

Students

5131.6 AR (a)

ADMINISTRATIVE REGULATION ON SUBSTANCE ABUSE

I. Drugs, Alcohol and Tobacco Prevention Program

As an integral part of the Fairfield Public Schools' drug, alcohol, and tobacco educational programs, these regulations represent one component of a district-wide effort to respond to drug and alcohol related problems that may occur on a school bus, during a school session, on school grounds, or at a school-sponsored event. These procedures are intended to provide a consistent supportive response to drug and alcohol-related problems. Counseling and treatment resources will be provided to students and parents. The Fairfield Public School seeks to provide a safe and healthy environment for students, with due consideration for their legal rights and responsibilities.

II. Disciplinary Action Regarding Students

A. Definitions:

1. **Controlled Substances:** Controlled substances are those drugs which contain any quantity of a substance which has been designated as subject to federal narcotic laws, or which have been designated as a depressant or stimulant drug pursuant to federal drug laws, or which have been designated by the public health council and commissioner of consumer protection, pursuant to section 21a-243 of the Connecticut General Statutes, as having a stimulative, depressive, or hallucinogenic effect upon the higher function of the central nervous system and having a tendency to promote abuse and/or psychological dependence (C.G.S. Sec. 21a-240 (8)).
2. **Professional Communication:** Any communication made privately and in confidence by a student to a professional employee of the student's school (C. G. S. Sec. 10-154a(a)(4)).
3. **Professional Employee:** A person employed by a school who:
 - (a) holds a certificate from the state Board of Education,
 - (b) is a member of a faculty where certification is not required,
 - (c) is an administration officer of a school, or
 - (d) is a registered nurse employed by or assigned to a school (C.G.S. Sec.10-154a(a)(2)).
4. **Drug Paraphernalia:** Any object or device used, intended for use, or designed for use in ingesting, inhaling, injecting, or otherwise introducing controlled or restricted substances into the human body (e.g., bongs, pipes, vapes, rolling papers, etc.), or any object or container used, intended for use, or designed for use in storing, concealing; or distributing controlled drugs.

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B. Procedures:

School personnel shall observe and report inappropriate behavior, poor class performance, tardiness, absenteeism, or physical changes in any student to their immediate supervisor or appropriate designated staff member.

The school shall maintain and extend programs that help students to assess the implications of the use of addictive substances, such as drugs and alcohol, and help students to understand the personal and social implications of abuse of these substances.

Any teacher or other school staff member who suspects a student in demonstrating symptoms of possible drug/alcohol use (staggering, slurred speech, incoherence, dazed appearance, inability to respond, vomiting, unconsciousness) shall immediately refer the student to the appropriate administrator who will treat the situation as a medical emergency for further evaluation. A referral will be made to the Student Assistance Counselor.

Should the school nurse determine the student's symptoms are drug/alcohol related or if he/she is unable to function normally, the school principal or designee shall take appropriate action which may include notifying the parent or guardian, taking the student home or for medical care, or transporting the student to the hospital depending upon the severity of the student's condition. If drug use is confirmed, appropriate disciplinary actions, as defined below, will be instituted. A referral will be made to the Student Assistance Counselor.

When there is evidence of use, illegal transmitting, or possession of drugs, including alcohol, during school hours or at any school-sponsored activity, the student will be advised of his/her rights, the police summoned, and the parent or guardian shall be asked to confer with the principal and/or appropriate members of the school staff. Appropriate disciplinary actions, as defined below, will be instituted. A referral will be made to the Student Assistance Counselor.

If a student is caught in possession, use, distribution, or selling of drug paraphernalia, the principal or designee will confiscate the drug paraphernalia, summon the police, and notify the parent or guardian. Appropriate disciplinary actions, as defined below, will be instituted. A referral will be made to the Student Assistance Counselor.

On school buses en route to and from school or any school-sponsored event, bus drivers will radio any inappropriate or bizarre behavior, which might indicate possible drug or alcohol use or possession to the transportation office immediately. The transportation office shall then notify the appropriate building administrator. A referral will be made to the Student Assistance Counselor.

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1. Prescribed Medications:

The parent(s)/guardian(s) of any student who is required to take prescribed medication during the school day shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student under the supervision of the school nurse or the designee.

Students taking improper amounts of a prescribed medication or taking the prescribed medication without the proper notification and supervision of the school nurse or designee will be subject to the procedures for drug use outlined below.

2. Voluntary Disclosure of Drug/Alcohol Program (Self-Referral):

The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee his/her possessing, using, manufacturing, dispensing, distributing, selling or aiding in the procurement of controlled substances, paraphernalia or alcohol:

- (a) A professional employee shall not be required to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug use of such student (C.G.S. Sec. 10-154a(b)).
- (b) Any physical evidence obtained from such student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or the designee and law enforcement officials within two school days after receipt of such evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained (C.G.S. Sec. 10-154a(b)).
- (c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly.
- (d) If the student requests disclosure of the professional communication concerning his/her use, possession or sale of a controlled drug or alcohol, or if, in the discretion of the professional employee, such disclosure is necessary to protect the safety of the individual or others, the professional employee may then report the student's name and problem to the building administrator or designee.
- (e) If an emergency situation results from drug use, or if confirmation of drug use is required, the professional employee shall notify the building principal or designee, who shall then send the student to the school nurse or medical advisor.

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3. Involuntary Disclosure of Drug/Alcohol Problem:

Confidentiality does not apply to instances of involuntary disclosure. When a professional employee obtains information from a source other than a student's disclosure that is relative to the student's possessing, using, manufacturing, dispensing, distributing, selling or aiding in the procurement of controlled substances, paraphernalia, or alcohol on a school bus, during a school session, on school grounds, or at a school-sponsored activity, the information is considered to be involuntary disclosed.

- (a) When a professional employee obtains such information he/she will immediately report the information to the building administrator or designee.
- (b) Any physical evidence (e.g. alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by a student must be turned over to the building administrator or the designee, and law enforcement officials within two school days after receipt of such evidence (C.G.S. Sec. 10-154a(b)). Because such physical evidence was not obtained through a confidential disclosure, the name of the student must be disclosed to the building administrator or designee, and law enforcement officials.

4. Search and Seizure of Students and/or Possessions:

The Fourth Amendment's prohibition of unreasonable searches and seizures applies to searches conducted by public officials. Professional employees who reasonably suspect that a student is violating a state/federal law or a school substance abuse policy should immediately report their suspicion to the building administrator or the designee.

If the administrator or the designee has reasonable suspicion that the student has violated or is violating either the law or the Board's substance abuse policy, the building administrator or the designee may then search a student's person or possessions. Such a search is permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction. *New Jersey v. T.L.O.*, 469 U.S.32S (1985). Students shall be informed that desks and lockers are school property and are subject to search.

5. Consequences for Possessing, Being Under the Influence, Manufacturing, Dispensing, Distributing, Selling or Aiding in the Procurement of Controlled Substances, Drug Paraphernalia, or Alcohol:

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Any student possessing, being under the influence, manufacturing, dispensing, distributing, selling or aiding in the procurement of controlled substances (except for current prescribed medication(s)), drug paraphernalia, or alcohol on a school bus, during a school session, on school grounds, or at a school-sponsored activity shall automatically be subject to the procedures outlined below.

In School Suspension

The Fairfield Public School's policy and corresponding administrative regulations regarding substance abuse include both statutes required by Connecticut state law as well as an emphasis on the importance of fostering positive, healthy school climates and helping students learn from their mistakes.

The policy and regulations reflect a comprehensive and multi-disciplinary team approach to student management which includes; social and emotional learning, substance abuse counseling, and restorative practices combined with a district philosophy that values the importance of relationships, responsibility, accountability and community.

A core component of the regulations include participation in the In-School Suspension (ISS) program, the purpose of which is not just to impose consequences, but to help students learn from unacceptable choices, to understand their impact, to make better decisions, resolve problems and disagreements, and take ownership of their behavior. The goal is to reduce suspensions, expulsions, and disciplinary referrals and help students achieve the attributes outlined in the Fairfield Public Schools' Vision of a Graduate.

I. In cases involving the possession of or under the influence of controlled substances, drug paraphernalia, or alcohol, the violator will be subject to:

(a) First Violation

Any student found in possession of or under the influence of controlled substances, drug paraphernalia, or alcohol will be subject to the following procedures:

- Referred by the building administrator or designee to the Student Assistance Counselor for mandatory meetings for educational and counseling purposes.
- Law enforcement officials will be notified of all violations involving possessing, and/or being under the influence of controlled substances, drug paraphernalia, or alcohol.

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- A structured one to four-day, in-school suspension (ISS). Students assigned to ISS will engage in a comprehensive program; including restorative practices, academic recovery and a daily session of one or more of the following for assistance: meeting with the Student Assistance Counselor, other in-school counseling, or an alcohol or other substance abuse group being held on school property.

Prior to the completion of the suspension the dean will review the school's drug and alcohol policy with the student and parent(s)/guardian(s) and a meeting with the school's Student Assistance Counselor, School Counselor, student and parent(s)/guardian(s) is required to develop a student support plan.

Should the student be noncompliant with any of the above required interventions, additional consequences such as a suspension for up to ten days or a referral for expulsion will be considered.

(b) Second Violation

Any student found in possession of or under the influence of controlled drugs, drug paraphernalia, or alcohol for the second time the school administration shall consider the student's status as a repeat offender and will be subject to the following procedures:

- Building administrator or designee will notify the Student Assistance Counselor of repeat offence for mandatory meetings for educational and counseling purposes.
- Law enforcement officials will be notified of all second violations involving possessing or being under the influence of controlled drugs, drug paraphernalia, or alcohol.
- A structured eight-day, in-school suspension (ISS). Students assigned to ISS will engage in a comprehensive program; including restorative practices, academic recovers and a daily session of one or more of the following alternatives for assistance: meeting with the Student Assistance Counselor, other in-school counseling, or an alcohol or other substance abuse group being held on school property.

Prior to the completion of the eight-day suspension the dean will review the school's drug and alcohol policy with the student and parent(s)/guardian(s) and a meeting with the school's Assistance Counselor, School Counselor, student and parent(s)/guardian(s) is required to revise the student support plan.

Should the student be noncompliant with any of the above required interventions, the ISS will be transitioned to an eight-day out-of-school suspension (OSS) and a referral for expulsion will be considered.

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(c) Third Violation

Any student found in possession of or under the influence of controlled drugs, drug paraphernalia, or alcohol for the third time, the violator will be subject to the following procedures:

- Law enforcement officials will be notified of all third violations involving possessing or being under the influence of controlled drugs, drug paraphernalia, or alcohol.
- Referred by the building administrator or designee to the Student Assistance Counselor for mandatory meetings for educational and counseling purposes.
- A ten (10)-day out-of-school suspension (OSS), in accordance with student due process procedures, and referral for expulsion in accordance with the mandatory expulsion provisions of Board Policy 5131. The student will be recommended to the Board of Education for expulsion pursuant to Section 10-233(a)(e) of the Connecticut General Statutes. Law enforcement officials will be notified immediately of all third violations involving possessing or under the influence of controlled substances, drug paraphernalia, or alcohol.

II. In cases of manufacturing, distributing, selling, dispensing or aiding in the procurement of controlled substances, drug paraphernalia, or alcohol, the violator will be subject to the following procedures:

- Law enforcement officials will be notified of all violations of manufacturing, distributing, selling, dispensing or aiding in the procurement of controlled substances, drug paraphernalia, or alcohol.
- Referred by the building administrator or designee to the Student Assistance Counselor for mandatory meetings for educational and counseling purposes.
- A ten (10)-day out-of-school suspension (OSS), in accordance with student due process procedures, and referral for expulsion in accordance with the mandatory expulsion provisions of Board Policy 5131. The student will be recommended to the Board of Education for expulsion pursuant to Section 10-233(a)(e) of the Connecticut General Statutes. Law enforcement officials will be notified immediately of all third violations involving possessing or under the influence of controlled substances, drug paraphernalia, or alcohol.

All communications between the school, students, parents or guardians, and police will be considered confidential as defined in Connecticut General Statutes 10-154a.

All students and parents or guardians will be notified of this policy yearly and understand that compliance is mandatory.

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