



Shonto Governing Board of Education, Inc. Policy Statement

SUBJECT: Alcohol, Tobacco, Other Drugs, and Inhalants Policy

POLICY NUMBER: BCA

EFFECTIVE DATE: 2/7/14

DATE OF ORIGINAL POLICY: 5/9/06

DATE OF NEXT REVIEW: 3/2017

CANCELS POLICY NO.: None

DATED: 3/7/14

I. PHILOSOPHY STATEMENT:

The Office of Indian Education Programs recognizes that the use of alcohol, tobacco, other drugs, and inhalants can interfere with a student's academic, physical, emotional, and social development. The Bureau of Indian Affairs has mandated that all schools under its supervision must develop a policy to help personnel deal with situations regarding abuse of these products and feels that an active program must include prevention and intervention strategies as tools to reduce the presence of these harmful products in our schools. Therefore, the Governing Board establishes the following policy.

II. POLICY STATEMENT:

It is the policy of the Shonto Governing Board, Inc. that our district will create and support a climate in which students and staff will receive help when they have used or are in possession of alcohol, tobacco, other drugs, and inhalants.

III. EXCEPTIONS TO POLICY:

- A. Students and staff who violate the provisions of the policy a second time or who sell alcohol, drugs, or inhalants to others will be subject to disciplinary actions including expulsion or dismissal.
- B. Students with disabilities are protected from suspension and expulsion under both Section 504 and P.L. 94-142. This does not mean that these students cannot be suspended for the sale and distribution of drugs and narcotics. Chapter 101 regulations, Section 10.10 states that a student who is receiving special education services can NOT be suspended or expelled for reasons relating to his or her disability. Students with disabilities may be suspended or expelled for behaviors not related to the student's disability. A suspension of more than ten days (cumulative) per school year is a change in placement. Therefore, notice must be sent to parents and the PET must approve the change in placement. Suspended students with disabilities must still receive educational services consistent with their IEPs. At a minimum they must be provided with two hours of tutoring per subject per week or ten hours, whichever is greater.

IV. AMPLIFYING INSTRUCTIONS AND GUIDELINES:

- A. PROCESS FOR DISSEMINATING INFORMATION, EXPECTATIONS, AND PROCEDURES REGARDING ALCOHOL, TOBACCO, OTHER DRUGS, AND INHALANTS TO STUDENTS, PERSONNEL, PARENTS, AND OTHERS.



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1. The district will develop a health curriculum for students on the dangers of alcohol, tobacco, other drugs, and inhalants and teach it to all fifth grade and eleventh grade students.
2. As part of its comprehensive health grant, the district will develop a proactive program for its staff to promote avoidance of alcohol, tobacco, other drugs, and inhalants.
3. The district shall place anti-addiction posters throughout the campus.

B. TRAINING FOR STAFF ON PROCEDURES FOR DEALING WITH SITUATIONS OF ABUSE PERTAINING TO ALCOHOL, TOBACCO, OTHER DRUGS AND INHALANTS

1. The district shall provide an annual training to all dorm staff.
2. All administrators shall receive training in protocols for recognizing and dealing with incidents where students and/or staff are under the influence of alcohol, drugs, and inhalants.
3. Certified and classified staff shall receive a memorandum from the Superintendent advising them of the procedure to follow when they suspect that a student is under the influence.

C. SUPPORT AND REFERRAL SYSTEM FOR RESPONDING TO SITUATION OF STUDENT OR STAFF ABUSE OF ATOD & INHALANTS

The Director of Residential Services and the Principals shall identify a cadre of staff members who have been given basic instruction in dealing with alcohol and drug abuse emergencies. This team is to intervene immediately while waiting for the arrival of the district Emergency Response Team.

D. ESTABLISHMENT OF A STUDENT/STAFF ASSISTANCE TEAM

Each principal shall establish a team within the building that will respond to any suspected abuse of alcohol, drugs, and other inhalants. If it is determined that a student does appear to be under the influence, the principal shall be notified immediately.

E. STUDENT/STAFF USE OF ATOD & INHALANTS AND CONSEQUENCE-SUPPORTIVE AND DISCIPLINARY

1. The unlawful manufacture, distribution, dispensation, possession, use, or facilitating the use of, or being under the influence of alcohol, anabolic steroids, or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or other controlled substance, imitation controlled substances or drug paraphernalia while on school property or while engaged in or attending any school-sponsored or school-approved activity or event, or going to and from school, shall result in suspension and/or expulsion from school. "Imitation controlled substance" shall mean a pill, capsule, tablet, or other item which is



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not a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana, but which by overall dosage unit appearance, including color, shape, size, marking or package, or by representations made, is intended to lead or would lead a reasonable person to believe that such a pill, capsule, tablet or other item is a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana.

2. The Governing Board shall expel from school attendance any student whom the Governing Board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as onto school property or to a school-sponsored activity. The Governing Board may, however, determine based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate. In addition, the Governing Board may, by regulation, authorize the superintendent or designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. The superintendent or designee is authorized to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate, provided that any such disciplinary action is taken in accordance with the procedures applicable to such action.
3. Selling, supplying, or possession with intent to supply/sell to another person dangerous or illegal drugs (including anabolic steroids) or substances –
EXPULSION
4. Selling, supplying or possession with intent to supply/sell to another person alcoholic beverages – **EXPULSION**
5. Use and/or under the influence of alcohol:

First Offense – Long-term suspension: referral to, assessment by and (if recommended) participation in an approved substance abuse intervention program involving the student and his parents; 45 days exclusion from participation and attendance of all extracurricular activities. Failure to comply with the terms of the penalty shall result in a 45 day out of school suspension. Offenses involving students in Grades 6-12 shall be cumulative.

Second Offense – **EXPLUSION**

6. Use and/or under the influence of dangerous or illegal drugs (including anabolic steroids) or substances:

First Offense – Long-term suspension; referral to, assessment by and (if recommended) participation in an approved substance abuse intervention participation and attendance of all extracurricular activities (except where program involving the student and his parents; 45 days exclusion from building-level athletic guidelines call for longer exclusion.) Failure to comply with the terms of the penalty shall result in a 45 day out of school suspension. Offenses involving students in Grades 6-12 shall be cumulative.

Second Offense – **EXPLUSION**



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7. Possession of alcohol:

First Offense – Long-term suspension: referral to, assessment by and (if recommended) participation in an approved substance abuse intervention program involving the student and his parents; 45 days exclusion from participation and attendance of all extracurricular activities (except where building-level athletic guidelines call for longer exclusion.) Failure to comply with the terms of the penalty shall result in a 45 day out of school suspension. Offenses involving students in Grades 6-12 shall be cumulative.

Second Offense –EXCLUSION

8. Possession of dangerous or illegal drugs/substances (including anabolic steroids) or drug paraphernalia:

First Offense – Long-term suspension: referral to, assessment by and (if recommended) participation in an approved substance abuse intervention program involving the student and his parents; 45 days exclusion from participation and attendance of all extracurricular activities (except where building-level athletic guidelines call for longer exclusion.) Failure to comply with the terms of the penalty shall result in a 45 day out of school suspension. Offenses involving students in Grades 6-12 shall be cumulative.

Second Offense – EXCLUSION

9. Possession of imitation alcohol (including nonalcoholic malt beverages) or imitation dangerous or illegal drug/substances (including anabolic steroids):

First Offense – Long-term suspension: referral to, assessment by and (if recommended) participation in an approved substance abuse intervention program involving the student and his parents; 45 days exclusion from participation and attendance of all extracurricular activities (except where building-level athletic guidelines call for longer exclusion.) Failure to comply with the terms of the penalty shall result in a 45 day of school suspension. Offenses involving students in Grades 6-12 shall be cumulative.

Second Offense - EXCLUSION

10. Medication

Students are prohibited from possessing any medication or prescription drugs, even if recommended or prescribed for the student's use. "Medication" shall mean any drug or other substance used in treating diseases, healing, or relieving pain, including all over-the-counter drugs such as aspirin, cough syrups, gargles, caffeine pills, and the like. A principal may grant an exception



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and allow a student to carry prescribed medication and to self-medicate if the following stipulations are met:

- (a) The Medication has been brought to the school clinic in its original container with the prescribed dosage and method of administration clearly indicated; and
- (b) The school has a statement on file in the school clinic signed by the prescribing physician stating that the student needs to carry the prescribed medication and may self-medicate as needed; and
- (c) The school has on file in the school clinic signed permission by the student's parent/guardian allowing the student to carry the prescribed medication and allowing the student to self-medicate as needed.

Student possession of over-the-counter drugs and prescribed medication may result in the same interventions and consequences as controlled substances, depending upon use, intent, and representation.

For elementary students needing to take medication during school hours, the medication is to be brought to the school nurse by the parent/guardian in its original container with the prescribed dosage and method of administration clearly indicated. Secondary students (grades 6-12) may bring medication to school provided the medication is delivered to the school nurse at the beginning of the school day in its original container with the prescribed dosage and method of administration clearly indicated.

11. Penalty

All violations of this policy shall result in the following:

- (a) Forfeiture of the controlled substance, alcohol, and/or drug-related paraphernalia & notification of the Superintendent;
- (b) Notification of parent/guardian and local police; and
- (c) Suspension of the student with principal's recommendation consistent with above following due process procedures.

12. Voluntary Surrender of Drugs or Alcohol

Students who voluntarily surrender a controlled substance to a school official may be excluded from the penalty for violation of this policy. Turning in a controlled substance to avoid apprehension is not voluntary surrender. Any violation of law will be reported to appropriate authorities. All instances of such voluntary surrender shall be reported in writing to the Superintendent.

DRUG-FREE WORKPLACE



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In furtherance of both state and federal law, the Governing Board declares the Shonto Preparatory School District to be a drug-free work place. No employee shall unlawfully manufacture, distribute, are under the jurisdiction of the school district where work on a federal grant is performed.

For these purposes, the board declares that the following behaviors will not be tolerated:

- a) Reporting to work under the influence of alcohol, illegal chemical substances or opiates.
- b) Using, possessing, transmitting alcohol, illegal chemical substances (including anabolic steroids) or opiates in any amount or in any manner on district property at any time. Any staff member convicted of a felony attributable to the use, possession, or sale of illegal chemical substances or opiates will be subject to disciplinary action, including immediate termination.
- c) Using district property of the staff member's position within the district to make or traffic alcohol, illegal chemical substances or opiates.
- d) Using, possessing or transmitting illegal chemical substances and opiates in a manner which is detrimental to the interest of the district.

Any staff member who is taking a drug or medication whether or not prescribed by the staff member's physician, which may adversely affect that staff member's ability to perform work in a safe or productive manner is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination, or any of the senses, including those which may cause drowsiness or dizziness. The supervisor in conjunction with the district office then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

As a condition of employment, each employee shall notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace as defined above. Such notification shall be provided no later than 5 days after such conviction. The district shall inform the federal government within 10 days of such conviction, regardless of the source of the information.

Each employee shall be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy may be subject to disciplinary action, which may include immediate discharge. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the board, at the employee's expense. Nothing in this policy shall be construed to guarantee reinstatement of any employee who violates this policy, nor does the school district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.



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Other actions such as notification of law enforcement agencies may be taken in regard to a staff member violating this policy.

- a) Students who found to be in possession of alcohol, tobacco, other drugs, and inhalants will be immediately referred to the Navajo Police for further investigation. Such students will also be subject to disciplinary action which will include a minimum of a five-day suspension from school or expulsion depending upon any previous history with these items.
- b) Students who are in possession of ATOD & inhalants who have an intent to sell or distribute such items will be suspended pending a hearing in which expulsion will be considered. The evidence presented at the hearing will dictate the final disposition.
- c) Students who are first-time offenders for minor possession will be referred to an appropriate awareness program and must attend the program as a condition for remaining in school.
- d) Staffs who are first-time offenders for alcohol use will be administered an in-house test, and if the testing suggests alcohol abuse on the job, the employee will be taken to a hospital for further testing to test the presence of alcohol. Any employee who refuses to go for further testing will be considered guilty of the offenses and will be subject to discipline.

F. PROCEDURES FOR HANDLING EMERGENCIES INCLUDING NOTIFICATION

The procedures for handling emergencies are noted in Attachment A-D. Attachment D is to be completed in the event of a death of a student.

G. MEMORANDUMS OF AGREEMENT REQUIRED BY THE POLICY

There are no special memorandums of agreement required.

V. DELEGATION OF AUTHORITY:

The Director of Personnel is directly responsible for communicating this policy to all appropriate parties and enforcing its provisions.

VI. REPORTS:

None

VII. FORMS:

1. Student Screening Form (See Attachment A.)
2. Student Referral Checklist (See Attachment B.)
3. Student Observation Form (See Attachment C.)
4. Critical Incident and Death Report Form (See Attachment D.)



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VIII. EXPIRATION:

This policy expires three (3) years after its acceptance unless reapproved.

IX. SIGNATURE BLOCK:

Submitted by: Lemual B. Adson
Superintendent

Date: 2/7/14

1st Review Reading: February 7, 2014

2nd Review Reading: March 7, 2014

Established: 
Martha Tate, President,
Shonto Governing Board of Education, Inc.

**Shonto Preparatory School
Shonto, AZ 86054**

Student Screening Form

Student's Name: _____ Date: _____

General medical information will be in the student's school medical file. This screening form is to be filled out by the staff making initial contact with a student who appears to be intoxicated or under the influence of some type of drug or other inhalant.

Answer the following question and record breathalyzer results:

1. Does the student appear to be under the influence of alcohol or drugs? Yes ___ No ___
2. Is the student carrying any medication? Yes ___ No ___
3. Did you ask the student if he or she were on any type of medication? Yes ___ No ___
4. Does the student have any sign of physical injury? Yes ___ No ___
5. Is the student out of control or physically violent to self or others? Yes ___ No ___
6. Breathalyzer results _____

If you detect /observe any other health problems, please explain: _____

Check results of student screening assessment:

1. _____ student was transported to the emergency room.
2. _____ student was accompanied by staff member to nurse's office, transition dorm, or dorm of origin.
3. _____ other, explain _____
4. _____ referral form (Attachment B) completed and forwarded.

Staff signature: _____

Date: _____ Time: _____

Attachment B

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Referral Checklist

Student's Name: _____ Date: _____

- _____ 1. Student has possession of alcohol or drugs.
- _____ 2. Student displays visible signs of alcohol or drug abuse.
- _____ 3. Student "sleeping off" alcohol or drugs.
- _____ 4. Student self referred for alcohol or drug use.

Describe in a short written narrative what symptoms the student demonstrated or what activities lead to this student's referral:

If other students were involved in this activity, please list them:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

Signature of staff or student making this referral: _____

Date: _____

The student assistance team will receive a copy of this completed and signed referral checklist the next day.

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Student Observation Form

Student Name: _____ Date: _____

UPON INITIAL ENTRY TO NURSE'S OFFICE/TRANSITION DORM OR DORM OF ORIGIN, STAFF WILL RECORD STUDENT OBSERVATIONS AS FOLLOWS:

IF A STUDENT IS INTOXICATED OR UNDER THE INFLUENCE OF DRUGS, DOCUMENT THAT STUDENT IS CHECKED EVERY 15 MINUTES.

IF THE STUDENT IS NOT INTOXICATED, RECORD OBSERVATIONS EVERY 30 MINUTES. USE ADDITIONAL FORMS AS NEEDED.

TIME	OBSERVATION	INITIAL	TIME	OBSERVATION	INITIAL

Staff on duty: _____ Time in: _____ Time out: _____

Staff on duty: _____ Time in: _____ Time out: _____

Staff on duty: _____ Time in: _____ Time out: _____

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CRITICAL INCIDENT AND DEATH REPORTING FORM

The purpose of this form is to report a critical incident or death occurring at a school. This form is to be completed immediately and faxed to the OIEP Director at 202-208-3312, Deputy Director at 505-248-6353, the DOI Law Enforcement and Security Watch Office at 202-208-3421 and the Education Line Officer. If the incident occurs during the night, a telephone contact must be made to the Education Line Officer and one of the following officials: Director at 202-277-7638 or Deputy Director's Office at 505-270-1360.

School Name _____ Date: _____

Student Name _____ Age: _____ Grade: _____

Tribe: _____

Location of Incident: _____ school _ dormitory _____ other (specify) _____

Description of Incident – What happened? Who was Involved? (attach additional sheets as needed)

Indicate persons that were notified of the incident (if applicable)

_____ Parent/Guardian _____ Date/Time _____

_____ Law Enforcement _____ Date/Time _____

_____ Hospital/EMT _____ Date/Time _____

_____ Education Line Officer _____ Date/Time _____

Certification:

I certify that the information contained in this report is true and correct to the best of my knowledge.

Signature

Date

Telephone Number