

POLICY REGARDING THE PREVENTION OF UNLAWFUL POSSESSION, USE OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL BY STUDENTS AND EMPLOYEES

The Drug-Free Schools and Communities Act Amendments of 1989, Public law 101-226 required that, as a condition for receiving funds or any other form of financial assistance under any Federal program, the district must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

The purpose of this bylaw is to comply with the requirements of the relevant Federal statutes and regulations. This bylaw shall be construed in a manner so that such purpose is accomplished.

DRUG PREVENTION PROGRAM FOR STUDENTS

The following program is hereby adopted for students of the district:

- a) Age-appropriate, developmentally based drug and alcohol education and prevention programs which are attached to this bylaw are hereby adopted. These programs address the legal, social and health consequences of drug and alcohol use and provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol. These programs are for all students, kindergarten through twelfth grade.
- b) Students shall be informed that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.
- c) Standards of Conduct are hereby adopted which clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students on school premises or as a part of any of the school activities.
- d) Disciplinary sanctions, up to and including expulsion as well as referral for prosecution will be imposed on students who violate the Standards of Conduct.
- e) Information about any drug and alcohol counseling, rehabilitation and re-entry programs that are available to students will be given to students and parents.

The Standards of Conduct set forth in (c), the statement of disciplinary sanctions described in (d), and the programs available described in (e) are set forth in the attached "Notice of Students and Parents – Standards of Conduct Regarding Illicit Drugs and Alcohol" which is attached to this bylaw. Such notice shall be given annually to each student and to the parents of such student and, if appropriate, to the person with whom the student resides.

- f) The board shall biennially conduct a review of this program with the Superintendent, administration and staff to:

- i) Determine the effectiveness of the program and implement changes to the program, if needed, and
- ii) Ensure that the disciplinary sanctions are consistently enforced.

DRUG PREVENTION PROGRAM FOR EMPLOYEES

The following program is hereby adopted for all employees of the district:

- a) The following Standards of Conduct apply to all employees of the district:
The unlawful possession, use or distribution of illicit drugs and alcohol on school premises or as a part of any school activity is hereby prohibited.
- b) Disciplinary sanctions up to and including termination of employment and referral for prosecution will be imposed on employees who violate the Standards of Conduct set forth in (a). A description of the sanctions is set forth in the attached notice to employees.
- c) Information about any drug and alcohol counseling, rehabilitation and re-entry programs that are available to employees will be given to employees.
- d) Employees shall be given a copy of the attached notice. This notice contains the Standards of Conduct set forth in (a), a statement of disciplinary sanctions as well as the programs available in the community.
- e) Distribution of employees of the attached notice is mandatory. The Superintendent is hereby directed to adopt a procedure to give notice to each present employee and each employee hired in the future. A record shall be kept that such notice was given.
- f) The Board shall biennially conduct a review of this program with the Superintendent to:
 - i) Determine the effectiveness of the program and implement changes if they are needed; and
 - ii) Ensure that the disciplinary sanctions for violation of Standards of Conduct are consistently enforced.

NOTICE TO STUDENTS AND PARENTS

STANDARDS OF CONDUCT REGARDING ILLICIT DRUGS AND ALCOHOL

The following notice is hereby given to students and parents in accordance with the Drug-Free Schools and Communities Act Amendments of 1989, Public law 101-226. Compliance with the Standards of Conduct contained in this notice is mandatory.

STATEMENT TO STUDENTS

The use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.

STANDARDS OF CONDUCT

The unlawful possession, use or distribution of illicit drugs and the possession, use or distribution of alcohol by students on school premises or as a part of any of the activities of the school, is prohibited.

DISCIPLINARY SANCTIONS

The range of penalties which may be imposed for a violation of the Standards of Conduct is as follows:

Verbal warning; written warning; written notification to parent; counseling; probation; reprimand; detention; suspension from transportation; suspension from athletic participation; suspension from social or extracurricular activities; suspension of other privileges; exclusion from a particular class; in-school suspension; involuntary transfer; suspension; expulsion, as well as referral for prosecution.

The type and extent of punishment shall be determined by the building principal or Superintendent. Such disciplinary measures shall be appropriate to the seriousness of the offense and, where applicable' to the previous disciplinary record of the students. Any suspension from attendance upon instruction may be imposed only in accordance with Education law 3214-(3).

DRUG AND ALCOHOL COUNSELING, REHABILITATION AND RE-ENTRY PROGRAMS

The following drug and alcohol counseling, rehabilitation and re-entry programs are available to students:

Alcoholics Anonymous	722-5983
Alcoholism Center of Broome County	723-7308
Cocaine Hotline	1-800-262-2463
Broome County Council on Alcoholism	723-7529
Broome County Drug Awareness Center	778-1251
Crack Hotline	1-800-822-7225
First Call for Help	729-9100
New Horizons Alcohol/Chemical Dependency Program @ Binghamton	762-2200
DETOX	762-2255
Substance Abuse Hotline	1-800-522-5353
Mental Health Clinic	778-1992
Southern Tier Drug Abuse Treatment Center	729-4983

REFERENCE TO STUDENT CODE OF CONDUCT

This notice is given in conjunction with the Student Code of Conduct which has been previously adopted by the Board of Education. The Code prohibits, among other things, the following:

The use, possession, sale or gift of any drug or controlled substance, including marijuana, or any instruments for the use of such drugs, controlled substance or marijuana, such as a pipe, syringe or other paraphernalia, while on school premises (including buildings or grounds) or on a bus going to or from a school function or school-sponsored function. Excepted is any drug taken in accordance with a current prescription signed by a physician which it to be taken by that particular student at the time in question.

Being under the influence of an alcoholic beverage, drinking an alcoholic beverage or being in possession of an alcoholic beverage on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function. Alcoholic beverages shall mean and include alcohol, spirits, liquor, wine, beer and cider having alcohol content.

The Standards of Conduct set forth in this notice shall be considered part of the Student Code of Conduct and these standards shall be construed in harmony with each other.

NOTICE TO EMPLOYEES STANDARDS OF CONDUCT REGARDING ILLICIT DRUGS AND ALCOHOL

The following notice is hereby given to employees in accordance with the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226. Compliance with the Standards of Conduct contained in this notice is mandatory.

STANDARDS OF CONDUCT

The unlawful possession, use or distribution of illicit drugs as well as the possession, use or distribution of alcohol on school premises or as a part of any of the activities of the school is prohibited.

DISCIPLINARY SANCTIONS

Any employee who violates the Standards of Conduct set forth in this notice is subject to disciplinary sanctions. Disciplinary sanctions include not having that person's employment renewed, a fine, suspension, reduction in grade, termination, as well as referral for prosecution. Such disciplinary sanctions shall be imposed in accordance with the statutes of the State of New York and, if applicable, the labor contract pertaining to the bargaining unit in which the employee functions.

DRUG AND ALCOHOL COUNSELING, REHABILITATION AND RE-ENTRY PROGRAMS

The following drug and alcohol counseling, rehabilitation and re-entry programs are available to students:

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DEFINITIONS

The phrase “unlawful possession, use or distribution of illicit drugs on school premises or as a part of any school activity” includes the use, possession, sale or gift of any drug or controlled substance, including marijuana, or any instruments for the use of such drugs, controlled substance or marijuana, such as a pipe, syringe or other paraphernalia, while on school premises (including buildings or grounds) or on a bus going to or from a school function or school-sponsored function. Excepted is any drug taken in accordance with a current prescription signed by a physician which it to be taken by that particular person at the time in question.

The phrase “the possession, use or distribution of alcohol on school premises” includes being under the influence of an alcoholic beverage, drinking an alcoholic beverage or being in possession of an alcoholic beverage on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function. Alcoholic beverages shall mean and include alcohol, spirits, liquor, wine, beer and cider having alcohol content.

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