

BOARD POLICY: ILLEGAL SUBSTANCES AND PARAPHERNALIA**8460**

Page 1 of 7 pages

Section A – Introduction

The Board of Education of District #225 views the presence and use of illegal substances as a significant impediment to student learning, positive social development, responsible citizenship, and safety. Furthermore, the Board believes that parents, guardians and students should expect a school environment free of illegal substances, influences of illegal substances, and of illegal substance paraphernalia. The purpose of this policy is to foster an environment that is conducive to learning and free of illegal substances within the jurisdiction of the school.

Section B – Jurisdiction

The provisions of this policy shall be in force:

1. In any physical area on or attendant to school or District property;
2. At any school or District-sponsored or related activities, performances, extracurricular and athletic events;
3. During school or District-sanctioned or provided travel and transportation; and
4. At any other activity or event, if the administration determines that the incident bears a connection to, or impact on the school, safety at school, or is disruptive to the educational environment.

Section C – Definition of Terms

1. The term “illegal substance” is defined as:
 - a. Any alcoholic substance as defined in The Liquor Control Act of 1934 (235 ILCS 5/1-1 *et seq.*);
 - b. Any controlled substance listed under the Illinois Controlled Substances Act (720 ILCS 570/100 *et seq.*);
 - c. Cannabis (as defined in Illinois’ Cannabis Control Act - 720 ILCS 550/3(a)) regardless of whether it has been prescribed;
 - d. Any look-alike, counterfeit, or synthetic substances, including a substance not containing an illegal or controlled substance, but one: (i) that a student reasonably believes to be, or represents to be, an illegal or controlled substance; or (ii) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal or controlled substance; or (iii) which is further defined in 720 ILCS 570/102(y);

- e. Any drug paraphernalia (as defined in 720 ILCS 600/2(d));
 - f. Any anabolic steroid (as defined in 720 ILCS 570/102(c-1)) unless possessed or used pursuant to a prescription from a duly licensed physician or prescriber;
 - g. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list;
 - h. Any compound, liquid, or chemical, regardless of whether it contains an illegal substance, that: (i) is ingested, inhaled, or used for the purpose of inducing a condition of intoxication, stupefaction, depression, giddiness, paralysis, or irrational behavior or in any manner distorting, or disturbing the auditory, visual, or mental process; or (ii) is further defined in 720 ILCS 690/1; and any drug, when such drug is used, possessed, distributed, purchased, or sold in a manner inconsistent with the prescription and/or the prescribed purpose.
2. The term "use" is defined as having consumed, exhibited any evidence of consumption, or participated in a plan to consume (regardless of taking place within the Jurisdiction ~~described in Section B~~).
 3. The term "possession" is defined as having control, custody, or care, currently or in the past, of an item, including situations in which the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, supplies, backpack, or automobile; (c) in a school's locker, desk, or other school property; or (d) at any location mentioned within the Jurisdiction ~~described in Section B~~.
 - ~~4.~~ ~~7.~~ The term "consideration" is defined as something bargained for, which motivates a person to do something – including, but not limited to, money, an act, a forbearance, ~~and~~ or a return promise.
 - ~~5.~~ ~~4.~~ The term "distribution" is defined as the actual, constructive or attempted transfer of possession from one person to another without evidence of consideration. The offense of distribution is only attributable to the transferor.
 - ~~6.~~ ~~5.~~ The term "purchase" is defined as obtaining possession by providing consideration.
 - ~~7.~~ ~~6.~~ The term "sale" is defined as ~~transferring possession in exchange for consideration~~ the actual, constructive or attempted transfer of possession from one person to another with evidence of consideration.
 8. The term "drug" is defined as medication that has been prescribed to a specific person by a licensed physician or prescriber.
 9. A drug or substance, with the exception of cannabis as mentioned in paragraph ~~7~~ 1(c) above, shall not be considered an "illegal substance" when the drug or substance is prescribed by a licensed physician or prescriber provided said drug or substance ~~are~~ is used consistently with the licensed physician or prescriber's instructions.

10. The term “egregious conduct” includes, but is not limited to, any of the following:
 - a. The ~~sale or~~ distribution, use or possession of an illegal substance coupled with the threat of infliction of physical harm;
 - b. The sale of an illegal substance;
 - c. The purchase of an illegal substance;
 - d. The ~~sale, distribution, purchase,~~ use, or possession of an illegal substance coupled with any other illegal conduct or violation of any other District policy; ~~and or~~
 - e. The ~~sale, distribution, purchase,~~ use, or possession of an illegal substance coupled with conduct which endangers or has the potential to endanger the health or safety of others; with or without the consent of the recipient.
 - f. Violation of this policy along with that of another board policy.

Section D – Violations and Consequences

The administration is directed to take the following action regarding the use, possession, distribution, purchase, or sale of any illegal substance as defined in Section C:

~~Section D – Violations and Consequences~~

~~The administration is directed to take the following action regarding the illegal substance violations:~~

1. A student’s first violation for the use, possession, or distribution of an illegal substances will result in:
 - a. Suspension for ten (10) school days
 - b. ~~A~~ Submission to a full substance abuse assessment from a school-designated agency and compliance with all requirements arising from such assessment, including random drug testing, ~~is required~~. The results of such testing must be negative for the presence or use of illegal substances. A failure to comply with the assessment and its requirements will result in the MDRC’s referral to the Board of Education for consideration of expulsion.
 - c. The parent(s)/guardian(s) and student will be required to sign any necessary releases to allow for the coordination and delivery of services related to the full substance abuse assessment. Similarly, the parents and student will be required to sign any necessary releases to allow for the sharing of the assessment’s recommendations among the parent(s)/guardian(s), school officials, the provider of the assessment, and the student.
 - i. The cost of the counseling, assessment, treatment plans, and any testing affiliated with the assessment(s) will be the responsibility of the student or parent(s)/guardian(s), unless otherwise determined by the Board in its discretion.

- ii. In cases involving minor children, parent(s)/guardian(s), by signing the necessary releases, are waiving their rights, and their child's rights, to the confidentiality of the assessment(s).
 - iii. In cases involving students who are 18 years of age or older, students, by signing the necessary releases, are waiving their rights to the confidentiality of the assessments and are allowing parental/guardian access to the assessment(s) results.
 - iv. A failure of any student and/or parent(s)/guardian(s) to sign all releases required under this Section will result in the MDRC's referral to the Board of Education for consideration of expulsion.
- d. Loss of privileges during the suspension period and for a probationary period beginning upon completion of the suspension.
- i. Loss of open lunch for nine weeks;
 - ii. Loss of driving privileges for nine weeks;
 - iii. Restricted study hall in lieu of unscheduled time for nine weeks;
 - iv. Loss of participation in extracurricular activities according to the prescribed action for a violation of the Glenbrook Code of Conduct; and
 - v. Loss of attendance at school sponsored events, ceremonies (including graduation) and activities that are in addition to the student's participation in extracurricular activities for nine weeks. The Board has the discretion to impose other sanctions including, but not limited to community service as a condition for graduation.
- e. A student's and parent's/guardian's agreement to comply with the above provisions may result in a reduction of the suspension to five school days.
- f. In situations of egregious conduct, the ~~school administration~~ superintendent or designee shall refer the matter directly to the School Board for consideration of sanctions, including expulsion. A violation under this policy may also constitute a violation under Policy 8410: Disciplinary Action Relative to Student Misconduct.

2. A student's second violation for the use, possession, or distribution of an illegal substances will result in:
 - a. Suspension for ten (10) school days;
 - ~~b. e.~~ Referral by the MDRC to the Board of Education for consideration for expulsion;
 - ~~c. b.~~ If mutually agreed upon by the Principal, Superintendent, student, and parent(s)/guardian(s) (for students under the age of 18), the completion of an Alternative Discipline Plan (ADP);
 - d. An ADP's provisions shall include, but shall not be limited to:
 - i. Counseling for the student and parent(s)/guardian(s) as developed by the ~~school~~ principal or designee and the school-designated agency.
 - ii. ~~A~~ Submission to a full substance abuse assessment from a school-designated agency and compliance with all requirements arising from such assessment, including random testing, is required. The results of such testing must be negative for the use of illegal substances.
 - iii. The parent(s)/guardian(s) and student will be required to sign any necessary releases to allow for the coordination and delivery of services related to the full substance abuse assessment. Similarly, the parent(s)/guardian(s) and student will be required to sign any necessary releases to allow for the sharing of the assessment's information among parent(s)/guardian(s), school officials, the provider of the assessment, and the student.
 - a. In cases involving minor children, parent(s)/guardian(s), by signing the necessary releases, are waiving their rights, and their child's rights, to the confidentiality of the assessment(s).
 - b. In cases involving students who are 18 years of age or older, students, by signing the necessary releases, are waiving their rights to the confidentiality of the assessment(s) and are allowing parental/guardian access to the assessment(s) results.
 - c. Failure of any parent(s)/guardian(s) or student to sign any release necessary for participation in the ADP will result in an ineligibility to qualify for the ADP and will result in the MDRC's referral to the Board of Education for consideration of expulsion.
 - iv. The cost of the counseling, assessment, treatment plans, and testing affiliated with the assessment(s) will be the responsibility of the student or parent(s)/guardian(s).

- v. Loss of privileges during the suspension and for a probationary period beginning upon completion of the suspension:
 - a. Loss of open lunch for one calendar year;
 - b. Loss of driving privileges for 18 weeks;
 - c. Restricted study hall in lieu of unscheduled time for 18 weeks;
 - d. Loss of participation in extracurricular activities as prescribed by the Glenbrook Code of Conduct; and
 - e. Loss of attendance at school sponsored events or activities that are in addition to the student's participation in extracurricular activities for 18 weeks.
- vi. A re-entry meeting with the principal or designee upon completion of the ADP to review academic progress and to review the need for additional transition services may be necessary.
- vii. Failure to accept or comply with any terms of the ADP will result in the MDRC reconvening to consider additional sanctions that may include referral to the Board of Education for consideration of expulsion.

In situations of egregious conduct, superintendent or designee shall refer the matter directly to the School Board for consideration of sanctions, including expulsion. A violation under this policy may also constitute a violation under Policy 8410: Disciplinary Action Relative to Student Misconduct.

- 3. A student's third and any subsequent violation for the use, possession, or distribution, of an illegal substances will result in
 - a. ~~Referral~~ by the MDRC to the Board of Education for consideration for expulsion.

Section E – Procedures and Interventions

- 1. The Administration is authorized by the Board to develop intervention procedures and procedures for administering penalties for any violation of this policy in accordance with the procedures of Policy 8410: Disciplinary Action Relative to Student Misconduct.
- 2. The Administration will advise the Board each time an Alternative Discipline Plan ("ADP") has been commenced for a student, including providing (i) a description of the violations and circumstances for which the ADP was prescribed; (ii) a description of the terms of the ADP, and (iii) a copy of the ADP agreement entered into by the student, parents and the dDistrict.

Section F – Enumeration of Offenses

Offenses shall be cumulative over the student's high school years.

Section G – Substance Abuse Education

The Board of Education directs and authorizes the ~~Administration~~ Superintendent or designee to develop programs of education on the subject of illegal substance possession and use and to establish procedures for their implementation.

Section H – Reporting of Substance Abuse

~~Members~~ Employees of the ~~school-administration and staff~~ District who have reasonable suspicion or who witness an act they believe to be a violation of this policy on school premises or off school premises, or at school-sponsored or school-connected events shall immediately report the incident with the name of ~~the~~ each student ~~or students~~ involved to the dean of students.

Section I – Cooperation with Law Enforcement Agencies

The staff and administration are directed to communicate and cooperate with law enforcement agencies in matters relating to a violation of this policy in accordance with Reciprocal Reporting Agreements approved by the Board and the respective Villages, ~~so long as the sharing of such information does not deny rights guaranteed by existing laws or court decisions and does not conflict with the protected rights of students as contained in the law or Board policies.~~

Approved: December 18, 1972 Reviewed: August 25, 1997; August 21, 2000 Revised: July 28, 1986; October 6, 1986; October 27, 1986; July 25, 1994; August 28, 1995; April 22, 1996; August 30, 1999; August 11, 2003 Revised: April 11, 2005 (Replaced Policy 8090: Student Substance Abuse) Revised: June 26, 2006; July 9, 2007; August 11, 2008