

SUBJECT: Illegal Substances

I. Board Directive

The Board recognizes that the possession, use, or distribution of illegal drugs, alcoholic beverages, or other prohibited substances constitutes a hazard to students and is disruptive to the educational process. The Board mandates, consistent with federal and state law, the development and implementation of programs that: 1) provide information about the harmful effects of drug and alcohol use, 2) coordinate efforts by schools and parents or guardians in preventing drug and alcohol use, 3) assist parents or guardians of students who use drugs or alcohol in seeking professional help from public and private educational and rehabilitative agencies, and 4) use restorative practices consistent with [State Board Rule R277-613](#).

The Board delegates to the Administration, responsibility for providing: 1) drug and alcohol use prevention programs, 2) disciplinary procedures and consequences for students who possess, use, or distribute illegal drugs, alcoholic beverages, or prohibited substances on school district property, during school hours, or at school sponsored activities, 3) support for students and families in drug and alcohol use identification and prevention efforts, and 4) use of appropriate restorative practices.

II. Administrative Policy

The Administration recognizes the need to prevent the possession, use, and distribution of any substance listed in this policy on school district property, during school hours, and/or at any school-sponsored activity, including those held off school property.

A. **Illegal Substance Violations**

Substances defined as illegal, including violations under [Utah Code §76-10-101 et. seq.](#), [§58-37-4 et. seq.](#), or [§32B-1-102 et. seq.](#), (e.g. illegal use of marijuana or any psychotoxic chemical, narcotics, opiates, alcoholic beverages, prescription medications containing controlled substances) are prohibited.

1. Possessing (personal or property), using (consuming, inhaling, or injecting), or being under the influence of illegal substances
 - a. First Violation
 - 1) A student possessing, using, or under the influence of illegal substances for the first time shall be suspended, whether in-school or out-of-school, pending a meeting with the school administrator and parent(s) or guardian(s).
 - 2) The student shall be enrolled in the Jordan District online First Offender Drug or Alcohol course. The student may return to school after providing a certificate of course completion or the student has missed five (5) school days.
 - 3) Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative during the intervening time.
 - 4) If the online course is not completed, the student may be placed in a school-based alternative education program to complete the course.
 - b. Second Violation

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- 1) A student possessing, using, or under the influence of illegal substances for the second time shall be suspended, whether in-school or out-of-school, pending a meeting with the school administrator and parent(s) or guardian(s).
 - 2) At the meeting, the student shall be placed in a school or home-based alternative education program for ten (10) school days.
 - 3) In addition, the student who has a second violation must enroll in the District's Substance Abuse and Family Education (S.A.F.E.) course and submit to a written assessment for potential substance dependence.
 - 4) The first session of the S.A.F.E. course must be attended prior to returning to school and the student may be placed in a school or home-based alternative education program if the course is not completed.
 - 5) A confirmation of the assessment appointment must be received by the administrator of Student Support Services before the student is readmitted to school.
 - 6) Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative during the intervening time.
- c. Third or Subsequent Violation
- A student possessing, using, or under the influence of illegal substances for the third time shall be suspended to a District Safe Schools Hearing pending a meeting with the school administrator and parent(s) or guardian(s).
2. Distributing (Selling, Sharing, or Delivering)
 - a. First Violation
 - 1) A student distributing illegal substances for the first time shall be suspended, whether in-school or out-of-school, pending a meeting with the school administrator and parent(s) or guardian(s).
 - 2) At the meeting, the student shall be placed in a school or home-based alternative education program for ten (10) school days.
 - 3) In addition, the student who has a distribution violation must enroll in the District's Substance Abuse and Family Education (S.A.F.E.) course and submit to a written assessment for potential substance dependence.
 - 4) The first session of the S.A.F.E. course must be attended prior to returning to school and the student may be placed in a school or home-based alternative education program if the course is not completed.
 - 5) A confirmation of the assessment appointment must be received by the administrator of Student Support Services before the student is readmitted to school.
 - 6) Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative during the intervening time.
 - b. Second or Subsequent Violation

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A student possessing, using, or distributing illegal substances following a first distribution violation shall be suspended to a District Safe Schools hearing pending a meeting with the school administrator and parent(s) or guardian(s).

B. Counterfeit Substances Violations

Any substance that is falsely represented to be any legally or illegally manufactured controlled substance that a reasonable person would believe to be a legal or illegal controlled substance. This is to include but not limited to the drugs listed on the [DEA Drug Fact Sheet](#) and counterfeit substances as defined in [Utah Code §58-37-2](#) Utah Controlled Substances Act.

1. Possessing (Personal or Property)

a. First Violation

- 1) A student possessing counterfeit substances for the first time shall be suspended, whether in-school or out-of-school, pending a meeting with the school administrator and parent(s) or guardian(s).
- 2) At the meeting, this policy will be reviewed and written documentation of the violation will be placed in the student's disciplinary file.
- 3) The student shall be readmitted to school after the meeting.

b. Second or Subsequent Violation

- 1) A student possessing counterfeit substances for the second time shall be suspended, whether in-school or out-of-school, pending a meeting with the school administrator and parent(s) or guardian(s).
- 2) The student shall be enrolled in the Jordan District online First Offenders Drug or Alcohol course.
- 3) The student may return to school after providing a certificate of course completion or the student has missed five (5) school days.
- 4) Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative during the intervening time.
- 5) If the online course is not completed, the student may be placed in a school-based alternative education program to complete the course.

2. Distributing (Selling, Sharing, or Delivering)

a. First Violation

- 1) A student distributing counterfeit substances for the first time shall be suspended, whether in-school or out-of-school, pending a meeting with the school administrator and parent(s) or guardian(s).
- 2) At the meeting, this policy will be reviewed.
- 3) Disciplinary consequences for distributing counterfeit substances will be a referral to the First Offenders Drug and Alcohol class.

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b. Second Violation

- 1) A student distributing counterfeit substances for the second time shall be suspended, whether in-school or out-of-school pending a meeting with the school administrator and parent(s) or guardian(s).
- 2) The student shall be enrolled in the Jordan District online First Offenders Drug or Alcohol course.
- 3) The student may return to school after providing a certificate of course completion or the student has missed five (5) school days.
- 4) Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative during the intervening time.
- 5) If the online course is not completed, the student may be placed on a school-based alternative education program to complete the course

c. Third or Subsequent Violation

- 1) A student distributing counterfeit substances for the third time shall be suspended, whether in-school or out-of-school pending a meeting with the school administrator and parent(s) or guardian(s).
- 2) At the meeting, the student shall be placed in a school or home-based alternative education program for ten (10) school days.
- 3) In addition, the student who has a distribution violation must enroll in the District's Substance Abuse and Family Education (S.A.F.E.) course and submit to a written assessment for potential substance dependence.
- 4) The first session of the S.A.F.E. course must be attended prior to returning to school and the student may be placed in a school or home-based alternative education program if the course is not completed.
- 5) A confirmation of the assessment appointment must be received by the administrator of Student Support Services before the student is readmitted to school.
- 6) Parent(s) or guardian(s) will be required to coordinate homework assignments with a designated school representative during the intervening time.

C. Medication Substance Violations

Possession, use, influence, or distribution of prescription medications for which an individual has no prescription, including those with controlled substances listed in [Utah Code §58-37-4](#), shall be administered according to the Illegal Substance Violations provisions of this policy.

Possession, use, influence, or distribution of prescription medication for which an individual has a prescription, or over-the-counter medication in excess of a 12-hour dose (or appropriate dosage amount for the school-sponsored activity) shall be administered as follows:

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- a. A student possessing, using, under the influence, or distributing medication for the first time shall be suspended, whether in-school or out-of-school, pending a meeting with the school administrator and parent(s) or guardian(s).
 2. Second or Subsequent Violation
 - a. A student possessing, using, under the influence, or distributing medication for the second or subsequent time shall be suspended, whether in-school or out-of-school, pending a meeting with the school administrator and parent(s) or guardian(s).
 - b. Additional interventions including (but not limited to) those listed under the Illegal Substance Violation provisions of this policy may be used.
- D. Tobacco/Nicotine Violation
- Illegal possession of tobacco, cigarettes or any oral device that is composed of a heating element, battery, or electronic circuit and marketed, manufactured, distributed, or sold as an e-cigarette, vapor sticks, e-pipe, or any other product name or descriptor, if the function of the product meets the definition of an electronic oral device. ([Utah Code §76-10-1-101](#), [104](#), [105](#), [111](#)).
1. Tobacco, tobacco/nicotine products, e-cigarettes, and paraphernalia shall be confiscated.
 2. Parent(s) or guardian(s) will be contacted by the school administrator.
 3. Possessing (Personal Property), Using (Consuming, Inhaling, Influence), or Distributing (Selling, Sharing, or Delivering)
 - a. A student using, possessing, or distributing tobacco/nicotine may be suspended, whether in-school or out-of-school, and/or attend a tobacco cessation class online or in-person at the Jordan Family Education Center.
- F. Procedures
1. Due process procedures outlined in policy [AS67 Discipline of Students](#) will be followed in the administration of this policy.
 2. All illegal activity covered by this policy will be reported to an appropriate law enforcement agency except as defined in [Utah Code §53G-8-211](#). Jordan School District will enforce the disciplinary consequences outlined in this policy independent of any criminal charge or court action.
 3. Violations covered by this policy while off-campus but during regular school hours shall be subject to the provisions of this policy.
 4. Students found in possession of drug paraphernalia as defined in [Utah Code §58-37a-3](#) will be subject to the Possession and Use of Illegal Substances section of this policy.
 5. During the time a student is on a school or home-based alternative education program, the student may not be a spectator or participant in any school-sponsored activity, including graduation exercises.
 6. If the designated days of school, home-based, or virtual alternative education cannot be completed by the end of the regular school year, the school, home-based, or virtual alternative education program shall be completed prior to attending a District school the following school year.

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7. Students placed on a home-based or virtual alternative education program (usually through a District Safe Schools Hearing), which may result in a multi-year placement, may not participate in any school-sponsored activity for the period of the placement.
8. District personnel will assist with identifying appropriate agencies qualified to make written assessment of potential substance dependence for students who violate the provisions of this policy. These assessments will be at the expense of the parent(s) or guardian(s).
9. Records will be maintained on all illegal substance violations by Student Support Services. A student with more than one violation in any thirty-six (36) month period will be considered a repeat offender even if the earlier violation(s) occurred in a prior school year, grade, level, or a different Jordan District school.
10. Students violating this policy, may be suspended, placed on probation, leave, or removed from participation in leadership positions, candidacy for leadership positions, school organizations, academic teams and/or athletic teams.
11. If an employee has reasonable cause to believe that a student has committed a prohibited act, he/she shall immediately report the violation to the school's administrator ([Utah Code §53G-8-502](#)) who shall immediately report the violation to the student's parent(s) or guardian(s). The violation may be reported to an appropriate law enforcement agency under [Utah Code §53G-8-211](#). The identity of the educator who made the initial report may not be disclosed to the student or student's parent(s) or guardian(s) ([Utah Code §53G-8-503](#)).
12. When a violation of this policy constitutes a substantive health and/or safety concern for students or the school and after consultation and approval by the administrator in Student Support Services, the student may be suspended to a District Safe Schools Hearing.
13. Students in a substance abuse treatment program that meets the licensing qualifications of the Utah State Department of Human Services may be awarded education credit as a part of the student's Plan for College and Career Readiness (P.C.C.R.).
 - a. One (1.0) elective credit may be earned for completion of an in-patient treatment program.
 - b. Required and elective credit may also be earned during in-patient treatment through participation in an accredited educational program including virtual options.
 - c. One (1.0) elective credit may be earned for participation in an approved aftercare program. A schedule of the aftercare program and verification of regular attendance must be submitted to the school.