

## **REASONABLE SUSPICION DRUG AND ALCOHOL TESTING**

The Bonneville Joint School District 93 is committed to a safe learning environment. Any student under the influence of drugs and/or alcohol on any District premises or at any District-approved or school-related sponsored activity, regardless of location, can severely disrupt the educational environment as well as pose a threat to student health and safety. Therefore, student intoxication or possession, use, distribution, or aiding in the procurement of drugs, alcohol, or drug paraphernalia will not be tolerated. Legitimate use of prescription drugs, prescribed by an authorized health care professional will be permitted. The District administrative staff is authorized to require any student, on grounds of reasonable suspicion, to submit to a drug and/or alcohol test.

### **Guidelines**

#### **Notice**

1. Annual notification of District policies for staff and/or parents/guardians will be made available on the District's webpage. It is the responsibility of staff and parents/guardians to read and become informed of the contents, requirements, and expectations of these policies. Hard copies will be made available upon request.
2. Nothing herein contained shall be construed to avoid any prosecution under any pertinent Federal or State of Idaho criminal statute.

#### **Determining Reasonable Suspicion**

1. Reasonable suspicion shall not arise when indicators are not observed.
2. The fact that a student has previously disclosed use of a controlled substance will not be deemed a factor in determining reasonable suspicion at a later date.

#### **Intentional Harassment Prohibited**

Reasonable suspicion shall not be used for the purpose of intentional harassment of any student.

#### **Drug Use/Abuse Recognition Education**

1. Annual training for principals and administrators regarding recognition of drug and alcohol use/abuse shall be provided by the District.

2. Principals and administrators shall provide employees within their buildings professional development regarding recognition of drug and alcohol use, handling procedures, and policy implementation familiarization.

### **Counseling**

If there is reasonable suspicion that a student is in possession of, is using, is aiding in procurement of, or is distributing prohibited drugs, alcohol, or drug paraphernalia, the District may recommend counseling and drug or alcohol education at the student's parent/guardian's expense.

### **Students with Disabilities**

1. Students with disabilities are responsible for adhering to the same rules of conduct as non-disabled students.
2. State and Federal regulations related to students with disabilities will be followed when implementing discipline procedures.

### **DEFINITIONS**

**Authorized Health Care Professional:** is any professional who is licensed to prescribe medication including, but not limited to, MD (Medical Doctor), DO (Doctor of Osteopathic Medicine), DDS (Doctor of Dental Surgery), DMD (Doctor of Dental Medicine), PA (Physician Assistants), and NP (Nurse Practitioner).

**Co-curricular Activities:** are held outside the regular school day but are integral to the classroom as part of the stated curriculum. Such activities include, but are not limited to, Idaho High Schools Activities Association (IHSAA) sanctioned Speech, Arts, Spirit, and Music activities.

**Contraband:** Illegal or prohibited property, the possession of which is forbidden under school policy or illegal under state or federal law. Contraband shall consist of, but is not limited to, stolen property, pornography, alcohol, tobacco, nicotine innovations, illicit drugs and/or prescription or nonprescription drugs designed to alter the feeling or behavior of an individual, or drugs that appear to be any of the above.

**Distribution:** To share, deliver, pass, give and/or sell alcohol, tobacco products, nicotine innovations, or any controlled or dangerous substance from one person to another or aid therein.

**Drugs:** shall include any alcohol or malt beverage, any inhalant, any tobacco product, nicotine innovations, any controlled substance, any illegal substance, any performance enhancement substance, any abused substance, any look-alike or counterfeit drug, any medication not approved and registered by the school authorities, any substance which

is intended to alter mood, and/or any substance which is misrepresented and sold or distributed as a restricted or illegal drug.

**Drug Paraphernalia:** Any object being used in the consumption, production, sale or distribution of a controlled or illegal substance. These include but are not limited to papers, bongs, roach clips, pipes, stones, needles, and bowls.

**Extracurricular Activities:** are held outside the regular school day. These activities include IHSA sanctioned sports. Although many of these activities involve travel or participation during school time, the base of the organization for meeting and practice is held outside of the school timetable.

**Intentional Harassment:** means a knowing and willful course of conduct directed at a specific student which seriously alarms, annoys, threatens or intimidates the student and which serves no legitimate purpose.

**Intoxication:** means being excited, stupefied, or affected by alcohol or a drug to the point where physical and mental control is diminished.

**Nicotine Innovation:** a device such as electronic vapor cigarettes, e-cigarettes, or other device that is meant to satisfy the smoker's oral fixation as well as deliver nicotine to the bloodstream.

**On any District premises or at any District sponsored activity, regardless of location:** shall include, but not be limited to buildings, facilities, and grounds on school campuses, school busses, school parking areas; and the location of any school/district sponsored activity. This includes instances in which the conduct occurs off the District premises, but impacts a District related activity.

**Possession:** To have or hold without any attempt to distribute, drugs, tobacco products, nicotine innovations, and/or alcohol on student's person or within an area of student's control, including but not limited to cars, lockers, books, desks, and clothing on or near any school premises, any time during school hours, or at a school-sponsored activity regardless of location.

**Reasonable Suspicion:** An act of judgment by a District employee or independent contractor of an educational institution which leads to a reasonable and prudent belief that a student may be using alcohol or controlled substances. Said judgment shall be based on training in recognizing the signs and symptoms of alcohol and controlled substance use.

Adopted: 01-09-2008      Reviewed: \_\_\_\_\_ Revised: 10-08-2008  
05-09-2012  
01-17-2018

Cross Reference: Drug Free School Zone #3300  
Voluntary Disclosure of Substance and Alcohol Abuse #3320  
Student Suspension #3355  
Student Expulsion-Denial of Enrollment #3360  
Searches and Seizure #3370  
Detection Dog Use #3372  
Student Interviews #3375  
Investigations and Arrests by Police 3377  
Extracurricular and Co-curricular Activities #3384  
Extracurricular Athletic Participation #3385  
Extracurricular Code of Conduct #3387  
Suspension from Extracurricular and Co-Curricular Activities #3389  
Extra- and Co-Curricular Chemical Use #3390

Legal Reference: Idaho Code § 33-210 Students using or under the influence of alcohol or controlled substances  
Idaho Code § 37-2732C Using or being under the influence - Penalties