlined in county/school policies and procedures.~~

~~The Superintendent shall establish administrative guidelines necessary to implement this policy. Such guidelines shall ensure that the proper notice regarding the use of anabolic steroids is posted in each of the Board's locker rooms used by students in grades 6-12.~~

~~Pursuant to West Virginia State Board of Education policy 4373, substance abuse will be handled in accordance with Policy 5600 Student Discipline.~~

~~The Board shall review this policy in accordance with West Virginia State Board of Education policy 4373 and State law.~~

~~WV Code 18-2-7b~~

~~West Virginia State Board of Education policy 4373~~

### *Student Assistance Programs*

In keeping with its concern for the safety and well-being of both students and staff and for maintaining a school environment that is conducive to learning, the Board of Education has adopted policies related to student conduct in the school setting and has authorized disciplinary measures for the violation of these policies.

The Board seeks to maintain a balance between maintaining a proper educational environment and a compassion for students who suffer from or are victims of intemperate, immoral, or illegal behavior. Educational programs have been established to promote healthful, productive living, and discipline shall be maintained to protect students and staff from actions that disrupt teaching and learning. However, the Board recognizes that students may experience difficulties that educational programs and sound discipline may not prevent, and that other forms of assistance need to be available through the school.

The Superintendent is authorized to establish one (1) or more assistance programs for students which provide for effective intervention in areas such as substance abuse, crisis situations, and other situations which have impact on students' emotional, mental, and/or social well-being and affect their ability to benefit from educational experiences. Administrative guidelines are to be prepared which will ensure that:

- A. the rights of both parents and students are protected;
- B. a steering committee is established which is chaired by a central office administrator and includes administrators, staff members from all academic levels, counselors and/or other clinical resource people, and parents, and other members of the community;
- C. staff members are properly trained and skilled for their roles and participate in ways that comply with their certification or licensing and job description as well as with Board policies and administrative guidelines;
- D. outside resource people and agencies are properly certified or licensed to provide services and have a history of effective assistance.

~~Pursuant to 126-99-17, Code of State Regulations (West Virginia Department of Education Policy 4373), the West Virginia Department of Education, RESAs, and LEAs shall provide training, technical assistance in research based,~~

~~effective models for violence prevention education (including the prevention of bullying, harassment, and intimidation), substance abuse prevention, as well as other programs and initiatives that include, but are not limited to, conflict resolution, peer mediation, responsible students program, and character education. Training, technical assistance and support shall also be provided in the effective use of student assistance teams to identify students who are at risk and to develop interventions to assure school success for these students.~~

~~West Virginia Department of Education Policy 4373.~~