

DRUG ABUSE

Section I: PREAMBLE

The aim of this school policy is to establish an atmosphere that would promote a respect for and understanding of the use and abuse of drugs, including alcohol.

Section II: DRUG EDUCATION

The goal of a drug education program is to help students make responsible choices with respect to drug use and to prepare them for meeting stress situations in the home, school and community.

A comprehensive drug education curriculum shall be designed and implemented by those responsible at various educational levels to meet the needs of the student population at the elementary through high school levels. This will include medical, legal, and social consequences of drug abuse and the health benefits of nonuse. It should encompass such techniques as value clarification and problem-solving skills.

Section III: DEFINITION

A. Drug Abuse

The intentional use of any substance of a legal or illegal origin for the purpose of, or which has the result of, altering mental, physical or social capacity, adjustment, or perceptivity, other than as a direct result of treatment by a licensed physician or dentist in a medical or medical-related occupation.

B. Seller or Pusher

1. One who is actually seen engaging in an illegal drug-selling or drug-supplying transaction with a substance having abusable capabilities; or
2. One who is discovered to be in possession of a quantity of an abusable substance that is greater than could be reasonably claimed as being for personal use; or
3. One who is proved to have engaged in the illegal sale or supplying of a substance having abusable capabilities.

C. User

One whose actions are such that it is apparent he is under the influence of chemical or substance of a legal or illegal origin and is unable to prove that the condition is the result of the substance or

chemical being used in accordance with recommendations of a licensed physician or dentist in a medical-related occupation; or one discovered to have in his possession an amount of such a substance greater than would be for personal use.

D. Drug User Who Seeks Help

One who of his own initiative approaches a member of the school staff seeking counseling or assistance in coping with personal drug abuse and is willing to work with an appropriate staff member or agency in seeking a solution to his problem.

E. School Administration

Any member of the school staff

Section IV: RIGHTS AND RESPONSIBILITIES

Individuals must accept their responsibilities according to their recognized abilities or roles. The following is recommended for the related drug situations.

A. Educational counselors and teachers will be cognizant of drug problems and use professional judgment in observing the student body concerning potential pupil involvement.

1. Any school personnel who knows a child is in possession of or using alcohol or controlled substances must report this offense to the principal or assistant principal immediately
2. When abnormal behavior is observed over a period of time by school personnel and such behavior is believed to be the result of use or abuse of controlled substances or alcohol, the principal will be contacted to take appropriate action

B. The school administrator has an overall responsibility to the total student body and the community in greater scope than the individual teacher or counselor. The knowledge of agency services, as well as observation and personal guidance services to students, are a part of the responsibility.

1. When confronted with students seeking help, the administration shall elect among the following alternatives:
 - a. Referral to criminal justice system
 - b. Referral to community agency
 - c. Discipline within the school system
 - d. No action

2. When confronted with the suspected user, (who has observable abnormal behavior) all school personnel:
 - a. Shall report detected law violations to the principal for further action, and it shall be the duty of the of the principal to contact the student and parents
 - b. The principal shall furnish the names of juveniles committing drug offenses to the Police Department Youth Division to determine whether there is a prior record
 - c. If there is no prior record requiring police action, then the principal may elect from any of the above mentioned alternatives

3. When student possession is suspected

Action may be taken if there is a reasonable cause to believe a student is in possession of illegal drugs. Reasonable cause includes personal observation and reports from others which are considered worthy of investigation. The scope of permissible action may be governed by these considerations:

- a. Illegal drugs are dangerous to the student body, and positive, vigorous action is required. Within this context, school staff should pursue the investigation with restraint and sensitivity to a student's reasonable expectations of privacy.
- b. A search should always be conducted in the presence of another staff member as a witness.
- c. Permissible action includes requiring a student to empty pockets or purse, inspection of a student's automobile.
- d. Normally, action should be taken only as to the individual student who is believed to be in possession of illegal drugs. In extreme cases, a comprehensive or "shake down" inspection of a group is justified. This should be done as a last resort and if the danger is extreme, as would be the case if hard drugs are suspected.
- e. If a search is refused, parents should be summoned on an emergency basis, and the aid of the parent should be requested in making the search. Every effort should be made to prevent the relocation of the suspected drug pending arrival of a parent.

- f. A student's refusal to cooperate in a proper search may be considered grounds for disciplinary action.
 - g. Law enforcement officers may justify a search only with a warrant or under a standard of "probable cause" required for a valid arrest. School staff has broader latitude in dealing with drugs as a matter dangerous to students and the educational process. If law enforcement officers have been called or if they are in any way involved prior to a search, then the stricter "probable cause" standard must be observed. In that event, the search should be left entirely to the officers. If a search by school staff produces a drug or suspicious substance, the Police Department Youth Division may be called either to take over the matter or to identify the substance.
4. When a student is detected selling
- a. It shall be the duty of all school personnel to report detected law violations to the principal for further action, and it shall be the duty of the principal to contact the student and parents.
 - b. The principal shall furnish the names of juveniles committing drug offenses to the Police Department Youth Division to determine whether there is a prior record.
 - c. If there is no prior record requiring police action, then the principal may elect from any of the above mentioned alternatives.
- C. Law enforcement agencies and the school will develop a cooperative situation with each other. Drug problems brought to the police agencies do not always require court or juvenile proceedings. School personnel, students and parents are advised to seek counseling from legal authorities when seeking help. When school personnel seek law enforcement assistance the police will work with the school and the students. When students are selling or in possession, the law enforcement agency will enforce the law and use professional judgment as to legal procedures.
- D. Parents, when confronted by drug use or abuse from within the home should:
- 1. Recognize that drugs are affecting a major part of our student population

2. Recognize that this is a problem of major proportions
3. Recognize that hiding the problem or ignoring the problem does not solve it. Use of drugs may not constitute delinquency or immoral behavior but it is a symptom of problems of modern society. When judging the severity of the drug problem the parent may want to consider the total scope of his child's behavior.
4. Recognize that this is not a fault of the school or community at large. The school and community cannot solve the problem in isolation. Parental support is essential. School and law enforcement personnel can assist the parent may also contact school personnel if it is felt this would be beneficial to the student.

E. The student's role and responsibilities

1. Students are encouraged to give information on users or abusers of alcohol or controlled substances. All such informants identities will be held in strict confidence. (Refer to Confidentiality of Student Records, JCF)
2. All students should be made aware of available human agency resources, from which help can be obtained.
3. Privacy should be maintained for students reporting users, abusers, and sellers.

Section V: CONFIDENTIALITY

Confidentiality is necessary to create an atmosphere of trust, understanding, and respect between the students and the school faculty.

School staff shall exercise professional judgment on confidentiality.

To preserve an atmosphere of learning and in the best interest of the students, the source of information obtained will be labeled confidential.

In order to observe the student's and the counselor's rights, when the student comes to the counselor for help, the counselor will help the student understand that information can not always be kept confidential; in some cases it will be referred to the appropriate individual or agency. These cases will include those that endanger the welfare of the student or others. This information may be subject to disclosure in a court of law.

In the event a student is referred to a community agency outside the school system, that agency must maintain the standard of confidentiality required by law. The referring party must also preserve the highest level of confidentiality.

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Mississippi
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LEGAL REF.: Section 37-13-37, 37-13-39, 37-13-41; Mississippi Code of
1972