# STUDENTS 09.423

Alcohol, Drugs, and Other Prohibited Substances

Drugs, Alcohol and Other Prohibited Substances

No pupil shall receive, purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school‑sponsored activity, or en route to or from school or a school‑sponsored activity:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look‑alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.
4. Mood altering substances (such as inhalants).

In addition, students shall not possess prescription drugs for the purpose of sale or distribution.

Definitions

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under [KRS 218A.010](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/218A00/010.pdf&requesttype=krs).

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in [KRS 217.900](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/217-00/900.pdf&requesttype=krs) or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

Authorized Medication

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy provided the drug is presented to the school office in its original container for dispensing.

Penalty

Violation of this policy may constitute reason for disciplinary action including suspension, long-term alternative school placement, expulsion from school, revocation of parking privileges on school premises, and suspension or dismissal from athletic teams and/or other school-sponsored activities. Students suspended, sent for alternative school placement, or expelled may not be on any school property for any reason (including but not limited to school buses, sport activities, concerts, prom, graduation, and any other school-sponsored event) until their discipline term has expired or they have prior approval from the Superintendent/designee

# STUDENTS 09.423

# (Continued)

Alcohol, Drugs, and Other Prohibited Substances

Reporting

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

Drug Testing Program

Students participating in competitieve extracurricular activities or who wish to exercise parking priviliges may be tested for drug or alcohol use when there is reasonable suspicion that a student is using or has been under the influence of drugs or alcohol.

Testing shall be accomplished by the analysis of urine specimens obtained from the student. Collection and testing procedures shall be established, maintained, and administered to ensure:

1. Proper student identification;
2. Identification of each specimen with the appropriate student participant;
3. Maintenance of the unadulterated integrity of the specimen; and
4. Integrity of the collection and testing process, as well as the confidentiality of test results.

NOTICE TO PARTICIPANTS

Prior to participation in any competitive extracurricular activities, or the issue of a student parking permit each year, the District shall provide all participating students and their parent or legal guardian with a written copy of District Policy 09.423 and Procedure 09.423 AP.1. Each student who chooses to participate and a parent or legal guardian of that student shall be required to sign a statement indicating that the student and the student’s parent or legal guardian have read, understand and agree to be bound by the terms and conditions of the policy and procedure.

# STUDENTS 09.423

# (Continued)

Alcohol, Drugs, and Other Prohibited Substances

Prevention Program

The Superintendent shall establish a comprehensive and on-going drug‑free/alcohol‑free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug‑free/alcohol‑free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/ student assistance programs; and
5. Penalties that may be imposed upon students for violations of this policy.

References:

[KRS 156.070](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/156-00/070.pdf&requesttype=krs); [KRS 158.150](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/158-00/150.pdf&requesttype=krs); [KRS 158.154](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/158-00/154.pdf&requesttype=krs); [KRS 158.155](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/158-00/155.pdf&requesttype=krs)

[KRS 160.290](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/160-00/290.pdf&requesttype=krs); [KRS 161.180](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/161-00/180.pdf&requesttype=krs)

[KRS 217.900](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/217-00/900.pdf&requesttype=krs); [KRS 218A.020](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/218A00/020.pdf&requesttype=krs); [KRS 218A.143](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/218A00/143.pdf&requesttype=krs)0; [KRS 218A.144](http://policy.ksba.org//DocumentManager.aspx?requestarticle=/KRS/218A00/144.pdf&requesttype=krs)7

[OAG 82‑633](http://policy.ksba.org//documentmanager.aspx?requestarticle=/civil/opinions/OAG82633.htm&requesttype=oag); [OAG 93‑32](http://policy.ksba.org//documentmanager.aspx?requestarticle=/civil/opinions/OAG9332.htm&requesttype=oag)

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of Pottawatomie Cty. v. Earls, \_\_\_ U.S. \_\_\_, 242 F.3d 1264 (2002).

Adopted/Amended: 9/10/2012

Order #: 1205