

NOTE: Colorado school boards are required by law to adopt a policy on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the board should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Drug and Alcohol Involvement by Students

Dolores School District RE-4A shall promote a healthy environment for students by providing education, support and decisionmaking skills in regard to alcohol, drugs and other controlled substances and their abuse. In order to accomplish this goal, a cooperative effort must be made among the schools, parents/guardians, community and its agencies.

It shall be a violation of Board policy and considered to be behavior which is detrimental to the welfare or safety of other students or school personnel for any student to possess, use, sell, distribute or exchange or to be under the influence of alcohol, drugs or other controlled substances. The unlawful possession or use of alcohol or controlled substances is wrong and harmful to students.

For purposes of this policy, controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined in law, or any prescription or nonprescription drug, medication, vitamin or other chemical substances not taken in accordance with the Board's policy and regulations on administering medications to students or the Board's policy on administration of medical marijuana to qualified students.

This policy also includes substances that are represented by or to the student to be any such controlled substance or what the student believes to be any such substance.

This policy shall apply to any student on district property, being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event, or whose conduct at any time or place interferes with the operations of the district or the safety or welfare of students or employees.

Students violating this policy shall be subject to disciplinary sanctions which may include suspension and/or expulsion from school and referral for prosecution.

Disciplinary sanctions and interventions for violations of this policy shall be in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse shall be handled on an individual basis depending upon the nature and particulars of the case.

The Board, in recognition that drug and alcohol abuse is a community problem, shall cooperate actively with law enforcement, social services or other agencies and organizations, parents/guardians and any other recognized community resources committed to reducing the incidents of illegal use of drugs and alcohol by school-aged youths.

Whenever possible in dealing with student problems associated with drug and alcohol abuse, school personnel shall provide parents/guardians and students with information concerning education and rehabilitation programs which are available.

Information provided to students and/or parents/guardians about community substance abuse treatment programs or other resources shall be accompanied by a disclaimer to clarify that the school district assumes no financial responsibility for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required.

Adopted: July 1988

Revised: September 1990, October 1992, February 1994, October 1995,
November 2007, December 2012, April 2015, October 2017, August
2019

LEGAL REFS.: 20 U.S.C. §7101 *et seq.* (*Safe & Drug-Free Schools and Communities Act of 1994*)
21 U.S.C. 812 (*definition of "controlled substance"*)
C.R.S. 18-18-407 (2) (*crime to sell, distribute or possess controlled substance on or near school grounds or school vehicles*)
C.R.S. 22-1-110 (*instruction related to alcohol and drugs*)
C.R.S. 22-1-119.3 (3)(c), (d) (*no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a school bus or at a school-sponsored event*)
C.R.S. 22-32-109.1 (2)(a)(I)(G) (*policy required as part of safe schools plan*)
C.R.S. 22-33-106 (1)(d) (*suspension or expulsion discretionary for the sale of a drug or controlled substance*)
C.R.S. 25-1.5-106 (12)(b) (*possession or use of medical marijuana in or on school grounds or in a school bus is prohibited*)
C.R.S. 25-14-103.5 (*boards of education must adopt policies prohibiting use of retail marijuana on school property*)

CROSS REFS.: IHAMA, Teaching about Drugs, Alcohol and Tobacco
JIH, Student Interviews, Interrogations, Searches and Arrests
JK*-2, Discipline of Students with Disabilities
JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)
JLCD, Administering Medications to Students
JLCDB*, Administration of Medical Marijuana to Qualified Students